



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF ORIENTAL MINDORO  
**MUNICIPALITY OF PINAMALAYAN**  
**OFFICE OF THE SANGGUNIANG BAYAN**

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Office of Vice Mayor/Sangguniang Bayan 2nd Floor Municipal Building, Madrid Blvd., Pinamalayan, Oriental Mindoro

**MUNICIPAL ORDINANCE NO. 13-2020**

Introduced by:

- **Hon. Antonio Victor R. Olympia**
- **Hon. Arnoldo M. Madrid**

**AN ORDINANCE ENACTING THE TRAFFIC MANAGEMENT AND ENFORCEMENT CODE OF PINAMALAYAN, ORIENTAL MINDORO.**

**ARTICLE 1**

**TITLE, POLICY, SCOPE AND DEFINITIONS**

**SECTION 1. TITLE** - This ordinance shall be known as “**PINAMALAYAN TRAFFIC MANAGEMENT AND ENFORCEMENT CODE**” or **PTraMEC**.

**SECTION 2. DECLARATION OF POLICY** - It is hereby declared the policy of the Municipality of Pinamalayan, Oriental Mindoro to make the flow of traffic orderly and more efficient to serve as a necessary tool for its economic development and progress, for the maintenance of peace and order and in the promotion of public safety.

**SECTION 3. SCOPE** - The provision of this Code shall include:

- The regulation of traffic and all kinds of motor vehicles within the municipality of Pinamalayan, Oriental Mindoro adopted from Republic Act No. 4136;
- The management of Motorized Tricycle-For-Hire in accordance with Section 447(3) (vi) of Republic Act No. 7160 also known as the Local Government Code of 1991;
- The imposition and collection of reasonable fees and charges for services rendered by the Municipal Government to private persons or entities as provided in Section 153 and Section 447 (3) (i) of Republic Act No. 7160;
- The physical and behavioural code of conduct every person is obliged to observe, e.g. mutual respect, peaceful co-existence and symbiotic interaction relative to its implementation; and,
- The responsibility of the Local Government Unit to enforce discipline including the payment of fines or penalties or both, for violation in accordance with the provision of Section 516 of the Local Government Code and other laws, rules and regulations now existing, or henceforward, promulgated.

**SECTION 4. DEFINITION OF TERMS** – As used in this Code, the following shall mean:

- Crash Helmet** – refers to a headgear worn by motorists/motorcycle riders as a protection against head injury, as prescribed by the LTRFB and in accordance to R.A. 10054, also known as the Motorcycle Helmet Act of the Philippines.
- Delivery Trucks/Vans/Haulers** – refer to vehicles engaged in the delivery / loading & unloading / transporting of goods / general merchandise & construction materials and the like.

  
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- c) **Drag Racing** – refers to prohibited speed competition between two (2) or more vehicles of any type within the jurisdiction of the municipality.
- d) **Driver** – refers to any person who drives motor vehicles and the likes and duly licensed as such by the Land Transportation Office (LTO).
- e) **FARE MATRIX** – the legislated (ORDINANCE No. 06-2011) basis for computation of automatic increase or decrease and vice-versa in fares per route of tricycle according to the Combined Regular and Unleaded Gasoline/Average Price per Liter (CRUGAP/L) bracket demandable by operators/drivers upon increase by Php 7.00 and conversely demandable by the commuter if the same amount decreases.
- f) **HEAVY VEHICLE** – refers to vehicles above 4,500 kgs Gross Vehicle Weight.
- g) **LIGHT VEHICLE** – refers to vehicles up to 4,500 kgs Gross Vehicle Weight.
- h) **LTRFB** – refers to the Land Transportation Franchising and Regulatory Board.
- i) **LTO** – refers to the Land Transportation Office.
- j) **Motorcycle** – refers to any motor vehicle with two or three wheels.
- k) **MTFRB** – refers to Motorized Tricycle Franchising and Regulatory Board which issues permit to operate tricycles as public utility.
- l) **MTFRB Franchise** – is a special privilege granted by the Municipality of Pinamalayan, Oriental Mindoro to any person natural or juridical entity to use and operate tricycle unit/s as public utility rendering transport services for a fee.
- m) **MTO** – refers to Municipal Treasury Office of Pinamalayan, Oriental Mindoro.
- n) **PEDESTRIAN** - is any person going on foot or walking on sideways, main thoroughfares or alleys in the territorial jurisdiction of the Municipality of Pinamalayan.
- o) **PEDESTRIAN CROSSING/LANES** - areas duly designated as pedestrian crossing lanes marked with white pedestrian stripes visible at any time.
- p) **PINAMALAYAN TRAFFIC MANAGEMENT & ENFORCEMENT CODE (PTraMEC)** – a traffic management and enforcement document in the municipality necessary for encouraging economic growth and ease in doing business.
- q) **PINAMALAYAN TRAFFIC MANAGEMENT & ENFORCEMENT COUNCIL (PTraMEC)** – is a council created under the Office of the Mayor.
- r) **PINAMALAYAN TRAFFIC MANAGEMENT & ENFORCEMENT DIVISION (PTraMED)** – is an office headed by the duly appointed Traffic Manager responsible to implement the PINAMALAYAN TRAFFIC MANAGEMENT & ENFORCEMENT CODE (PTraMEC).
- s) **POBLACION** – as used in this Code, shall be constituted by the four (4) zones, Zone I, Zone II, Zone III, Zone IV, Wawa, Marfrancisco and Cacawan.

