

JOINT METRO MANILA TRAFFIC CIRCULAR NO. 01

Series of 2023

THE ESTABLISHMENT OF THE METRO MANILA TRAFFIC CODE OF 2023

Pursuant to Republic Act 7924 or An Act Creating the Metropolitan Manila Development Authority, Section 3 and 5, in relation to Republic Act 4136 or the Land Transportation and Traffic Code of the Philippines, and Republic Act 7160 or the Local Government Code of 1991, the Metropolitan Manila Development Authority (MMDA), in coordination with the Land Transportation Office (LTO), and the seventeen (17) Local Government Units of Metro Manila, shall spearhead the institutionalization of a Single Ticketing System through the creation of a Metro Manila Traffic Code to have a uniform and harmonize implementation of traffic laws, as well as to introduce standard traffic management and control in Metropolitan Manila.

I. PRELIMINARY PROVISIONS

1. **Short Title** - The Metro Manila Traffic Code of 2023
2. **Declaration of Policy** - it is hereby declared the policy of the state to have efficient and effective traffic management and control to address the traffic problems in Metro Manila. To have a uniform and coordinated implementation of traffic laws, rules and regulations, and the institutionalization of a Single Ticketing System within Metro Manila towards a dynamic and holistic social and economic order in all phases of national development.
3. **Scope of the Act** - this Code shall govern the traffic management and control, implementation of traffic rules and regulations, and other intertwined processes therewith, on all major, secondary or other roads and thoroughfares, including all public places, within the jurisdictional bounds of Metro Manila.
4. **Definition of Terms** - For purposed of this Code.
 - a) **Motor Vehicle** - any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes.

Trailers having any number of wheels, when propelled or intended to be propelled by attachment to a motor vehicle, shall be classified as separate motor vehicle with no power rating.

b) Driver - Any person who operates, drives, or has control of the directional and mobile power of a motor vehicle as defined under this Code.

c) Passenger - Any person who is on-board or traveling in a motor vehicle as defined under this Code, whether for a fee or not, other than the driver thereof.

d) Stalled Vehicle - is a motor vehicle unit that is unable to move or becomes stuck on the road or any of the thoroughfare due to a flat tire, an empty fuel tank, overheating engine, empty battery, or other analogous circumstances.

e) Administrative or Franchise Violations - are the operations of motor vehicle in contravention or in violation of pertinent provisions of the Certificate of Public Convenience duly issued by LTFRB or the LGUs or the lack thereof while engaging or plying as public transport service.

f) Owner - is the registered owner of any vehicle defined under this Code, whose name appears in the motor vehicle's Certificate of Registration with the LTO.

g) Pedestrian - any person who goes, or travels on foot, or walks on any road, thoroughfares or highways.

h) Interconnectivity - refers to an arrangement of all the Local Government Units of Metro Manila, MMDA and LTO towards a connected data system for collecting, monitoring, tagging and recording traffic violations committed by or cited to erring operator of the vehicle or the registered owner thereof.

i) Standard Motorcycle Helmet - shall mean the protective helmets for motorcycle riders that comply with the standard under Republic Act No.10054 or the Mandatory Use of Motorcycle Helmet Act or the specifications issued by DTI. Standard helmets are those with PNS-UNECE 22 marking or ICC markings

j) Loading and Unloading Zones - are those determined by the Authority or by Local Government Units and appropriately marked areas as passengers may board or disembark, or such places where cargoes may be loaded or off-loaded. It will not include those areas that are established by any private entity, unless coordinated with and allowed by the Authority or the Local Government Unit which has jurisdiction in the area.

k) Traffic Signage - Any marking, erected or posted signs, lines, symbols, patterns, outlines, structures, or other similar objects that tend to direct, instruct, inform, control,

or notify the operation of vehicles, or movement of pedestrians in any roads or public spaces.

l) Trucks - are motor vehicles, principally intended for carrying cargo and having license plates of the following classifications: "S", "T", "TC", "TH", "TRLB", "HHB", and "TRJ", to include other vehicles such as lorries, vans, tankers or other delivery vehicles, whether loaded or empty, having a gross capacity weight of more than 4,500 kilos.

m) Light Truck - are motor vehicles, whether or not for commercial purposes, with a gross capacity weight 4,500 kilograms or below, and/or having six (6) or more tires, the payload area of which are either enclosed or open

n) Parking or parked - a motor vehicle is parked or in parking if it has been brought to a stop on the shoulder or proper edge of a highway, and remains inactive in that place or close thereto for an appreciable period of time. A motor vehicle which properly stops merely to discharge a passenger or to take in a waiting passenger, or to load or unload a small quantity of freight with reasonable dispatch shall not be considered as "parked", if the motor vehicle again moves away without delay.

o) Tricycle - is a type of motorized vehicle that consists of a motorcycle attached to a passenger cab or sidecar, or a motorized vehicle consists of three (3) wheels and has facility for passengers or goods or both.

p) Electric Vehicle - a vehicle with at least one (1) electric drive for vehicle propulsion, as defined under Republic Act No. 11697 or the Electric Vehicle Industry Development Act or its the Implementing Rules and Regulations.

q) Electronic entertainment and computing device - is any handheld electronic device capable of digital information processing, recording, capturing or displaying and computing operations such as, but not limited to, laptop, computers, tablets, video game consoles and calculators.

r) Mobile communications devices - are electronic communications equipment such as, but not limited to, cellular phones, wireless telephones, two-way radio transceivers, pagers and other similar devices capable of transmitting, receiving, or both, of encrypted data and/or signals through wireless electronic or any other similar means;

s) Reckless Driving - is the operation of a motor vehicle, in violation of traffic rules, at the risk of harming others and with less than the full attention, focus, and skill required of every driver.

t) Special and Exclusive Lane - segments of any road or thoroughfare that is designated for the exclusive use of a particular type of motor vehicle or of bicycles such as bus lanes,

bike lanes, exclusive motorcycle lanes, or other special and exclusive lanes established or determined by a competent authority.

u) *Child Restraint System* - refers to a device, approved in accordance with Section 6 of Republic Act No. 11229 or the Child Safety in Motor Vehicles Act, capable of accommodating a child occupant in a sitting or supine position. It is so designed as to diminish the risk of injury to the wearer, in the event of a collision or of abrupt deceleration of the vehicle, by limiting the mobility of the child's body.

v) *Seat belt device* - shall refer to any strap, webbing or similar device in the form of pelvic restraint or lap belt, upper torso restraint or shoulder strap or a combination thereof designed to secure a person in a motor vehicle in order to mitigate the results of any accident, including all necessary buckles and other fasteners, and all hardware designed for installing such seat belt device in a motor vehicle.

w) *Foot peg* - is a flat device or apparatus attached to motorcycles upon which a motorcycle rider or passenger stand or brace his/her feet on which to stand or brace the feet.

x) *Unregistered Motor Vehicle* - is any motor vehicle that has no existing or up to date motor vehicle registration from the Land Transportation Office. This shall apply to all kinds of motor vehicles that require registration for its operation.

y) *Driving without Driver's License* - is any person who operates or drives a motor vehicle without driver's license or while such license is delinquent, expired, invalid, suspended or revoked; or operating or driving a motor vehicle beyond the restrictions imposed in the his/her driver's license; or operating or driving a motor vehicle carrying a student driver's license without the supervision of a duly license driver.

II. OPERATION OF MOTOR VEHICLES

5. *Driver's License* - No person shall operate or drive any motor vehicle without first procuring a license to drive a motor vehicle for the current year, nor while such license is delinquent, expired, invalid, suspended or revoked in accordance with RA 4136 or the Land Transportation and Traffic Code. The driver's license shall be carried by the driver of the vehicle at all times while operating a motor vehicle, and shall be shown and/or surrendered for cause and upon demand by any authorized and/or deputized traffic personnel.

6. *Motor Vehicle's Registration* - No motor vehicle shall be used or operated on or upon any roads, highways or thoroughfares of Metro Manila unless the same is properly registered for the current year pursuant and without prejudice to the provisions of RA 4136 or the Land Transportation and Traffic Code.

7. *Franchising and Regulation of LTFRB* - Pursuant to Section 5 of Executive Order No. 202, series of 1987, the LTFRB is the principal government agency that has the power to define policies relating to the operation public utility vehicles. Unless otherwise provided by law or duly granted and deputized by the Board, LTFRB has the sole power to implement all franchise and administrative violations pertinent to the operation of motor vehicle, such as, but not limited to public utility buses, jeepneys, taxis, and other motor vehicles under their regulation.

8. *Franchising and Regulation of Local Government Units* - Pursuant to Republic Act No. 7160 or the Local Government Code of 1991, local government units have the power to regulate affairs within their respective jurisdiction, and for the purposes of this Code, LGUs have the power to grant authority to tricycle operators to engage in public transportation services within their territorial jurisdiction. Likewise, to impose fines and penalties relative to the violation of their franchise, unless otherwise granted by law to other government agencies.

