

MUNICIPAL ORDINANCE NO. 2019-02

AN ORDINANCE CREATING THE BONGABONG MUNICIPAL TRAFFIC MANAGEMENT AND DEVELOPMENT AUTHORITY AND ITS COMPONENT UNITS AND PROVIDING FUNDS THEREOF

Introduced by Hon. JAYSON M. BARCELONA

BE IT ENACTED by Sangguniang Bayan of Bongabong, Oriental Mindoro, that:

Section 1. **SHORT TITLE.** – This Ordinance shall be known as “BONGABONG MUNICIPAL TRAFFIC MANAGEMENT AND DEVELOPMENT AUTHORITY OF 2019”.

Section 2. **DEFINITION OF TERMS:**

- ❖ **Traffic** – refers to the movement of vehicles-motor-driven, man-driven or animal-drawn as well as movement of pedestrians on the streets, roadways and highways of the Municipality of Bongabong.
- ❖ **Traffic Enforcers** – uniformed civilian agents hired by the Municipal Government of Bongabong, and duly deputized by the Local Chief Executive charged with the duty of regulating and directing traffic and implementing all Municipal Traffic Laws and Ordinances.
- ❖ **Traffic Violator** – for purposes of this Ordinance shall mean any person who violates any traffic law or ordinance of the Municipality of Bongabong.
- ❖ **Authority** – as used in this Ordinance shall mean the Bongabong Municipal Traffic Management Authority.
- ❖ **Volunteer Traffic Enforcement Group** – refers to civilians who render voluntary under the Traffic Management Authority to direct and control traffic and assist in the enforcement of traffic laws and ordinances without remuneration.
- ❖ **LTO** – Land Transportation Office.

Section 3. **ORGANIZATION OF THE BONGABONG MUNICIPAL TRAFFIC MANAGEMENT AND DEVELOPMENT AUTHORITY.** – A special body known as the Bongabong Municipal Traffic Management and Development Authority that shall manage control oversee the implementation of the Traffic Laws and Ordinances of the Municipality of Bongabong and which shall be under the Office of Municipal mayor, is hereby created.

Section 4. **POWERS, DUTIES AND RESPONSIBILITIES OF THE BONGABONG MUNICIPAL TRAFFIC MANAGEMENT AND DEVELOPMENT AUTHORITY.** The primary role of the Bongabong Municipal Traffic Management and Development Authority

shall be to supervise, manage, control and coordinate with all government instrumentalities whose functions are related to the implementation and enforcement of all Municipal Traffic Laws and Ordinances, Rules and Regulations. Its power, duties and functions are as follows:

- a) Formulate the Traffic Management and Development Plan of the Municipality of Bongabong;
- b) Recommend to Local Chief Executive (LCE) the hiring of personnel for Traffic Enforcement particularly in directing and regulating traffic, implementing the Municipal Traffic Ordinance, Rules and Regulation in order to ensure a smooth, safe and orderly flow of traffic.
- c) Serve as the Oversight committee of the Traffic Management Office in the implementation of local laws and ordinances related to traffic management.
- d) Monitor and evaluate the implementation of local public transport route plan (LPTRP) and other transport programs in coordination with other line agencies in the Municipality of Bongabong.
- e) Formulate, review and submit the proposed traffic engineering and management schemes to the Sangguniang Bayan for approval
- f) Formulate implementing guidelines, rules and regulations for the implementation of the provisions of this ordinance;
- g) Prepare traffic management studies and researches relative to the use of roadways, streets and highways;
- h) To perform such other related functions as may be necessary to ensure the effective implementation of traffic management schemes;
- i) In fulfillment of their functions, the authority may organize committees among themselves as the need arises;
- j) Formulate implementing guidelines for the selection and hiring of Traffic Enforcers subject to the approval of the LCE.
- k) Capacitate the Municipal Traffic Management AND Development Authority and its Traffic Enforcers including IEC campaign for the community.
- l) The Authority may through the Local Chief Executive hire Technical personnel on contract basis as the exigencies of the service may require;

Section 5. COMPOSITION OF THE BONGABONG MUNICIPAL TRAFFIC MANAGEMENT AND DEVELOPMENT AUTHORITY. The Bongabong Municipal Traffic Management and Development Authority shall be composed of the Municipal Mayor as Chairperson, SB Committee on Transportation as Co-Chairperson, and Thirteen (13) members as follows:

- a) Chairperson, SB Committee on Finance
- b) Chairperson, SB Committee on Public Safety
- c) Chief of Police
- d) Municipal Planning and Development Coordinator
- e) Municipal Engineer
- f) Municipal Disaster Risk Reduction Management Officer
- g) Municipal Budget Officer
- h) Bureau of Fire
- i) Representative from DepEd
- j) ABC President
- k) SK Representative
- l) PWD Representative
- m) CSO Representative

Section 6. TRAFFIC MANAGEMENT OFFICE. – The Traffic Management Office (TMO) will serve as the implementing arm of the LGU in traffic management and other public safety services. It is composed of the Traffic Enforcement Unit, Traffic Engineering and Inspection Unit, Education and Deputation Unit, and Administration Unit. The Disaster Risk Reduction and Management Office shall be temporarily TMO of the LGU pending the appointment of personnel. The Traffic Management Office is tasked to:

- a) Provide public security relevant to public transportation services
- b) Augment auxiliary services on traffic management,
- c) Formulate plans and programs that improve public safety
- d) Issue Temporary Terminal Permits for jeepneys and tricycles, traffic clearances for business establishments,
- e) Clearing of sidewalks of illegal vendors and obstructions.
- f) Supervision and control over the Traffic Enforcers and Volunteer Traffic Enforcement Group that are assigned as components of the traffic Management Authority.
- g) Recommend to the Municipal Mayor the deputation of volunteer Traffic Enforcement Group for additional manpower during regular activities and special events

Section 7. **TRAFFIC ENFORCEMENT UNIT.** Shall responsible for the supervision and control of Traffic Enforcers whose main duties and responsibilities are to conduct traffic direction and control at their respective place of assignments. The traffic enforcers must undergo trainings and seminars conducted by legitimate agencies like the Land Transportation Office, Land Transportation and Franchising Regulatory Board, MMDA, or any private consultancy agencies accredited by the Department of Transportation. The qualifications of the enforcers shall be as enumerated as follows:

- a) With Good Moral Character
- b) Deputized by Municipal Mayor

Traffic Enforcers shall have the following powers, duties and responsibilities;

- a) To apprehend all violators of the existing Municipal Traffic laws and Ordinances, Rules and Regulations and perform such other traffic-related duties as delegated by the Local Chief Executive and as deputized by the Land Transportation Office (LTO) to act as their deputized agents
- b) To issue Traffic Citation Tickets to the traffic violators of the Municipal Ordinances, Rules and Regulations and in this case shall not confiscate his driver's license. However when duly deputized by the land Transportation Office (LTO) the Traffic Enforcer shall have the power to confiscate the driver's license of the traffic violators of National Traffic Laws and issue to the same a temporary operator's permit issued in an accountable form by the Land Transportation Office (LTO).
- c) To assist Traffic Investigation of all traffic and vehicular accidents under the supervision of the Chief of Police, Chief Traffic Division or their authorized representatives.

Section 7. **TRAFFIC ENGINEERING AND INSPECTION UNIT.** This unit is tasked to conduct inspection of road safety conditions, traffic signages, re-routing of traffic flow and business establishments for traffic clearances.

Section 8. **EDUCATION AND DEPUTATION UNIT.** This unit is responsible for the formulation of guidelines on training /seminars and conferences pertaining to traffic. It monitors and prepares statistics, data and reports on traffic violations; facilitates and coordinates with the proper agencies for the deputation of Traffic Enforcers, barangay officials and non-government organizations. It also prepares the issuance and renewal of Traffic Violation Receipts.

Section 9. **ADMINISTRATION SECTION.** This section is tasked to provide the TMO with economical, efficient and effective services relating to personnel, records, supplies, equipments, budgets and accomplishment reports. In the absence of this section, the duties and functions shall be absorbed by the Office of the DRRMO.

Section 10. **FUNDING.** Funds of the Bongabong Traffic Management and Development Authority as mandated in this ordinance shall be included in the annual or supplemental budget of the Municipal Government.

Section 11. **REPEALING CLAUSE.** All other ordinances other rules and regulation or parts thereof which are inconsistent with any provisions of this ordinance and all other special bodies with functions related to the enforcement and implementation of the Municipal Traffic Laws and Ordinances in the Municipality are hereby deemed repealed, modified or dissolved accordingly.

Section 12. **EFFECTIVITY.** This ordinance shall take effect immediately upon its approval and compliance with the pertinent publication/posting requirements.

Certified true:

Atty. EDUARDO M. MAGSINO, REB, EnP
Secretary to the Sanggunian

Attested by:

Hon. RICHARD S. CANDELARIO
Vice-Mayor/Presiding Officer

Approved:

Hon. ELEGIO A. MALALUAN, O.D.
Municipal Mayor
Date: _____