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- t) **Public Utility Jeep (PUJ)/Multicab** – refers to a passenger type vehicle that provides transport services for a fee, with duly approved franchise from LTRFB.
- u) **Sticker** – a type of label: a piece of printed paper, plastic, vinyl, or other material with pressure sensitive adhesive bearing the logo of the Municipality.
- v) **Terminal** – as used in this code, refers to a particular waiting area used for loading and unloading of passengers and cargoes.
- w) **Traffic Citation Ticket** – refers to a ticket issued to those who committed violation of any provision of this Traffic Code.
- x) **Traffic Enforcers** – trained personnel under the **Traffic Manager** appointed to manage and enforce intricate traffic solutions within the municipality.
- y) **Traffic Manager**– head of traffic management operation duly appointed by the Municipal Mayor.
- z) **Tricycle** – refers to a motorcycle with an attached cab/side car.
- aa) **Utility Vehicle, Van or other Van for hire and E-Vehicle** – refer to vehicles that render transport services for a fee.

**ARTICLE II**  
**PINAMALAYAN TRAFFIC MANAGEMENT AND ENFORCEMENT COUNCIL**  
**(PTraMEC)**

**SECTION 5. CREATION** – The Pinamalayan Traffic Management and Enforcement Council (PTraMEC) is hereby created and placed under the supervision of the Municipal Mayor.

**SECTION 6. COMPOSITION** – The Pinamalayan Traffic Management and Enforcement Council (PTraMEC) shall be composed of the Municipal Mayor as Chairman, Sangguniang Bayan Member Chairman of Committee on Transportation as Vice Chairman and of ten (10), but not limited to the members enumerated as follows:

Chairman	: Municipal Mayor
Vice-Chairman	: SBM Chairman of Committee on Transportation
Members	: SBM Chairman of Committee on Rules SBM Chairman of Committee on Peace and Order Traffic Manager Municipal Disaster Risk Reduction and Management Officer Municipal Treasurer Municipal Engineer Chief of Police – Pinamalayan PNP Traffic Officer of Pinamalayan PNP Representative from Accredited NGO

Secretariat : Representative from Accredited Transport Sector  
: MDRRMO/Permits and Licensing Division



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**SECTION 7. FUNCTIONS** – The Pinamalayan Traffic Management and Enforcement Council (PTraMEC) shall have the following functions:

- a) Monitors and evaluates the planning and implementation of the Traffic Management and Enforcement Component undertaken by the other municipalities and city in the province and national agencies.
- b) Formulates and recommends traffic measures and management schemes/periodic and special reports relative to the traffic management and enforcement activities to the Sangguniang Bayan for necessary legislation.
- c) Keeps records of information regarding traffic violations in the enforcement of this Code.
- d) Develops and prescribes rules and procedures for the internal operations and traffic management consistent with existing laws, rules and regulations.
- e) Performs such other related functions as maybe necessary to ensure effective planning and implementation of traffic management and enforcement scheme.

**SECTION 8. PINAMALAYAN TRAFFIC MANAGEMENT AND ENFORCEMENT DIVISION (PTraMED)** – There is hereby created a Pinamalayan Traffic Management and Enforcement Division (PTraMED) under the control and supervision of the Office of the Mayor to be headed by the appointed Traffic Manager responsible for the implementation of Pinamalayan Traffic Management & Enforcement Code (PTraMEC) and other relevant laws and policies.

**SECTION 9. THE TRAFFIC MANAGER** – There shall be an appointed Traffic Manager to manage the Traffic Management and Enforcement operation, who shall be under the direct supervision and control of the Office of the Municipal Mayor and whose duties and responsibilities are to implement this Code; manage traffic concerns of the municipality and those which may be determined as necessary in relation thereto by the Municipal Mayor. He/She shall be appointed from among the regular employees of the municipal government and duly designated by the Municipal Mayor for the specific position.

**SECTION 10. THE TRAFFIC MANAGEMENT OFFICERS/ENFORCERS** – The Municipal Mayor shall create appropriate Plantilla Position to head the PTraMED, in case of funding constraints, the Municipal Mayor may reassign existing personnel, subject to Civil Service Commission rules and regulations on re-assignment of vacant position may be obtained such that the Personal Service requirement for said abolition may be obliged for the creation of positions in the division, subject to the PS limitation. The LGU may hire contractual or job order personnel, pursuant to Section 77 of the Local Government Code and other pertinent laws.