9. *Administrative Violations* - For the purposes of this Code and without prejudice to pertinent laws governing the same, these terms are defined as follows:

a) Public Service - includes every person that now or hereafter may own, operate, manage, or control in the Philippines, for hire or compensation, with general or limited clientele, whether permanent, occasional or accidental and done for general business purposes, any common carrier, engaged in the transportation of passengers or freight or both pursuant and without prejudice to Section 13 (b) of the Public Safety Act.

b) Common Carriers - are persons, corporations, firms, or associations engaged in the business of carrying or transporting passengers or goods or both, by land, water, or air, for compensation, offering their services to the public pursuant and without prejudice to Article 1732 of the New Civil Code of the Philippines.

c) Colorum Operation - motor vehicles that need to secure the corresponding Certificate of Public Convenience (CPC) are those engaged in land transportation of persons, goods, or both in consideration of a fee or compensation, that the transportation services are offered to general public or to a limited clientele either permanent, occasional, accidental, or it is the general business purpose of the said persons or entities. Further, the following circumstances shall constitute Colorum Operations pursuant and without prejudice to pertinent laws:

- i. A private motor vehicle operating as a public utility vehicle but without proper authority from the LTFRB or Local Government Units with respect to the operation of tricycles and alike;
- ii. A public utility vehicle operating outside of its approved route or area without a prior permit from the Board or outside the exceptions provided under existing memorandum circulars, including tricycles and alike for Local Government Units;

- iii. A public utility vehicle operating differently from its authorized denomination, including tricycles and alike for Local Government Units (ex. Those approved as school service but operating as UV express, or those approved as tourist bus transport but operating as city or provincial bus);
- iv. A public utility vehicle with suspended or cancelled CPC and the Decision/Order of suspension or cancellation is executory; or
- v. A public utility vehicle with expired CPC and without pending application for extension of validity timely filed before the Board, or before the LGUs with respect to tricycles and alike.

d) Fine and penalties in relation to the herein violations are determined in accordance with existing traffic laws, rules and regulations promulgated by LTO, LTFRB, MMDA and Local Government Units. The LGUs shall have the power to formulate fines and penalties in cases the Administrative Violations are committed by tricycles and alike within their territorial jurisdiction.

III. TRAFFIC VIOLATIONS, FINES AND PENALTIES

10. ***Disregarding Traffic Sign*** - Any person who shall disregard markings, erected or posted signs, lines, symbols, patterns, outlines, structures, or other similar objects that tend to direct, instruct, inform, control, notify, or manage the operation or placement of vehicles, or movement of pedestrians in any road or public spaces shall be fined 1000 pesos.

11. ***Illegal Parking*** - No person shall park a vehicle, or permit it to stand, whether attended or unattended, upon a highway in any of the following places:

- a) Within an intersection;
- b) On a crosswalk;
- c) Within six meters of the intersection of curb lines;
- d) Within four meters of the driveway entrance of fire stations, hospitals, and police stations;
- e) Within four meters of fire hydrant and along fire lanes;
- f) In front of a private driveway;
- g) On the roadway side of any vehicle stopped or parked at the curb or edge of the highway;
- h) On the sidewalk, pedestrian walk-way or places and lanes not intended for motor vehicle; or
- i) At any place where official signs have been erected prohibiting parking.

A person who shall park a motor vehicle in any of the following places herein mentioned shall be liable for a fine of 1,000 pesos, if the vehicle is attended by the driver; or 2,000 pesos and

impoundment of the vehicle, if unattended. This violation is also committed even with or without the presence of No Parking Sign in cases of paragraphs (a) to (h).

12. Unified Vehicle Volume Reduction Program (Number Coding Scheme) - the operation on any road or highway shall be prohibited from 7:00 AM to 10:00 AM and 5:00 PM to 8:00 PM for the following motor vehicles, to wit:

Days Prohibited	License Plate Endings
Mondays	1 and 2
Tuesday	3 and 4
Wednesday	5 and 6
Thursday	7 and 8
Friday	9 and 0

Any person who violates the UVVRP shall be fined 500 pesos except the following motor vehicles: a) Public Utility Vehicles (Including Tricycles); b) Transportation Network Vehicles or TNVs; c) Motorcycles; d) Garbage Trucks; e) Fuel Trucks; f) Ambulances; g) Fire Trucks; h) Registered and marked Government Vehicles; i) Marked Media Vehicles; j) motor vehicles carrying essential or perishable goods; and k) Electric and Hybrid Vehicles.

13. Truck Ban - Any person while operating a truck as defined under this Code, who traverses EDSA, Makati Business District, Ortigas Business District, Pasig City; and Bonifacio Global City, Taguig City; or in any roads and thoroughfares that have been declared by the Authority or any of the Local Government Units in Metro Manila as not accessible for the use of trucks shall be fined 3000 pesos. Further, a total truck ban shall be implemented along the stretch of EDSA from EDSA-Magallanes to EDSA-North Avenue.

Exempted from this provision are trucks classified as garbage trucks, fuel trucks, trucks carrying essential and/or perishable goods, and roads and highways where truck lanes are duly established.

For the purpose of this Code trucks may traverse within the established Alternative Routes for trucks such as:

a. Southern Truck Routes:

From Port Area to South Superhighway - Bonifacio Drive, left P. Burgos, Finance Road, Ayala Boulevard, right San Marcelino, left President Quirino, right South Superhighway.

From South Superhighway to Port Area - South Superhighway, right President Quirino, left United Nations Avenue, right Romualdez Street, left Ayala, P. Burgos, right Bonifacio Drive, to Port Area.

b. Northern Truck Routes:

From Port Area to North Diversion Road - From Pier Zone, travelling northward along R-10, right Capulong towards Tayuman, straight ahead towards Gov. Forbes, left Maria Clara, left Dimasalang, right Blumentritt, left A. Bonifacio and find your way to the north.

B) From North Diversion Road to Port Area - From the north and travelling southward along A. Bonifacio Avenue, right Blumentritt, left Aurora Boulevard, right Dimasalang, right Aragon Street, right Gov. Forbes towards Tayuman and Capulong, left R-10 to the Pier Zone.

c. Eastern Truck Routes:

From Port Area to Marcos Highway - From Pier Zone travelling northward along R-10, right Capulong towards Tayuman, straight ahead towards Gov. Forbes, left Maria Clara, cross Dimasalang, straight ahead towards Constancia, right at Constancia, left Laonglaan, straight towards D. Tuazon Avenue, left Quezon Boulevard Extension, straight towards Elliptical Road, take Don Mariano Marcos Avenue, left Aurora Boulevard, straight towards Marcos Highway.

From Marcos Highway to Port Area - Marcos Highway straight towards Aurora Boulevard, right at Katipunan, straight towards Tandang Sora, left Don Mariano Marcos Avenue, straight towards Elliptical Road, take Quezon Boulevard Extension, straight towards West Avenue, right West Avenue, left Del Monte Avenue, straight towards A. Bonifacio, left A. Bonifacio Drive, right Blumentritt, left Aurora Boulevard, right Dimasalang, right /aragon Street, right Gov. Forbes towards Tayuman and Capulong, left R-10 to the Pier Zone.

Cargo Trucks are not allowed to ply or pass along EDSA, Makati Business District, Ortigas Business District, Pasig City; and Bonifacio Global City, Taguig City.

d. Other Truck Routes:

All trucks along C5, Katipunan Avenue, Congressional Road, Mindanao Avenue and R-10 shall only the third lane from sidewalk and shall strictly observe the one-lane policy.

14. Light Truck Ban - Light trucks as defined under this Code, whether for commercial or not, are prohibited to ply EDSA while being covered by the UVVRP restriction based on its license plate ending, between EDSA-Magallanes to EDSA-North Avenue, southbound or northbound; or to any roads and thoroughfares that have been declared by the Authority, or any of the Local Government Units in Metro Manila as not accessible for light trucks, for the period of 5:00 AM to 9:00 AM, from Monday to Friday, except holidays, otherwise, shall be fined 2,000 pesos.

Exempted from this provision are light trucks which are registered in the name of any government office, agency, or unit including the Armed Forces of the Philippines and Philippine National Police, and duly marked as such; emergency vehicles such as, but not limited to, firetrucks and ambulances; and light trucks carrying essential/perishable goods.

15. Reckless Driving - Any person who operate a motor vehicle on any highway recklessly or without reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and other conditions of the highway and the conditions of the atmosphere and weather, or so as to endanger the property or the safety or rights of any person or so as to cause excessive or unreasonable damage to the highway shall be fined of 1,000.00 pesos for 1st offense; 1,000 pesos with driver seminar for 2nd offense; and 2,000 pesos with seminar for 3rd and subsequent offenses.