**SECTION 11. QUALIFICATIONS** – Qualifications of a Traffic Management Officer/Enforcer shall be as follows:

- a) He/She shall be twenty one (21) years old and above.
- b) At least high school/senior high school graduate.
- c) Must have undergone course/training on traffic enforcement and management.



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**SECTION 12. FUNCTIONS OF THE TRAFFIC MANAGEMENT & ENFORCEMENT DIVISION (PTraMED) – The Traffic Management & Enforcement Division shall have the following functions:**

- a) Manage and enforce the provisions of this Code with the assistance of Pinamalayan-PNP in the management and enforcement of all the national laws and related local ordinances on traffic regulation applicable to the National Highway, Provincial, Municipal, and Barangay Roads within the Municipality of Pinamalayan, Oriental Mindoro;
- b) Keep records of the names, addresses, driver's license numbers, and registration and plate numbers of vehicles, of all violators of this Code.
- c) Apprehend any person violating any provision of this Code, and issue Citation Ticket thereof upon confiscation of the driver's license after informing the apprehended violator of the violation committed. Any penalty or fine shall be paid to the Municipal Treasurer's Office.
- d) Forward the confiscated driver's license for not more than 24 hours during weekdays and 72 hours during weekends or holidays from confiscation to the Municipal Treasurer's Office for payment purposes.
- e) When necessary, under exceptional circumstances, immobilize the vehicle driven or operated by traffic violator using approved gadgets, impound the same as may be warranted, and to release the same vehicle upon payment of the specified fine/s (traffic enforcement fee) prescribed in this Code at the MTO and securing release clearance from PTraMED, or as may be directed by the proper authority.
- f) Assist the MTO bonded personnel to collect traffic management fee in the amount of Php 50.00 per vehicle and traffic enforcement fee per violation of the provisions of PTraMED which shall not be less than One Thousand Pesos (Php 1,000.00) but shall not be more than Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment of not less than one (1) month but not more than six (6) months or both such fine and imprisonment at the discretion of the Court.
- g) Perform such functions as maybe directed by the Municipal Mayor or his direct superior on matter pertaining to traffic enforcement and management and the implementation of related or other local ordinances and national laws and regulations.

**SECTION 13. FUNDING –** The budget for the Pinamalayan Traffic Management and Enforcement Division (PTraMED) shall be drawn from the appropriations of the Office of the Municipal Mayor or from any other source which may be determined proper and appropriate. Thereafter, subject to budget rules and regulations, there shall be appropriation in the Annual Budget for the Personal Services and Operating Expenses of the said division. Provided, that all fines and penalties shall accrue to the Trust Fund that shall be called Traffic Management Fund which shall be used for the projects, programs and activities and all other related expenses for the operation of Traffic Management and Enforcement Division and incentives for the enforcers. The Municipal Treasurer shall render a monthly report on such collection to the Municipal Mayor.



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**ARTICLE III**  
**PARKING**

**SECTION 14. COVERAGE** – The provisions under this article shall govern all types of vehicles, such as but not limited to, motorcycle, tricycle, cargo delivery truck or van, PUJ, UV, E-Vehicle, private car and the likes, among others.

**SECTION 15 - INTERMITTENT PARKING AREAS** - An identified Streets shall be served as intermittent parking areas in a parallel parking system with a fifteen (15) minutes allowable time.

- a) Del Pilar Street left side going to Wawa
- b) Both sides of Mabini Street
  
- c) Bonifacio Street right side going North
- d) Morente Street left side going North
- Juan Luna left side going North

A double parking in any identified streets shall be strictly prohibited.

Unless provided elsewhere in this Code, the Municipal Mayor, through the Traffic Manager, is authorized to designate any municipal property/ies or public area/s as “No Parking” or “Parking Area”, “Loading and Unloading Area”, etc. provided that proper signboards shall be placed thereon.

**SECTION 16. PARKING FEE** – Any type of vehicle shall pay a parking fee at the designated pay parking areas. The Municipal Treasurer and the PTraMED are hereby tasked and authorized to determine reasonable parking fee/s.

Heavy Vehicles and Light Vehicles	- Fifty Pesos (Php 50.00) for the First 2 hours
Additional	- Ten Pesos (Php 10.00) for the succeeding hour/s or fraction thereof
PUJs, UVs/Vans for Hire or Private/Cars and other vehicles	- Twenty Pesos (Php 20.00) for the First 2 hours
Additional	- Five Pesos (Php 5.00) for the succeeding hour/s or fraction thereof
Private Tricycle/Motorcycles and the likes	- Ten Pesos (Php 10.00) for the First 2 hours
Additional	- Two Pesos (Php 2.00) for the succeeding hour/s or fraction thereof
For Hire Tricycles/Motorcycles	- Ten Pesos (Php 10.00) per day

**SECTION 17. VIOLATIONS** – Any violations of Article III shall be fined as follows:

First Offense	- Issuance of citation ticket/s and a fine of Two Hundred Pesos (Php 200.00)
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Second Offense	-	Issuance of citation ticket/s and a fine of Three Hundred Pesos (Php 300.00)
Third Offense	-	Issuance of citation ticket/s and a fine of Five Hundred Pesos (Php 500.00)
Lost Citation Ticket	-	Two Hundred Pesos (Php 200.00)
Lost Parking Ticket	-	One Hundred Pesos (Php 100.00)

**ARTICLE IV**  
**PEDESTRIAN**

**SECTION 18. PEDESTRIAN LANES** – the Municipal Mayor, through the Traffic Manager, is authorized to designate pedestrian lanes, provided that proper signage shall be placed thereon.

**SECTION 19. PEDESTRIAN REGULATIONS**

- Pedestrian shall, at all times, walk along the sidewalk or in its absence, on the edge of the main thoroughfares. Whenever crossing main thoroughfares, they should do so, only on designated crosswalks or pedestrian lanes or in their absence, in the nearest intersection.
- Pedestrians awaiting for their rides on public utility vehicles or buses shall do so only on designated vehicle stops for loading and unloading. During rush hours, they shall form an orderly line on a “first come, first serve” basis to get on board public utility vehicles; *Provided*, however, that at no time shall any pedestrian be allowed to await for rides or loiter on the pavement proper on the main thoroughfare. For this purpose, the Municipality shall install barrier rails on designated busy thoroughfares where pedestrians can form a line.

**SECTION 20. PENALTIES** – Violators of the provisions of Section 19 concerning pedestrian lanes shall be meted a fine of:

First Offense	-	Fifty Pesos (Php 50.00)
Second Offense	-	One Hundred Pesos (Php 100.00)
Third and Subsequent Offenses	-	Two Hundred Pesos (Php 200.00)

**ARTICLE V**  
**TRAFFIC OBSTRUCTIONS**

**SECTION 21. COMPLIANCE TO RELATIVE LAWS ON TRAFFIC OBSTRUCTIONS** - Traffic Obstruction shall be complied to the Department of the Interior and Local Government (DILG) Memorandum Circular Nos. 2019-121 dated 29 July 2019 and 2019-167 dated 04 October 2019, 2020-027 dated 07 February 2020 and 2020-145, on the Presidential directive during the 4<sup>th</sup> State of the Nation Address of the President to clear roads from illegal structures and obstructions.

**SECTION 22. OBSTRUCTION ON SIDEWALKS, ALLEYS AND STREETS** - Any article, object, or thing that impedes pedestrian traffic on sidewalks and alleys and vehicular traffic on roads and streets shall not be allowed within the municipality.

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**SECTION 23. STALLED VEHICLES** - All stalled motor vehicles along any road, street, or alley within the municipality unattended for more than forty-five (45) minutes shall be towed at the owner's expense to the designated impounding area.

**SECTION 24. DUTY OF OWNERS AND OPERATORS OF VEHICLE REPAIR SHOP -**

- a) It shall be unlawful for owners and operators of motor vehicle and owners and operators of motor vehicle repair shops, such as vulcanizing, welding, body repair, body painting, engine repair and tune up, and other similar establishment to use any portion of any street, road, sidewalk or public places as garage or parking spaces or as extension of private garage or repair shop.
- b) A fine of Two Hundred Pesos (P200.00) shall be imposed on owners or operators of vehicle repair shops found violating this provision. For the second offense, a fine of Three Hundred Pesos (P300.00) shall be imposed; and for the third offense, a fine of Five Hundred Pesos (P500.00) and revocation of the permit to operate the motor repair shop shall likewise be imposed.

**SECTION 25. STORAGE OF ARTICLES ON SIDEWALKS, ALLEYS, OR MAIN THOROUGHFARES** - Business establishments and private residences shall not store or use as display areas of their merchandise or things, or articles, including signs and advertisements of whatever form, the sidewalks, alleys, and main thoroughfares. Unloaded articles, including but not limited to, equipment parts, junks, beverages, or any article of commerce shall immediately be removed and stored within the premises of the business establishment or private houses by their owners or consignees.