Illegal Swerving is an abrupt or sudden change of lane without caution or care; and driving in places not devoted for motor vehicle are considered as Reckless Driving.

16. *Tricycle Ban* - Any person who operates a motor vehicle denominated as tricycle in any roads or thoroughfares which specifically prohibits tricycle; or in national roads and highways; or in roads or thoroughfares with above 40KPH maximum requirement shall be fined 500 pesos.

The tricycles, however, are allowed to cross national roads and highways, or other restricted thoroughfares, or those portions of national roads and highways as determined by the LGU which has jurisdiction over the same.

17. *Obstruction* - Any person who shall drive his motor vehicle in such a manner as to obstruct or impede the passage of any vehicle, or while discharging or taking on passengers or loading or unloading freight, obstruct the free passage of other vehicles on the highway shall be liable for a fine of 1,000 pesos.

This shall include the operation of motor vehicle with a lower speed rating/classification along roads, thoroughfares, or highways with higher speed rating/classification and tends to impede or obstruct the free passage of other motor vehicle therein.

18. *Dress Code for Motorcycle Rider and Passenger* - Any person who wears of flipflops, sandals, slippers, or being bare footed while operating or being a passenger of motorcycle or scooter on any road or highway shall be fined Five Hundred Pesos (P500.00) for the first offense; Seven Hundred Fifty Pesos (P750.00) for the second offense; and One Thousand Pesos (P1,000.00) for the third offense.

19. *Overloading* - Any person who operates a motor vehicle, whatever denomination, classification or kind, exceeding the maximum passenger/s it can convey or cargos, or a combination thereof that render the operation of motor vehicle hazardous shall be fined One Thousand Pesos (P1,000.00).

20. *Defective Motor Vehicle Accessories* - Any person who shall operate a motor vehicle with defective accessories such as, but not limited to headlight, tail light signal light, brake light, side mirror and horn shall be fined One Thousand Pesos (P1,000.00).

21. *Unauthorized Modification* - Any person who modifies any part of the original design of a motor vehicle or alters it from the manufacturer's original specifications without the necessary approval of or certification from the LTO and the DTI shall be fined Two Thousand Pesos (P2,000.00).

22. *Arrogance/Discourteous Conduct (Driver)* - Any person who shall demean the person of the apprehending officer, or to make derogatory remarks against the apprehending office, or to behave in disrespectful manner, or to act in similar nature immediately before, during or

immediately after the actual apprehension or issuance of citation ticket shall be fined 500 pesos and shall undergo a driver's seminar course.

23. *Loading and Unloading in Prohibited Zone* - Any person, while operating a motor vehicle, who shall load or unload passengers, cargo, or both, in an area not designated for loading and unloading shall be fined 1000 pesos.

24. *Illegal Counterflow* - Any person who is operating a motor vehicle against the flow of the traffic, or oppositely traversing a road denominated as one way, or moving in reverse opposite to the flow of traffic shall be fined 2000 pesos.

A fine of 5000 pesos shall be imposed in case the illegal counterflow caused physical injuries or damage to properties without prejudice to civil and criminal liability of the driver, registered owner or operator of the motor vehicle.

25. *Overspeeding* - Any person who shall operate or drive his/her motor vehicle beyond the maximum speed limit imposed in a particular road, thoroughfare or highway, without prejudice to the application of existing traffic rules and regulations, shall be fined 1000 pesos.

For purposes of this Code, the Local Government Units may classify or re-classify roads, thoroughfares, highways, avenues and alike within their respective territorial jurisdiction pursuant to the Joint Memorandum Circular of DILG-DPWH and DOTr of 2018 for determining and imposing the maximum speed limit that shall govern thereto.

IV. TRAFFIC VIOLATIONS UNDER SPECIAL LAWS

26. *Mandatory Use Seat Belts Use* - Any driver and front seat passengers of a public or private motor vehicle are required to wear or use their seat belt devices while inside a vehicle of running engine on any road or thoroughfare pursuant to the provisions of Republic Act No. 8750 or the Seat Belt Use Act of 1999, except for jeeps, jeepneys, vans, buses and such other motor vehicles as determined by law.

a) Infants and/or children with ages six (6) years and below shall be prohibited to sit in the front seat of any running motor vehicle.

b) it is liability of the driver to pay the fines herein imposed for failure to require his/her passenger to wear seat belt.

c) Any act in violation of this provision or Republic Act No. 8750 or the Seat Belt Use Act shall be fined 1000 pesos for the first offense; 2000 pesos for the second offense; and 5000 pesos with one (1) week suspension of driver's license for third and succeeding offenses.

27. *Child Safety in Motor Vehicles* - It shall be unlawful for the driver of a covered vehicle not to properly secure at all times a child, in a child restraint system while the engine is running or transporting such child on any road, street or highway unless the child is at least one hundred fifty (150) centimeters or fifty-nine (59) inches in height and is properly secured using the regular seat belt. The child restraint system shall be appropriate to the child's age, height and weight, and approved in accordance with Section 6 of Republic Act No. 11229 or the Child Safety in Motor Vehicles Act. The requirements of this section shall not apply to circumstances where the child restraint system would put such child in a greater danger, such as: i) During medical emergencies; ii) When the child transported has a medical or developmental condition; or iii) Other analogous circumstances.

a) Any driver in violation of this provision pursuant to Republic Act No. 11229 or the Child Safety in Motor Vehicles Act shall be fined 1000 pesos for the first offense; 2000 pesos for the second offense; 5000 pesos with suspension of the driver's license for a period of one (1) year for the third and succeeding offenses.

b) Any driver who allows the use of substandard and/or expired child restraint system or permits the use of child restraint system that does not bear the PS mark or the ICC sticker and certificate, shall be fined 1000 pesos for the first offense; 3000 pesos for the second offense; and 5000 pesos with the suspension of the driver's license for a period of one (1) year for the third and succeeding offenses.

28. *Mandatory Use of Motorcycle Helmet* - All motorcycle riders, including drivers and back riders, shall at all times wear standard protective motorcycle helmets while driving, whether long or short drives, in any type of road and highway pursuant to the provisions of Republic Act No.10054 or the Mandatory Use of Motorcycle Helmet Act.

a) Drivers of tricycles shall be exempted from complying with the mandatory wearing of motorcycle helmets as provided under Republic Act No.10054 or the Mandatory Use of Motorcycle Helmet Act.

b) It is the obligation of the driver of the motorcycle to ensure that his/her back rider wears standard protective helmet and shall be liable to pay the fines for non-compliance thereof.

c) Any person caught not wearing the standard protective motorcycle helmet in violation of this provisions or Republic Act No.10054 or the Mandatory Use of Motorcycle Helmet Act shall be punished with a fine of 1500 pesos for the first offense; 3000 pesos for the second offense; 5000 pesos for the third offense; and 10,000 pesos with confiscation of the driver's license for the fourth and succeeding offenses.

d) Any person who uses, sells and distributes substandard motorcycle helmets or those which do not bear the PS mark or the ICC certificate shall be punished with a fine of 3000

pesos for the first offense; and 5000 pesos for the second offense, without prejudice to other penalties imposed under Republic Act No. 7394 or the Consumer Act of the Philippines.

29. *Children's Safety on Motorcycle* - It shall be unlawful for any person to drive a two (2)-wheeled motorcycle with a child on board on public roads where there is heavy volume of vehicles, there is a high density of fast-moving vehicles or where a speed limit of more than 60 KPH is imposed.

a) Except in cases where the child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle; the child's arms can reach around and grasp the waist of the motorcycle rider; and the child is wearing a standard protective helmet referred to under Republic Act No. 10054, otherwise known the "Motorcycle Helmet Act of 2009, or the child to be transported requires immediate medical attention.

b) Any person who operates a motorcycle in violation of this provision of Republic Act No. 10666 or the Children's Safety on Motorcycle Act shall be fined 3000 pesos for the first offense; 5000 pesos for the second offense; and 10,000 pesos for the third with one (1) month suspension of driver's license. Further, violation of this provision beyond the third time shall result to automatic revocation of the offender's driver's license as well as the imposition of 10,000 pesos fine.