Violators of this section shall be meted a fine of:

- |                               |   |  |
|-------------------------------|---|--|
| First Offense                 | - | a fine of One Hundred Pesos (P100.00)  |
| Second offense                | - | a fine of Two Hundred Pesos (P200.00) shall be imposed;  |
| Third and subsequent offenses | - | a fine of Three Hundred Pesos (P300.00) and revocation of the permit to operate the business establishment, if applicable, shall be imposed. |

**SECTION 26. SIDEWALK VENDORS AND AMBULATORY PEDDLERS**

- a) Sidewalk vendors and ambulatory peddlers are not allowed to ply their trade in a manner that will impede vehicular or pedestrian traffic in the Municipality of Pinamalayan. Further, areas which are congested shall be kept off-limits to sidewalk vendors and ambulatory peddlers.
- b) Vendors or peddlers found violating this Section shall be imposed a fine of Fifty Pesos (P50.00) for the first offense; One Hundred Pesos (P100.00) for the second offense; and Two Hundred Pesos (P200.00) for the third offense and cancellation of permit or license, if applicable.

**SECTION 27. EXEMPTIONS** – The following structures or vehicles shall be exempt from removal or apprehension by the local government units, except in extraordinary circumstances as provided in Memorandum Circular No. 2020-145 of the Department of Interior and Local Government (DILG):

- a) Parked ambulances and public emergency vehicles
- b) Checkpoints established and duly authorized by the LGU, the IATF, the Philippine National Police,

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- or the Armed Forces of the Philippines, and
- c) Temporary obstructions as defined in DILG Memorandum Circular 2020-100 on Guidelines for the establishment of a Network of cycling lanes and walking paths to support people's mobility.

**ARTICLE VI**  
**FLOW OF TRAFFIC**

**SECTION 28. ONE WAY TRAFFIC ROUTE** – One way traffic route is hereby declared on the following:

Gregorio del Pilar Street is hereby declared ONE WAY from Barangay Zone IV, Burgos Street going to Barangay Wawa, and corner of Emilio Aguinaldo Street from six o'clock in the morning (6:00AM) to six o'clock in the evening (6:00PM).

**SECTION 29. EXEMPTIONS** – One way traffic route shall be automatically lifted during occurrences of the following:

- a) Emergencies
- b) Fiesta, cultural and local activities/celebrations
- c) Parades

**SECTION 30. SPEED LIMIT** – There shall be a speed limit in the Municipality of Pinamalayan to wit:

- a) Barangay Road - not exceeding 30 KPH
- b) Streets/roads within Poblacion Area - not exceeding 20 KPH
- c) Provincial Road/Municipal Road - not exceeding 40 KPH  
(Outside poblacion)
- d) National Road - not exceeding 80 KPH

However, the speed limit shall be lifted during the times of emergency.

The Punong Barangay, members of the Barangay Council and duly designated barangay Tanods are hereby authorized to implement Section 31 in their territorial jurisdiction. The Punong Barangay may be deputized to issue **Citation Ticket** and the barangay shall have share of thirty percent (30%) from the collection herein as may be allowed by applicable laws.

**SECTION 31. DRIVING WITHOUT DRIVER'S LICENSE** – Driving without the required Driver's License, Professional for those who drive public utility vehicle/deliveries and hauling, and Non-Professional Driver's License for those who drive private vehicles and the likes, issued by Land Transportation Office (LTO) are strictly prohibited within the Municipality of Pinamalayan, Oriental Mindoro.

Using expired/fake driver's license is likewise prohibited. Those holding a Student Driver's Permit must be accompanied by a driver with Professional/Non-professional Driver's License when driving a motor vehicle.

**SECTION 32. UNREGISTERED VEHICLES** – Unregistered motor vehicles including e-vehicles or those with expired/fake registration papers are prohibited within the municipality.

**SECTION 33. SPEED COMPETITION** – Drag racing or speed competition in the Barangay, Municipal, Provincial and National Roads within the jurisdiction of the Municipality of Pinamalayan, Oriental Mindoro



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is hereby prohibited. However, Motocross events are hereby exempted upon compliance of required permits from barangay concerned, Office of the Municipal Mayor and/or other government agencies.

**SECTION 34. NO HELMET, NO TRAVEL POLICY** – Driving of motorcycle without the required helmet or head gear as prescribed under RA No. 10054, otherwise known as “Mandatory Helmet Act of 2009”, adopted in Municipal Ordinance No. 07-2008 is strictly prohibited within the jurisdiction of the Municipality of Pinamalayan, Oriental Mindoro. However, that within the poblacion as defined, motorcycle riders are allowed to ply anywhere with lifted face visor or other face covering for easy identifications.

**SECTION 35. NO CHILD/CHILDREN, AS PASSENGER/S OR RIDER/S IN MOTORCYCLE** – It is hereby prohibited for any motorcycle driver to have children less than six(6) years old or children who cannot reach the footrest as “passengers” or “riders” at any time on any street in the municipality.

Motorcycles are likewise prohibited to have more than one (1) back rider.

**SECTION 36. TRAFFIC SIGNS** – At a strategic corner or areas, traffic signs of “Slow Down”, “No Entry”, “One Way”, “No Overtaking”, “Full Stop”, “Parking/No Parking”, “No Loading/No Unloading”, Loading/Unloading” and the likes as may be appropriate shall be posted, and notices on traffic rules and regulations shall be displayed in billboards or signboards or any device to inform the public.