30. *Anti-Distracted Driving Act* - it is unlawful for any person who operates or drives a motor vehicle, or while the motor vehicle is in motion, or temporarily stopped at a red light, whether diplomatic, public or private, to use a mobile communications device in writing, sending, or reading a text-based communication or in making or receiving calls, and other similar acts; and the use of an electronic entertainment or computing device to play games, watch movies, surf the internet, compose messages, read e-books, perform calculations, and other similar acts pursuant and without prejudice to the provisions of Republic Act No. 10913 or the Anti-Distracted Driving Act.

a) This provision shall not apply notwithstanding operation or driving a motor vehicle, or while the motor vehicle is in motion, or temporarily stopped at a red light when the use of mobile device is done using the aid hands-free functions or similar device; or when using a mobile phone for emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services, agency or entity; or when using a mobile phone while operating an emergency vehicle such as an ambulance, a fire truck, and other vehicles providing emergency assistance, in the course and scope of his or her duties.

b) A driver or operator of motor vehicle holding a mobile communication devices or electronic entertainment or computing device in vehicle in motion, or temporarily

stopped at a traffic light or intersection, shall be *prima facie* presumed to be engaged in distracted driving.

c) Any person who operates a motor vehicle in violation of this provision pursuant and without prejudice to the provisions of Republic Act No. 10913 or the Anti-Distracted Driving Act shall be fined 5000 pesos for the first offense; 10,000 pesos for the second offense; 15,000 pesos with suspension of driver's license for three (3) months for third offense; and 20,000 pesos with revocation of driver's license for succeeding offenses.

d) Any driver of a public utility vehicle, a school bus, a school service vehicle, a common carrier hauling volatile, flammable or toxic material, or a driver who commits an act classified herein as distracted driving within a fifty (50)-meter radius from the school premises shall be subject to a penalty of 30,000 pesos with suspension of driver's license for three (3) months.

V. THE SINGLE TICKETING SYSTEM

31. Unified Ordinance Violation Receipt (UOVR) - The Uniform Ticketing System shall be implemented using a Uniform Ticket called Uniform Ordinance Violation Receipt (UOVR) for physical apprehension. The UOVR contains the following features: the MMDA, LTO and 17 LGU logos, MMDA and LGUs specific and distinctive serial numbers; and common security features to avoid the use or proliferation of fake tickets, commonly termed as *'palipad'* or *'talahib'*. The UOVR shall be recognized by MMDA, LTO and all LGUs' deputized or authorized traffic personnel as a valid traffic citation receipt and temporary driver's license within Metro Manila pursuant to Section 34 of this Code.

All citation tickets issued and used by the MMDA or Metro Manila LGUs arising from physical apprehension pursuant to this Code shall be denominated as **Unified Ordinance Violation Receipt (UOVR)** and the same term shall be reflected on the face of the citation tickets. The Metro Manila LGUs and MMDA shall have distinguishing codes together with the serial numbers of the citation tickets that shall be printed in their respective UOVR (*e.g. UOVR No. <CODE> - <00000>*) and these acronyms shall also form part of their traffic violation code for purposes of determining who effected or made the apprehension (*e.g. Traffic Violation Code: 001-CODE*), to wit:

a)	CALOOCAN CITY:	CLC-00000
b)	LAS PIÑAS CITY:	LPC-00000
c)	MAKATI CITY:	MKT-00000
d)	MALABON CITY:	MLB-00000
e)	MANDALUYONG CITY:	MND-00000
f)	MANILA CITY:	MNL-00000
g)	MARIKINA CITY:	MKN-00000
h)	MUNTINLUPA CITY:	MUN-00000
i)	NAVOTAS CITY:	NVT-00000

j)	PARAÑAQUE CITY:	PRQ-00000
k)	PASAY CITY:	PSY-00000
l)	PASIG CITY:	PSG-00000
m)	PATEROS:	PTR-00000
n)	QUEZON CITY:	QC-00000
o)	SAN JUAN CITY:	SJC-00000
p)	TAGUIG CITY:	TGC-00000
q)	VALENZUELA CITY:	VLZ-00000
r)	MMDA:	MM-00000

32. *Physical Apprehension* - Only those authorized or deputized traffic personnel shall apprehend and issue citation ticket in accordance with this Code. All authorized or deputized traffic personnel shall observe the proper decorum and rules in issuing a citation ticket.

a) Apprehension - The following guidelines shall be constantly observed by traffic personnel in effecting apprehension:

- i. Instruct the vehicle to pull-over through hand signal or by the aid of available devices;
- ii. A greeting and brief introduction of the traffic personnel's identity and authority;
- iii. Explain the reasons for flagging down the vehicle and the traffic violation/s committed;
- iv. Politely demand for the driver's license, registration of the motor vehicle, and other pertinent documents in relation to the vehicle and/or to the cited traffic violations;
- v. Inform if there are any additional traffic violations after the verification of the driver's license and documents presented;

b) Issuance of Citation Ticket - shall be made by the authorized or deputized traffic personnel at the place of apprehension.

- i. Accomplish the necessary details in the citation ticket in a legible manner;
- ii. Require the driver of the apprehended vehicle to affix his/her signature on the designated portion thereof. (In case of refusal of the driver to sign, a note must be placed in the citation ticket to such effect);
- iii. The traffic personnel shall furnish a copy of the citation ticket to the driver (2nd Copy or the driver's copy of the citation ticket), and thereafter, return the driver's

license and the presented documents, unless the cited traffic violation carries a suspension of driver's license or warrants the confiscation of the documents presented;

- iv. The foregoing process shall be accomplished within reasonable time unless the delay is attributed to the driver or caused by fortuitous event to which a *Spot Report* shall be submitted narrating the delay and/or the fortuitous event;
 - v. The apprehending officer is also obliged to inform the apprehended driver/s the available methods of paying the cited traffic violation, and in cases the driver does not conform to the cited traffic violation, a traffic violation contest may be filed before the Traffic Adjudication Board.
- c) Transmittal* - the traffic enforcer who issued the citation ticket has the obligation to transmit the copy of the citation ticket to the designated office within 24 hours from issuance. In cases of confiscated driver's licenses, license plates or other documents, the same shall be transmitted to the designated office within 24 hours from confiscation.
- d) Administrative Liability* - Any traffic personnel who acted contrary to, or willfully disregarded the foregoing shall be meted with administrative sanction/s under the law.
- e) Settlement or Protest of the Cited Violation/s* - Within ten (10) working days from the issuance of the citation ticket, the person against whom it was issued may settle or pay the imposed fine and penalties imposed therein pursuant to Section 35 of this Code; or file a traffic violation contest/protest pursuant to Section 38 of this Code.
- f) Failure to Settle or Contest the Traffic Violation Notice* - After the lapse of the ten-day period, there being no commencement of traffic violation contest/protest, nor settlement or payment of the imposed fines in the citation ticket, the same shall become incontestable. Add to that, the license plate of the subject motor vehicle, or the driver's license of the person against whom the citation ticket was issued shall be endorsed to the Land Transportation Office for its inclusion to the Alarm's List pursuant to Article VI, Section 44 of this Code, and operates as a request for the non-renewal of the motor vehicle's registration or driver's license, as the case may be, until the fines and penalties are fully settled.

33. *No Contact Apprehension Policy*

- a) No-Physical Contact Notice and Apprehension Guidelines.
 - i. Non-contact apprehension may be effected or made through video recording of the actual motor vehicle violating traffic laws, rules and regulations by the use of CCTV, handheld digital cameras, and or other technological devices that can capture or record videos and images.

- ii. The video footage containing the recorded traffic violation or infraction shall be reviewed by designated traffic personnel and thereafter, determine the propriety of the initial citation/s and if warranted, impose additional traffic violation/s.
 - iii. A notice of violation containing the circumstances surrounding the non-contact apprehension, such as date, time, location, traffic violations committed, the assessed fines and penalties, and the photo-clip of the motor vehicle depicting the actual act of committing traffic violation or infraction, shall be prepared and addressed to the registered owner of the vehicle. Further, the traffic violation notice shall conform with the requirements set forth under Article VI, Section 44 (a) of this Code.
 - iv. The notice shall be attested by the traffic personnel who capture or recorded the video footage by affixing his/her signature thereto, and shall be approved by the Director III for Traffic Enforcement Group or local counterpart, or duly appointed or designated personnel.
 - v. The notice is akin to a citation ticket issued during physical and actual apprehension and therefore shall contain the name of the registered owner of the motor vehicle and personal circumstances, the license plate number, and the classification and other details of the motor vehicle.
 - vi. The notice shall also contain a statement that the person against whom the notice is addressed have the right to protest or contest the cited traffic violation/s before the Traffic Adjudication Board within ten (10) working days from the receipt thereof and extendible for another ten (10) working days on meritorious ground but shall not exceed twenty (20) days in total. The failure to seasonably file the same shall constitute a waiver to present evidence in relation thereof.
- b) Service of Notice* - Traffic violation notice shall be sent to the registered owner of the vehicle at his/her address appearing in the LTMS thru personal service, registered or ordinary mail, private or government couriers, or other modes of service that may deem sufficient.
- i. *Personal Service* - Whenever practicable, the notice shall be served by handing the copy thereof to the person against whom the notice is addressed in person.
 - ii. *Service by Mail* - Shall be made by depositing the copy of the notice in the post office, in a sealed envelope addressed to the person named therein, with payment of necessary postal fees. Service by mail may be thru registered or ordinary mail, and shall be deemed valid and sufficient service when the notice is delivered,

tendered, or a copy thereof is left at the address of the registered owner of the vehicle as provided in the LTMS.

- iii. *Other Modes of Service* - the service of traffic violation notice may be made through electronic mail or via text message, if an email address or contact number has been provided by the registered owner to the LTO or such is made available for such purpose. The full video footage of the non-contact apprehension must be sent or be made available including the traffic violation notice within a reasonable period.

Other modes of service may also be made provided that it is practical and convenient, or deemed sufficient to inform the registered owner of the vehicle of the incurred traffic violation/s.

- iv. The service to the person against whom the notice was issued who refuse to receive and sign the traffic violation notice herein mentioned, without any justifiable and lawful ground, shall be deemed as valid and sufficient service of the notice provided that a copy of the notice was tendered to the person against whom the notice was issued and the execution of an affidavit of service explaining the refusal of the same.

c) Settlement or Protest of the Cited Violation/s - Within ten (10) working days from the receipt of the traffic violation notice, the person against whom it was issued may settle or pay the imposed fine and penalties imposed therein pursuant to Section 35 of this Code; or file a traffic violation contest/protest pursuant to Section 38 of this Code.

d) Failure to Settle or Contest the Traffic Violation Notice - After the lapse to the ten-day period, there being no commencement of traffic violation contest/protest, nor settlement or payment of the imposed fines in the traffic violation notice, the same shall become incontestable. Add to that, the license plate or registration of the subject motor vehicle shall be endorsed to the Land Transportation Office for its inclusion to the Alarm's List pursuant to Article VI, Section 44 of this Code, and operates as a request for the non-renewal of the motor vehicle's registration until fines and penalties are fully settled.

34. *Interoperability of Citation Tickets within Metro Manila* - the operability of the citation ticket, as a temporary license, within the jurisdictional bounds of Metro Manila while operating a motor vehicle in cases the Driver's License is confiscated, or upon citation of continuing traffic violations; or violations that transcend the territorial jurisdictions shall be recognized and acknowledged by the MMDA, LGUs in Metro Manila and LTO notwithstanding who effected the apprehension or issued the citation ticket within ten (10) working days from the issuance thereof.

35. *Payment and Settlement of Fines and Penalties* - the LTO, MMDA, Local Government Units of Metro Manila, or other agencies authorized to issue citation ticket shall have a standardize process to collect and process payment of fines and penalties in consideration with the traffic violation but shall have an independent account to which their respective apprehension may be apportioned.

a) *Physical payment of traffic violations* - Apprehended motorist may physically settle or pay the imposed fines and penalties arising from a cited traffic violation before a designated office of the authority who issued the citation ticket within ten (10) working days from the issuance thereof or the receipt of the traffic violation notice with respect to non-contact apprehension.

b) *Other Modes of Payment* - the MMDA, the Local Government Units of Metro Manila, or other agencies authorized to issue citation ticket shall enter into a Partnership or Memorandum of Agreement with third-party institutions or entities for purposes of establishing modes of payment or settlement of traffic violations other than physical payment, such as established Banks, Maya, GCash, Bayad Center or other online platforms that are outsourcing the collection of payments. Such mode of settlement or payment of traffic violation shall be stated after the issuance of citation ticket or shall be included in the traffic violation notice to inform the apprehended motorist.

c) Payments made, either physically or through other modes, beyond the ten-day period are required to undergo evaluation, assessment, and validation of payments together with the citation ticket or traffic violation notice for purposes of issuance of Certificate of Clearance to lift the Alarm attached to the Driver's License or motor vehicle; or to attest the completion of the required Driver's Seminar attached to the cited violation.

36. *Traffic Ticket Management Office* - the MMDA, the Local Government Units of Metro Manila, or other agencies authorized to issue citation ticket shall establish and create an office in charged with the traffic ticket management, payment of fines, redemption process, lifting of alarms, issuance of clearance, and other services in relation thereto.

This Office shall be divided into different sections based on the transaction/s or processes it performs, such as *Traffic Ticket Verification Section; Clearance Section; UOVR Section; Data and Information Section; and Records Section*. Provided further, that the Local Government Units of Metro Manila, the MMDA, or other agencies authorized to issue citation tickets are not precluded to increase or decrease additional sections as they deemed proper to carry out the functions of this Office. This is, however, without prejudice to the existing offices established for this purpose by the LGUs of Metro Manila, MMDA and other agencies authorized to issue citation ticket.

37. *Towing and Impounding Procedures* - a modernize and standard Towing and Impounding Guidelines shall be formulated pursuant to the best practices of the existing methods and with the

introduction of innovative procedures to address the present predicaments in relation to the implementation of towing and impounding processes which will form part of this Code. The MMDA Towing and Impounding Guidelines shall govern pending the creation of new guidelines.

38. *The Traffic Adjudication Board* - There shall be a Traffic Adjudication Board (TAB) that will hear and decide complaints/contests/protests filed by contesting motorists apprehended for violating one or more traffic regulations and issued *traffic tickets* by the traffic enforcers.

a) Prescription - A traffic violation may be contested by filing a complaint/contest/protest with the TAB within ten (10) working days from the time of apprehension, or the knowledge of the issuance of traffic citation, as the case may be. After the lapse of the said period, any complaint/contest/protest shall no longer be entertained and traffic citation shall be considered affirmed.

b) Sufficient in Form and Substance - All complaint/contest/protest filed with the TAB shall be in writing, subscribed and sworn to by the complainant/contestant/protestant, and attaching therewith the documents/evidence relied upon in support of his/her claim. An un-notarized or unsworn written complaint/contest/protest may still be allowed provided that the protestant or his/her authorized representative shall personally subscribe and swear to such complaint/contest/protest before the designated hearing officer prior to the start of the hearing, otherwise the same shall be considered un-notarized or unsworn.

Any un-notarized or unsworn complaint/contest/protest shall not be entertained and shall be dismissed accordingly, without prejudice to the re-filing of the same upon compliance with all the formal requirements for validity.

c) Any complaint/contest/protest shall contain the following details:

- i. Complete name of the complainant/contestant/protestant, or his/her/its authorized representative;
- ii. Complete address of the complainant/contestant/protestant, or his/her/its authorized representative;
- iii. Official contact number of the complainant/contestant/protestant, or his/her/its authorized representative;
- iv. Date of the complaint/contest/protest;
- v. Date of apprehension;
- vi. Ultimate facts of the apprehension, including the ground for the complaint/contest/protest; and/or
- vii. *The fact that the vehicle was impounded or not, or if the driver's license was confiscated or not, whenever applicable.*

Absence of any of the foregoing information on the complaint/contest/protest may constitute a ground for its dismissal, without prejudice to the re-filing of thereof after compliance with the said requirement/s.

d) *Summons* - Upon filing of complaint/contest/protest, summons shall be issued to the complainant/contestant/protestant and respondent containing the date and time of the scheduled hearing.

e) *Hearing* - It shall be the duty of the parties to appear on the scheduled hearing date.

Failure of the complainant/contestant/protestant to appear on the scheduled hearing date without justifiable ground shall cause the dismissal of the complaint/contest/protest for lack of interest, with prejudice to the re-filing of the same. The traffic citation shall be considered affirmed and the TAB.

Failure on the part of the respondent to appear in like manner shall cause the forfeiture of respondent's right to present evidence on his/her behalf or rebut the complainant's evidence, and the complainant shall be allowed to submit evidence *ex parte*. Thereafter, the case shall be resolved based solely on the evidence presented by complainant.

f) *Hearing proper* - Hearings before the TAB shall be summary in nature, and akin to preliminary investigation proceedings in criminal cases. As such, trial-type proceedings are not required and the hearing officer may resolve the case based solely photos and video footages, testimonies of the parties during the hearings as well as pleadings and evidence, documentary or otherwise, submitted by the parties or in the possession with TAB.

The Hearing Officer shall take note, in the minutes of the case, the substantial matters taken up during the hearing which shall be signed by the parties at the end of the hearing.

g) *Quantum of proof required* - As in other administrative and quasi-judicial proceedings, the quantum of proof necessary is substantial evidence, or such amount of relevant evidence which a reasonable mind might accept as adequate to justify a conclusion.

h) *Burden of Proof* - is the duty of a party to present evidence on the facts in issue necessary to establish his or her claim or defense by the amount of evidence required by law.

i) *Resolution of the Contest* - The Hearing Officer, after appreciation of all evidence submitted by the parties, shall resolve in writing citing the reasons therefor, to affirm

or reconsider the citation. In case the citation is affirmed, the Hearing Officer shall mete out the proper fine and penalty corresponding to the traffic citation pursuant to applicable traffic laws, ordinance, rules and regulations. In case the citation is reconsidered, the Hearing Officer shall absolve the complainant/contestant/protestant from the traffic citation or cancel the entire traffic ticket altogether.