**SECTION 37. POSTING OF TRAFFIC SIGNS** – The Pinamalayan Traffic Management and Enforcement Division (PTraMED) shall have the authority to determine where the traffic signs be placed subject to the approval of the Municipal Mayor. Existing traffic signs shall be maintained, unless recommended for removal or transfer.

**SECTION 38. REMOVAL OF TRAFFIC SIGNS** – It is hereby prohibited to obliterate, destroy, remove or deface any traffic signs or notice.

**SECTION 39. VIOLATIONS** – Anyone caught violating Article VI shall be penalized as follows:

**For Sections 28, 30, 31 and 32:**

First Offense	-	Five Hundred Pesos	(Php 500.00)
Second Offense	-	One Thousand Pesos	(Php 1,000.00)
Third Offense	-	One Thousand Five Hundred Pesos	(Php 1,500.00)
Fourth and Subsequent Offenses	-	Two Thousand Five Hundred Pesos	(Php2,500.00) & cancellation of franchise for tricycles for hire.

**For Section 33:**

Each unit of any type of vehicle caught participating in a drag race or speed competition shall be impounded and released only upon payment of Two Thousand Pesos (Php 2,000.00) to the Municipal Treasurer’s Office. Each driver of the apprehended vehicles shall be penalized with a fine of not less than One Thousand Pesos (Php 1,000.00) but not more than Php 2,500.00, or imprisonment of not more than thirty (30) days or both at the discretion of the court.



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**For Section 34, 35 and 38**

First Offense	-	Five Hundred Pesos (Php 500.00)
Second Offense	-	One Thousand Pesos (Php 1,000.00)
Third Offense	-	One Thousand Five Hundred Pesos (Php 1,500.00)
Fourth and Succeeding Offenses	-	Two Thousand Five Hundred Pesos (Php 2,500.00)

**ARTICLE VII**

**UNIFORM, TODA FARE MATRIX, TRASH CAN, ALLOWABLE PASSENGER, SILENCER & ROAD WORTHINESS**

**SECTION 40. UNIFORM** – Dress code of a duly licensed driver of any tricycle unit/s legally allowed as a public utility for a fee within the Municipality of Pinamalayan, Oriental Mindoro, is hereby imposed as follows:

- a) Long pants
- b) Any presentable T-shirt or Polo shirt
- c) Shoes
- d) TODA vest (tsaleko)
- e) TODA Identification Card (I.D.) must be placed visible inside the tricycle unit.

Wearing of TODA Vest/Tsaleko is automatically lifted during rainy days and Sundays for TODA Members.

**SECTION 41. TODA FARE MATRIX** – must be hanged/displayed visible inside tricycle unit.

**SECTION 42. ALLOWABLE PASSENGER** – As allowable passenger load, all tricycle units operating within the municipality must carry only three (3) passengers inside the sidecar and two (2) passengers in the motorcycle behind the driver.

**SECTION 43. TRASH CAN/WASTE BASKET** – It is mandatory for all tricycle units operating within the municipality to have a garbage can inside the sidecar.

**SECTION 44. MUFFLER / SILENCER** – It is hereby prohibited for any motorcycle and tricycle unit/s with above average muffler noise to ply within the territorial jurisdiction of the Municipality of Pinamalayan, Oriental Mindoro. Tricycle and motorcycle unit/s with such muffler noise must install necessary silencer.

**SECTION 45. ROADWORTHINESS** – All tricycle units are required to secure clearance from the Municipal Police Station (MPS) certifying road safety and worthiness of the units for application of new or renewal of franchise.

**SECTION 46. VIOLATIONS** – Anyone caught violating Article VII shall be penalized as follows:

- (a) **For Section 40.**
  - First Offense - One Hundred pesos (Php 100.00)
  - Second Offense - Two Hundred pesos (Php 200.00)
  - Third and Subsequent Offenses - Three Hundred pesos (Php 300.00)

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**(b) For Section 41 and 42**

First Offense	-	One Hundred pesos (Php 100.00)
Second Offense	-	Two Hundred pesos (Php 200.00)
Third and Subsequent Offenses	-	Three Hundred pesos (Php 300.00)

**(c) For Section 43 and 44**

First Offense	-	Three Hundred pesos (Php 300.00)
Second Offense	-	Five Hundred pesos (Php 500.00)
Third and Subsequent offenses	-	One Thousand pesos (Php 1,000.00)

**ARTICLE VIII**

**LOADING AND UNLOADING OF HEAVY VEHICLE AND LIGHT VEHICLE**

**SECTION 47. LOADING AND UNLOADING TIME FOR HEAVY VEHICLE AND LIGHT VEHICLE**

**a) Regular Delivery/Loading/Unloading Time**

6:00PM – 7:00AM

**b) Window Hours Scheme for Light Vehicles**

9:30AM– 11:30AM  
2:00PM – 3:30PM

**SECTION 48. PENALTIES** – Violations of Article VIII shall be penalized as follows:

**For Light Vehicles**

First Offense	-	A fine of Three Hundred Pesos (Php 300.00)
Second Offense	-	A fine of Five Hundred Pesos (Php 500.00)
Third Offense	-	A fine of Seven Hundred Pesos (Php 700.00)
Subsequent Offenses	-	A Fine of One Thousand Pesos (Php 1,000.00)

**For Heavy Vehicles**

First Offense	-	A fine of Five Hundred Pesos (Php 500.00)
Second Offense	-	A fine of One Thousand Pesos (Php 1,000.00)
Third Offense	-	A fine of One Thousand Five Hundred Pesos (Php 1,500.00)
Subsequent Offenses	-	A Fine of Two Thousand Five Hundred Pesos (Php 2,500.00)

*Francis J. J. J.*

*[Signature]*

*Alycia*

*[Signature]*

*[Signature]*

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*[Signature]*

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**ARTICLE IX**  
**TERMINAL**

**SECTION 49. GRAND TERMINAL** – Within the municipality, there shall be only one regulated grand terminal for public utility vehicles (Van, passenger jeepneys/multicabs, Buses, E-Vehicles and the likes), and the different Tricycle for-hire Operators and Drivers Association (TODA).

**SECTION 50. TRICYCLE TERMINAL** - A Portion of Burgos Street left side facing North shall be served as Tricycle Terminal.

No vehicle terminal, whether temporary, shall be allowed along the shoulder of the Strong Republic Nautical Highway (SRNH).

**SECTION 51. RULES AND PROCEDURES FOR APPLICATION FOR OTHER TERMINALS -**

A. For new application:

1. File a written application for the Terminal Regulatory Permits.
2. Present the plan of the designated terminal for approval.
3. Present the permit or authority given by the property owner.
4. Secure the necessary barangay clearance where the terminal is located.
5. Provide proof of existence of the association such as:
  - a. SEC registration
  - b. Municipal/SB Accreditation
  - c. List of Officers and Members and
  - d. Financial Statement status and Constitution and By-Laws
6. Provide proof that all members have valid LTFRB/LTO permit for UV's/Vans for hire, E-Vehicle and Public Utility Jeepneys; LTO Franchise Certificate from MTFRB for tricycles.
7. Pay the necessary (regulatory) fee at the Local Treasurer's Office prior to release of the Terminal Regulatory Permit by the issuing officer (The regulatory fee, whether for new application or renewal, shall be determined by the Municipal Treasurer's Office based on the existing Local Tax Ordinance).

B. For renewal of permit:

1. Submit the old Terminal Regulation Permit to the Issuing Officer MO/PTraMED.
2. Pay the necessary fee at the Treasurer's Office.
3. Issuance of the Terminal Regulation Permit based on the association's performance.

**SECTION 52. REGULATORY ACTS -**

- a) All UV's/Van/other vehicles for hire, PUJ's, E-vehicle, Bus and tricycle terminal must comply with all existing laws applicable to them.
- b) The designated terminal should have an access to road, to public, or private vehicles.
- c) Vehicles parked within the terminal must not cause inconvenience to pedestrians or obstruction to traffic.
- d) Observe order and cleanliness within the terminal and immediate surroundings at all times.



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- e) All Officers of the association applying for Terminal Regulation Permit or other approval thereof shall have responsibility and obligation to discipline their members with respect to the use of the said terminals or its facilities.
- f) The Terminal Regulation Permit shall be valid for one year and shall be subject to renewal every year thereafter, approval of which shall be upon discretion of the issuing officer based on the association's performance.
- g) And such other regulatory acts deemed necessary in the implementation of this ordinance.

**SECTION 53. PENALTY -**

- a) Failure to comply with the requirements stipulated herein shall cause denial of the application for Terminal Regulation Permit.
- b) Violation of any or all the provisions of this Article shall cause the suspension or cancellation of terminal permit or disapproval of renewal of application depending upon the discretion of the issuing officer.

**SECTION 54. IMPLEMENTATION**

- a) The PTraMED shall be tasked to monitor and submit written report to the Office of the Municipal Mayor relative to the implementation of this article.
- b) The concerned Barangay Officials where the terminal is located shall likewise be responsible for the implementation of this ordinance in coordination with the Office of the Municipal Mayor and shall also require submission of written report to the above mentioned office.

**SECTION 55. ISSUING OFFICE**

The PTraMED shall be the Issuing Office authorized to formulate and issue appropriate rules and regulations necessary for the efficient and effective implementation of any and all of its provisions.