In appropriate cases where reconsideration of the issued violation is ruled but another violation was, nonetheless, established during the conduct of hearing and evaluation of the documents submitted, the Hearing Officer shall inform the complainant thereof. Thereafter, the complainant shall be accorded reasonable opportunity to adduce evidence to refute the same and after which the Hearing Officer shall render a resolution imposing the citation corresponding to the violation committed.

- j) Appeal* - An aggrieved party may file an appeal to the Office of the Chairman of the MMDA or its local counterpart within fifteen (15) working days from receipt of the resolution by TAB, otherwise, the resolution shall become final and executory.

The decision of the Office of the Chairman shall be final and executory, and no further appeal may be taken therefrom.

39. *Cancellation or Revocation of Driver's License and Registration of Motor Vehicle* - the Land Transportation Office shall have the sole power to confiscate, suspend, revoke or cancel driver's license and registration of motor vehicle in accordance to the policies set forth by the same pursuant to Republic Act 4136 or the Land Transportation and Traffic Code of the Philippines, and Republic Act 10930 or An Act Rationalizing and Strengthening the Policy Regarding Driver's License by Extending the Validity Period Of Drivers' Licenses, and Penalizing Acts in Violation of its Issuance and Application Amending for those Purposes Section 23 Of Republic Act No. 4136, as Amended By Batas Pambansa Blg. 398 and Executive Order No. 1011, otherwise known as The Land Transportation and Traffic Code.

- a)* The MMDA, Metro Manila Local Government Units, or other agencies authorized to issue citation ticket may, through a written request, recommend the suspension, revocation or cancellation of a driver's license or registration of motor vehicles relative to Republic Act 4136 and Republic Act 10930.

VI. INTERCONNECTIVITY WITH LAND TRANSPORTATION OFFICE

40. *Interconnectivity* - in compliance with the provisions of Republic Act No. 10930 and its Implementing Rules and Regulations (IRR), the following guidelines are hereby promulgated to govern the procedures and conditions for the MMDA, LGUs and other agencies lawfully issuing traffic violation tickets to inter-connect with the Land Transportation Management System (LTMS) for the purpose of tagging of alarms and the corresponding demerit points on the driver's record for violation of traffic laws, rules and regulations.

These guidelines shall apply to the interconnectivity as well as the authorization of the IT system of the MMDA, LGU and lawfully issuing traffic violation tickets in compliance with RA 10930 and its IRR.

41. *Authorization* - All IT systems of the MMDA, LGUs and other agencies lawfully issuing traffic violation tickets which intend to interconnect with the LTMS shall undergo a mandatory authorization process to ensure compatibility with the LTO internal processes and IT system requirements.

The authorization process shall be mandatory whether the IT system is owned and operated by the agency or outsourced to a third-party service provider, and whether the IT system is utilized as part of a contact or non-contact apprehension process.

a) Authorization Process - The authorization process shall be composed of two phases. The first phase shall be the submission of documentary requirements under Section 41, paragraphs b, c, d, and e of this Code. However, requirements under Sections 4 and 5 shall be submitted only when applicable depending on the services to be provided by the LGU or the IT service provider. Evaluation of the documentary requirements shall be on a non-discretionary pass or fail basis depending on the presence and completeness or absence of the required document/s.

The second phase is the presentation of the proof of concept of the IT program and applications to interconnect with the Land Transportation Management System (LTMS).

b) Documentary Requirement - the following documentary requirements are to be submitted, to wit:

- i. Letter of Intent;
- ii. Duly accomplished application form (Annex A);
- iii. Payment of non-refundable application fee of P5,000.00;
- iv. For third party IT provider, must be a duly registered corporation or single proprietorship providing IT related services and existing for at least one (1) year from date of filing of application;
- v. SEC Certificate for companies; DTI certificate for single proprietorship;
- vi. Latest Mayor's Permit;

- vii. BIR Registration;
- viii. Sworn Statement containing the following:
 - a. On the veracity and truthfulness of the entries in the application form as well as the submitted documentary requirements; and
 - b. That the applicant IT provider shall comply with the requirements of the Data Privacy Law in handling of personal information of drivers and registered vehicle owners, and will not use any data collected for any other purpose other than that for which it is intended.
- ix. ISO 9001 Certification - Quality Management System (QMS)
- x. ISO 27001 Certification - Information Security and Management System (ISMS)
- c) *General Interconnectivity and Minimum Technical Requirements* - Service and Security Requirements; Database; Back-up and Redundancy; Digital Rights Management; Accessibility Mobile Device (IOS and Android App); and Online Payment Facility.
 - i. Server Requirements
 - a. Production Server - Processor: Intel Xeon Platinum Processor (33M Cache/3.00 GHz); Number of CPUs: 12 Cores; and Memory: 48GB.
 - b. Database Server - Processor: Intel Xeon Platinum Processor (22M Cache/2.20 GHz); Number of CPUs - 10 cores; and Memory - 48GB.
 - ii. Security Requirements - VPN; SSL; Firewall; Access Keys; Whitelisting; and Antivirus.
 - iii. Database - Encryption and Password Protected.
 - iv. Back-up and Redundancy.
 - v. Digital Rights Management:
 - a. Control the number of times, devices, people or time periods that the content can be accessed or installed.
 - b. Establish ownership and track content usage.

- c. Set expiration dates or view limits on content.
- d. Prevent users from editing, sharing and downloading contents.
- e. Restrict access based on IP, locations or devices.

vi. Accessibility Mobile Device - it must have an IOS or Android Apps.

vii. Online Payment Facility - VPN; SSL; Firewall; Access Keys; and Security Token.

d) Local Government Units and other Agencies seeking interconnectivity through other government agency's portal of the LTMS shall still be subjected to the authorization process.

e) Minimum Technical Requirement for NCAP.

- i. Workstation capable to access the web-based LTMS and install drivers needed, at least a processor of Intel Core i5 or AMD Ryzen 5 or higher, with Memory of 8 Gigabyte or higher, and storage of 1 Terabyte or higher.
- ii. Dedicated internet connection with the speed of 100 MBPS or higher.
- iii. Fingerprint scanner with liveness detection feature, such as but not limited to, Pixel Resolution amounting to 512 dpi (average x, y over the scan area); Scan capture area of 14.6 mm (nom. width at center) 18.1 mm (nom. length) (nom. length); 8-bit grayscale (256 levels of gray); Reader size (approximate): 65 mm × 36 mm x 15.56 mm; and should be Compatible with USB 1.0, 1. 1 and 2.0 (Full Speed) specs.
- iv. Users biometric must be enrolled in the LTO IT System.
- v. IP Address must be whitelisted in the LTO IT System.
- vi. Authenticated connection using secure token must be established.

f) Minimum Technical Requirements for Handheld Electronic Traffic Violation Ticketing System - The users biometric must be enrolled in the LTMS; an internet connection shall be available, either prepaid or postpaid sim card with data connection; and Law Enforcement Mobile Handheld Device (LEMHD) shall have the following technical specifications:

- i. Configuration: 3G Communication and Camera.
- ii. CPU: Quad-Core 1.3GHz MT6580V/WA

- iii. RAM: 1GB
- iv. NAND Flash: 8GB
- v. Operating System: Android 8.1
- vi. Primary Screen: 5.5 Inch, 1280*720 IPS Screen Capacitive Touchscreen
- vii. Communication Method: 3G (fits all kinds of networks)
- viii. Back Camera: 800W Downward Compatible
- ix. Battery: 7.4V, 5000mAh
- x. Charging Interface: DC Charge, 12V 1.5A
- xi. Earphone Interface: 3.5mm Standard Earphones
- xii. OTG: Support
- xiii. USB Interface: Micro USB2.0 * 1
- xiv. Audio System: Built-in Speaker, Buzzer, Microphone
- xv. WiFi: 802.11b/g/n
- xvi. GSM: GSM850/900/1800/1900
- xvii. WCDMA: B1
- xviii. BT: Bluetooth 4.0
- xix. Printing: Thermal Pinter, Paper Scroll 58*35

The Land Transportation Office and LGUs shall approve and test the secure mobile application which should contain the following features, to wit:

- i. Driver's license automatic validation;
- ii. Enforcer area and time-based restriction;
- iii. Enforcer login/ report duty log; and
- iv. Automatic printing of violation with OR code

Further, the IP address must be whitelisted in the LTO IT System, and the connection must be authenticated using secure token must be established.