**ARTICLE X**  
**CLOSURE OF MUNICIPAL ROADS**

**SECTION 56. TEMPORARY CLOSURE** – The Municipal Mayor may temporarily close any municipal roads/streets, thoroughfare or any public place for purposes of establishing shopping stalls, Sunday flea or night markets or tiangge, Christmas bazar and baraklan where goods, merchandise, commodities or articles of commerce maybe sold and dispensed to the general public, and during:

- a) Wakes
- b) Parades
- c) Celebration of local and national holidays
- d) Cultural, Civic and Religious activities
- e) When public safety is at stake or at risk



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**ARTICLE XI**  
**COMMON PROVISIONS**

**SECTION 57. REPAIRS ON ROAD** – Repairs of all vehicles are not allowed along public roads, except in time of emergencies.

**SECTION 58. GARAGE** – No public roads in the municipality shall be utilized as a garage or storage for knocked down units; the owner shall be given twenty four (24) hours to remove the unit/s, unless by necessity, the PTraMED, thru the Traffic Manager, upon request of the owner of the unit/s, will give additional time which shall not exceed 24 hours more.

**SECTION 59. TOWING** – Any violation of the preceding section shall cause the towing of the vehicle/s and the payment of Five Hundred Pesos (Php 500.00) as towing fee and One Hundred Pesos (Php 100.00) impounding fee per unit, and additional Php 15.00 per succeeding day, all at the cost of the owner to be paid at the Municipal Treasurer's Office (MTO).

**SECTION 60. TRAFFIC CHANGES** – The Pinamalayan Traffic Management and Enforcement Division (PTraMED) may, from time to time, change the flow of traffic as may be deemed appropriate and necessary without the need of prior approval from the Sangguniang Bayan upon recommendation of the Pinamalayan Traffic Management and Enforcement Council (PTraMEC) through a Resolution of the Council.

**SECTION 61. ADOPTION OF NATIONAL LAWS** – For purposes of this code, RA No. 7160, RA No. 4136 or National Traffic Rules and Regulations and RA No. 10054 or "The Mandatory Helmet Act of 2009" are hereby adopted and the penalties provided therein shall be imposed without prejudice to the provisions of this Code with the same application.

**SECTION 62. PENAL CLAUSE** – Unless otherwise penalized elsewhere in this code, any violation of the provision hereof shall cause the perpetrator to suffer the penalty of fine mentioned in this Ordinance.

**SECTION 63. SEPARABILITY CLAUSE** – Any part of or parts of this Code found inconsistent with national laws and provincial ordinances will not affect its entirety.

**SECTION 64. REPEALING CLAUSE** – It is hereby repealed, modified and amended accordingly any existing Municipal Ordinance/s inconsistent with this Code.

**SECTION 65. AMENDMENTS** – Any provision of this Code may be amended, repealed, modified or changed accordingly by the majority votes of Sangguniang Bayan Members.

**SECTION 66. EFFECTIVITY** – This Code shall take effect immediately upon completion of its publication for three (3) consecutive weeks in a newspaper of general circulation or posted in at least three (3) conspicuous places in Pinamalayan, Oriental Mindoro pursuant to the Local Government Code of 1991.

**ENACTED UNANIMOUSLY** this 28<sup>th</sup> day of December 2020 on joint motions of Hon. Antonio Victor R. Olympia and Hon. Arnoldo M. Madrid and seconded by all Sangguniang Bayan members present.

  
HON. ARNOLDO M. MADRID  
SB Member

  
HON. DUNHILL MARCELO M. DELMO V  
SB Member



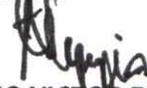
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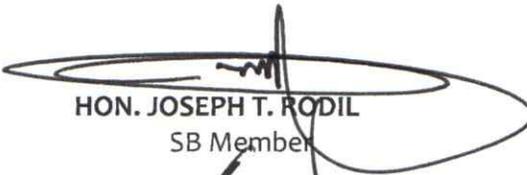
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HON. RIO S. MERCENE  
SB Member

  
HON. SEVERINO J. NARITO  
SB Member

  
HON. ANJUNE A. ZAMORA  
SB Member

  
HON. ANTONIO VICTOR R. OLYMPIA  
ABC President/SB Member

  
HON. JOSEPH T. RODIL  
SB Member

  
HON. NAPOLEON M. MANGARING  
SB Member

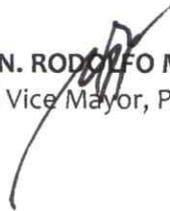
  
HON. LEONARDO L. PEDRAZA  
SB Member

  
HON. JOVEN S. VELASCO  
SKMF President/SB Member

Attested:

  
ARNEL G. ABRENICA  
Secretary to the Sanggunian

Certified Correct:

  
HON. RODOLFO M. MAGSINO  
Municipal Vice Mayor, Presiding Officer

Approved:

  
HON. ARISTEO APASAN-BALDOS, JR.  
Municipal Mayor

JAN 11 2021