42. *Authorization Committee* - An Authorization Committee will be created to oversee and to implement the authorization process of the of the IT system of the MMDA, LGU and other agencies legally issuing traffic violation tickets. The Committee shall be responsible to craft the procedure for authorization and shall recommend to the LTO Assistant Secretary for authorization of IT systems that have complied with the requirements set forth in this Code.

43. *Memorandum of Agreement* - To establish the interconnectivity with LTMS, the MMDA, LGUs and other agencies lawfully issuing traffic violation tickets shall enter into a Memorandum of Agreement (MOA) and a Data Sharing Agreement (DSA) with the LTO. The DSA must provide that the nominated authorized personnel who will do the biometrics signoff should have undergone the Data Privacy Officer (DO) Accountability, Compliance and Ethics (ACE) Program. Only upon signing the MOA shall the LGU or the agency be granted access to the LTO IT system through the Other Government Agencies (OGA) portal or an Application Programming Interface (API).

a) MMDA and other agencies authorize to issue citation ticket shall observed the following:

- i. Procedure for tagging of traffic violation in the LTMS in compliance with Rule V of the IRR of RA 10930.
- ii. Procedure for issuance of notice of violation with the end of affording due process to traffic violator prior to tagging in the LTMS.
- iii. List of traffic violations and their corresponding fines and penalties, harmonized with the classification of penalties under the Implementing Rules and Regulations (IRR) of RA 10930 for purposes of designating the demerit points against the traffic violator.
- iv. Policy on adjudication of traffic violations which shall outline the step-by-step procedure to contest traffic violation through contact or non-contact apprehension.
- v. Procedures for appeal which will be undertaken when the supposed traffic violator is aggrieved by the decision of the concerned agency, including the jurisdiction to file an appeal, the prescribed forms, period to file an appeal and period to decide said appeal.
- vi. In addition to physical settlement of penalty in designated payment centers, a list of online payment platforms as well as partner banks where traffic violators may settle their traffic violation penalties must be provided.
- vii. Certificate of compliance with the mandatory law enforcement officer' training course conducted by the LTO to ensure uniformity in the enforcement of traffic laws, rules and regulations.
- viii. Certification of compliance of design and installation of traffic signages issued by the DPWH in accordance with international standards.
- ix. Such other stipulations as may be deemed necessary by the Committee.

b) Local Government Units of Metro Manila shall observe the following:

- i. Enactment of an ordinance to establish a traffic code or to update an existing one, when necessary. The traffic code shall include the following in provisions, to wit:
 - a. Classification of roads within the LGU for purposes of setting the speed limit in accordance with the 2018 Joint Memorandum Circular of DILG-DPWH and DOTr.

- b. List of traffic violations and their corresponding fines and penalties, harmonized with the classification of penalties under the Implementing Rules and Regulation (IRR) of RA 10930 for purposes of designating the demerit points against the traffic violator.
- c. Mandatory allocation of funds for the development and professionalization of the traffic law enforcement unit of the LGU from the revenue generated from traffic law enforcement activities pursuant to this policy.
- d. Policy on adjudication of traffic violations which shall outline the step-by-step procedure to contest a traffic violation through contact or non-contact apprehension.
- e. Procedures for appeal when the traffic violator is aggrieved by the decision of the concerned office of the contested traffic violation, including the jurisdiction to file an appeal, the prescribed forms, period to file an appeal, which must not be less than five (5) days from receipt of the violation ticket, and period to decide said appeal.
- f. List of online payment platforms as well as partner banks where traffic violators may settle their traffic violation penalties must be provided in addition to designated payment centers.
- ii. Procedure for tagging of traffic violation in the LTMS in compliance with Rule V of the IRR of RA 10930.
- iii. Procedure for issuance of notice of violation with the end of affording due process to traffic violator prior to tagging in the LTMS.
- iv. Certificate of compliance with the mandatory law enforcement officer's training course of key law enforcement officers conducted by the LTO to ensure uniformity in the enforcement of traffic laws, rules and regulations.
- v. Certification of compliance of design and installation of traffic signages issued by the DPWH in accordance with international standards.
- vi. Such other stipulations as may be deemed necessary by the Committee.

44. *Procedures for Tagging of Alarm.*

- a) Non-Contact Apprehension Policy (NCAP) - For non-contact apprehensions, license plate, conduction sticker or file number of the motor vehicle shall be verified in the LTMS by the authorized personnel through biometric sign-off.

- i. To validate the data of the motor vehicle, the following details may be accessed, if available: a) Motor vehicle plate number; b) Motor vehicle file number; c) Motor vehicle year, make, and model; d) Motor vehicle classification; e) Motor vehicle's date of last registration; f) Motor vehicle registered owner's name; g) Motor vehicle registered owner's address; h) Motor vehicle registered owner's mobile number; and i) Motor vehicle registered owner's email address.
- ii. A notice of violation shall be sent by the MMDA, LGU or other agency within five working (5) days from the date and time of apprehension, through any of the following modes of service, whichever is the most appropriate and viable under this Code.
- iii. The notice of violation shall include the following: a) Specific traffic violation committed including its legal basis; b) Date and time of the violation; c) Specific location where the violation was committed; d) Picture(s) which shows how the violation was committed among others; e) Link or process to access the video, if any, showing how the violation was committed; f) Instruction to identify the driver at the time of apprehension within the period to contest the violation ticket; g) The period to contest the apprehension which shall be reckoned from the receipt of the notice; h) Procedure on how to contest the apprehension; and i) Procedure on how to settle the apprehension.

b) Staging Process: Provisional Alarms in the LTMS.

- i. *Private Motor Vehicles* - A provisional alarm shall be placed against the record of the motor vehicle and motor vehicle registered owner in the LTMS once the notice of violation has been sent to the latter thru the biometric sign-on of 2 authorized personnel of the LGU or agency who attest and certify that the notice of violation has been sent to the registered owner at his/her address appearing in LTMS and that due process has been observed. Relevant information on how the notice of violation was sent must also be provided.

The registered owner or other third party shall be allowed to transact with LTO matters relating to the subject motor vehicle within 30 days from tagging of the provisional alarm in the LTMS. However, upon the lapse of the said 30-day period, the registered owner shall be barred from registering or transferring the motor vehicle until the alarm is settled and lifted.

- ii. *Public Utility Vehicles (For-Hire Vehicles)* - Considering that operators are not customarily the ones driving their public utility vehicles/for-hire units, in addition to the above, the operator will be given an opportunity to present proof of identity

of the driver by providing a clear picture of the valid LTO driver's license of the driver; and A logbook/log sheet indicating the name and signature of the driver the details of the PUV as well as the route for shall be kept by the operator which could serve as a basis to identify the identity of the authorized driver as of the time of no contact apprehension.

c) Permanent Alarms in LTMS - By placing a permanent alarm, the MMDA, LGU or other agency legally issuing traffic violation through its authorized representatives, attests and certifies that the identity of the driver has been duly established or that the period to contest has lapsed after the receipt of the notice of violation but no contest was filed by the registered owner of the subject vehicle.

A permanent alarm against the record of the motor vehicle and motor vehicle registered owner in the LTMS shall be tagged in the LTMS under any of the following circumstances:

- i. When the notice of violation has been delivered to the registered address of the registered motor vehicle owner appearing in the LTMS and no contest was filed within the reglementary period to contest the apprehension;
- ii. For mailed notice of violation, when the mail is returned to the sender for failure to locate the addressee;
- iii. In case of personal delivery, when reasonable efforts have been made to deliver the notice of violation to the address of the motor vehicle owner but to no avail. Reasonable efforts shall mean at least two (2) attempts to deliver the notice of violation to the registered address of the motor vehicle owner appearing in the LTMS; and
- iv. When a contest on the apprehension was filed but was given an unfavorable resolution

In cases falling under paragraphs ii and iii, the running of the period to contest shall be suspended. The period shall commence upon the knowledge of the vehicle owner of such violation. The vehicle owner shall be deemed notified when, upon application for any vehicle related transaction with LTO, the said vehicle owner or his/her agent is informed by the LTO of the traffic violation/s. Thereafter, a permanent alarm shall be tagged on the record of the motor vehicle and registered owner of the motor vehicle.

d) Physical Apprehension - A permanent alarm shall be tagged on the driver's license of the apprehended river in the following instances:

- i. When after the adjudication process, the apprehension is upheld as valid; or
- ii. After the lapse of the contest period and no contest was filed by the apprehended driver.

e) Physical Apprehension through the Use of Handheld Devices - Physical apprehensions through Handheld Devices, after the adjudication process or the lapse of the contest period of the LGU or agency, an alarm may then be placed against the apprehended driver in the LTMS through the biometric signoff of 2 authorized personnel of the GU or agency who attest and certify that the driver was afforded utmost due process or that the apprehension has been deemed admitted for failure of the driver to file a contest in their prescribed period.

f) Permanent Alarms on Driver's License - A permanent alarm shall be tagged on the driver's license of the apprehended driver when after the adjudication process, the apprehension is upheld as valid, or after the lapse of the period to file a contest and no contest was filed by the apprehended driver.

45. Demerit Points - For every traffic violation committed by a driver, a corresponding demerit point shall be recorded against the driver's record in the Law Enforcement and Traffic Adjudication System (LETS) of the LTMS in accordance with provisions of the IRR of RA 10930. For NCAP apprehension, the registered vehicle owner is presumed to be the driver. For violations settled prior to the lapse of the contest period, only the demerit point shall be tagged in the LTO database.

The demerit points attribution of the traffic violations shall be in accordance with the Violation-Demerit Point Schedule under the IRR of RA 10930. Traffic violations implemented by the MMDA, LGUs and other agencies legally issuing traffic violation tickets which include, but not limited to, number coding schemes and truck bans, not included in the schedule shall be assigned a demerit point equivalent to light violation.

46. Lifting of Alarm - the LGU or the agency has the authority to lift alarms due after settlement of the apprehension or when the citation is reversed upon protest before adjudication process, however, the LTO is not proscribed from lifting such in cases with justifiable circumstances and with notice to the concerned LGU or agency.

47. Compliance with Data Privacy - As a requirement for authorization and in compliance with the Data Privacy Act and its amendments, the MMDA, LGU or other agencies lawfully issuing traffic violation tickets as well as the third-party IT providers shall sign a Data Privacy Agreement with LTO which shall govern the respective responsibilities of the parties to ensure the integrity of the data collected and shared by the parties.

VII. TRAFFIC JURISDICTIONS

48. **Traffic Jurisdictions of Metropolitan Manila Development Authority (MMDA)** - All major roads and thoroughfares such as, but not limited to *Circumferential Roads* and *Radial Roads*, *Mabuhay Lanes*, and other roads, highways or thoroughfares that are included by law, to which the MMDA has authority shall form part of its traffic jurisdiction.

49. **Traffic Jurisdictions of Local Government Units** - the traffic jurisdictions of Metro Manila LGUs comprise of their respective territorial boundaries and shall encompass to areas to which they have authority, including all major or national highways and thoroughfares under their territorial jurisdiction.

50. **Joint Special Operations** - A coordinated operation of different LGUs of Metro Manila, MMDA or other agencies, or combination thereof shall transcend the jurisdictional bounds of their respective traffic jurisdiction, or the authority exercise by such special/coordinated task force shall be recognizable throughout the entirety of Metro Manila, unless otherwise provided by law.

VIII. METRO MANILA INSTITUTE FOR TRAFFIC EDUCATION

51. **Institute for Traffic Education** - A central institute for traffic education shall be created and established for purposes forming a standardize traffic education system that shall provide trainings, seminars, exercises and other forms or methods that aim to impart and advance learnings, knowledge, insight, skills and attitudes that are necessary for safe traffic participation, including road safety and courtesy in traffic by the public and personnel authorize to implement traffic laws, rules and regulations.

A curriculum shall be formulated pursuant to this Code and other pertinent laws relative to traffic education, and shall be made available to all the stakeholders herein and other agencies authorized or deputize to implement traffic management, laws, rules and regulations.

IX. METRO MANILA OVERSIGHT COMMITTEE

52. **Composition** - An oversight committee shall be constituted composed of a representative from each Metro Manila Local Government Units, a representative from MMDA, DILG, and LTO, with participation of DOTr and LTFRB. This Committee shall convene after one (1) month from the effectivity of this Code.

53. **Functions** - the Committee shall review and monitor the implementation of this Code and ensure that the LGUs, MMDA and other agencies authorize to issue citation ticket are compliant with the provision of this Code. Further, to guarantee that their policies, plans, programs, and

projects are in accordance with the spirit of this policy and achieving the expected results - standardization of traffic management and control within the Metropolis.

The Committee may also recommend policies relating to traffic management and control, or conduct studies to aid policy formulation that shall govern Metro Manila.

X.FINAL PROVISIONS

54. *Transitory Clause* - Upon the effectivity of this Code, the MMDA shall adopt this Code and ensure that the implementation of traffic laws, rules and regulations are in accordance herewith. The Local Government Units of Metro Manila are encouraged to adopt this Code through a legislation by their respective *Sanggunian* and ensure that all traffic laws, rules and regulations inconsistent with this Code are amended in accordance herewith.

55. *Repealing Clause* - All rules, issuances and regulations or parts thereof promulgated through the Metro Manila Council that are inconsistent with this Code are hereby repealed or modified accordingly.

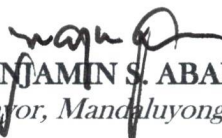
56. *Separability Clause* - If any provision or part hereof is held invalid or unconstitutional, the remainder of this Act or the provisions not otherwise affected shall remain valid and subsisting.

57. *Effectivity Clause* - This Act shall take effect immediately after its publication in two (2) newspapers of general circulation and submission of a copy thereof and registration with the Office of the National Administrative Register, U. P. Law Center.

APPROVED and ADOPTED, this ____ day of _____ 2023 in Makati City, Metro Manila, Philippines.



ATTY. ROMANDO S. ARTES, CPA
Acting Chairman



BENJAMIN S. ABALOS, SR.
Mayor, Mandaluyong City



IMELDA T. AGUILAR
Mayor, Las Piñas City



JOSEFINA G. BELMONTE
Mayor, Quezon City



ROZZANO RUFINO B. BIAZON
Mayor, Muntinlupa City



MAR-LEN ABIGAIL S. BINAY
Mayor, Makati City



MARIA LAARNI L. CAYETANO
Mayor, Taguig City



WESLIE T. GATCHALIAN
Mayor, Valenzuela City



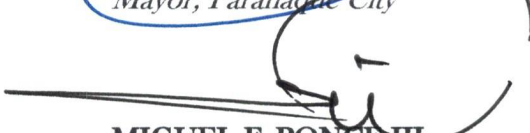
DALE GONZALO R. MALAPITAN
Mayor, Caloocan City



ERIC L. OLIVAREZ
Mayor, Parañaque City



MARIA SHEILAH LACUNA-PANGAN
Mayor, Manila City



MIGUEL F. PONCE III
Mayor, Municipality of Pateros




IMELDA CALIXTO-RUBIANO
Mayor, Pasay City




JEANNIE N. SANDOVAL
Mayor, Malabon City



VICTOR MA. REGIS N. SOTTO
Mayor, Pasig City



MARCELINO R. TEODORO
Mayor, Marikina City



JOHN REYNALD M. TIANGCO
Mayor, Navotas City



FRANCISCO JAVIER M. ZAMORA
Mayor, San Juan City
President, Metro Manila Council



MONIQUE YAZMIN MARIA O. LAGDAMEO
President, MM Vice Mayors' League



CAROLYN C. CUNANAN
President, MM Councilors' League

ANNEX A

TRAFFIC VIOLATION CODES

Disregarding Traffic Sign	010
Illegal Parking Attended	011a
Illegal Parking Unattended	011b
Unified Vehicle Volume Reduction Program (Number Coding Scheme)	012
Truck Ban	013
Light Truck Ban	014
Reckless Driving	015
Tricycle Ban	016
Obstruction	017
Dress Code for Motorcycles	018
Overloading	019
Defective Motor Vehicle Accessories	020
Unauthorized Modification	021
Arrogance/Discourteous Conduct	022
Loading and Unloading in Prohibited Zones	023
Illegal Counterflow	024
Overspeeding	025
Failure to Use Seat Belt	026
Failure to Use CRS	027a
Use of Substandard CRS	027b
No Motorcycle Helmet	028a
Use of Helmet with No ICC Markings	028b
Violation of Children's Safety on Motorcycle Act	029
ADDA (c)	030a
ADDA (d)	030b

ANNEX B

CIRCUMFERENTIAL, RADIAL AND OTHER ROADS

Circumferential Roads

- C1: Recto Avenue
- C2: Pres Quirino Avenue
- C3: Araneta Avenue
- C4: EDSA
- C5: Katipunan / CP Garcia
- C6: Southeast Metro Manila Expressway

Radial Roads

- R1: Roxas Boulevard
- R2: Taft Avenue
- R3: SLEX
- R4: Shaw Boulevard
- R5: Ortigas Avenue
- R6: Magsaysay Blvd / Aurora Blvd
- R7: Quezon Ave / Commonwealth Ave
- R8: A Bonifacio Avenue
- R9: Rizal Avenue
- R10: Del Pan / Marcos Highway / McArthur Highway

Other Thoroughfares

- Marcos Highway
- Roxas Boulevard
- Elliptical Road
- Mindanao Avenue