



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF  
THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT  
BINULO RESTAURANT, CLARK, ANGELES CITY  
ON DECEMBER 9, 2016

PRESENT:

Hon. Jovy Z. Banzon, Acting Vice-Governor and Presiding Officer

FIRST DISTRICT:

Hon. Benjamin C. Serrano, Jr., Board Member  
Hon. Aristotle J. Gaza, Board Member  
Hon. Dexter B. Dominguez, Board Member  
Hon. Rolando Z. Tigas, Board Member  
Hon. Reynaldo T. Ibe, Jr., Board Member

SECOND DISTRICT:

Hon. Manuel N. Beltran, Board Member  
Hon. Edgardo P. Calimbas, Board Member  
Hon. Dante R. Manalaysay, Board Member  
Hon. Jose C. Villapando, Sr., Board Member

Hon. Doroteo M. Austria, Board Member (FABC President)  
Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)  
Hon. Danilo B. Salonga, Board Member (IPM Representative)

ABSENT:

None

ORDINANCE NO. 4  
Series 2016

AN ORDINANCE PROVIDING FOR THE SPEED LIMITS FOR ALL KINDS  
OF MOTOR VEHICLES WITHIN THE BATAAN HIGHWAYS AND  
PROVIDING THE PENALTIES FOR VIOLATION THEREOF.

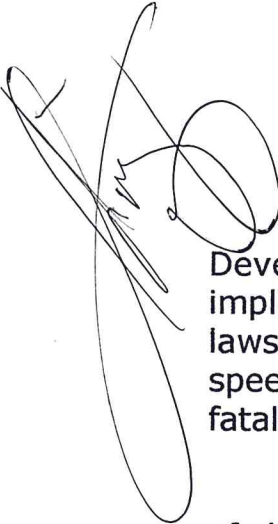
WHEREAS, Republic Act No. 4136, otherwise known as the Land  
Transportation and Traffic Code which was signed into law on June 20,  
1964, is the governing traffic law of the Philippines which included  
among others the regulation on speed limits on all highways;

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"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"




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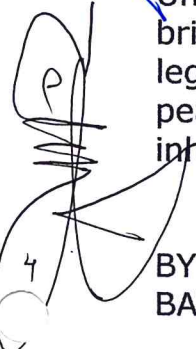


WHEREAS, based on the statistics given by the Metro Bataan Development Authority (MBDA), despite numerous enforcement and implementation by appropriate government agencies of existing traffic laws, rules and regulations, the number of road accidents due to over speeding and reckless driving is increasing, most of which resulted to fatal injuries and deaths;

WHEREAS, the purpose of this Ordinance is to insure the safety of the motorists as well as the general public who are traversing on the highways of Bataan under the territorial jurisdiction of the Province;




WHEREAS, in the interest of public safety and order within the said highway, it is of paramount importance for the Province to come up with a solution regarding this matter through an updated rules and regulations by adopting a local measure that will address this alarming situation with a view of immediately and effectively prevent vehicular accidents caused by over speeding and reckless driving;



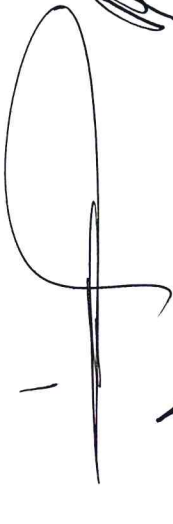
WHEREAS, by virtue of Republic Act No. 7160, Local Government Units are granted with the power to regulate traffic on all streets and bridges within their territorial jurisdictions, and to enact local legislation that will protect public health, safety, convenience, maintain peace and order, and promote the general prosperity of its inhabitants;

NOW THEREFORE, BE IT ORDAINED AS IT HEREBY ORDAINED BY THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF BATAAN, IN SESSION ASSEMBLED, THAT:

**SECTION 1. SCOPE.** - This Ordinance shall cover the entire stretch of the BATAAN HIGHWAYS that shall include the following:

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1. Pablo Roman Highway;
  2. Gov. J. J. Linao Road;
  3. Bataan section of the Jose Abad Santos Avenue (formerly Gapan-Olongapo Road) in Hermosa and Dinalupihan.

**SECTION 2. RATE OF SPEED.** The rate of speed for all types of motor vehicles within the territorial boundaries of Bataan Highways shall not exceed the maximum allowable speed nor go below the minimum speed allowed, to wit:

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1. Passenger automobiles (Jeepneys, Buses, UV Express, Taxis and other similar vehicles) - 70 km./hr. maximum and 40 km./hr. minimum;
  2. Private automobiles (Cars, SUVs, AUVs and other similar vehicles) - 80 km./hr. maximum and 60 km./hr. minimum;

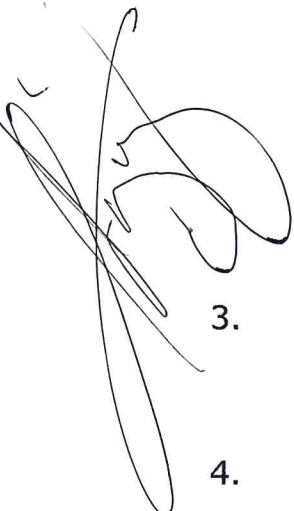




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3. Trucks (Tankers, Dump and Cargo Trucks, Trailers, Closed Vans, Transit Mixers and other similar vehicles) whether loaded or not - 50 km./hr. maximum 30 km./hr. minimum;
  4. Motorcycles - 60 km./hr. maximum and 40 km./hr. minimum;
  5. Slow moving vehicles should at all time stay and use the right most portion of the highway.

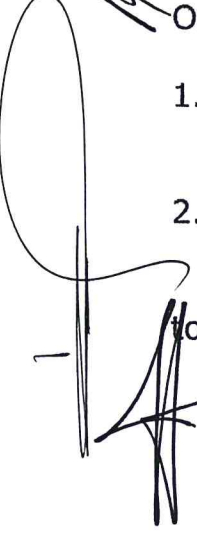
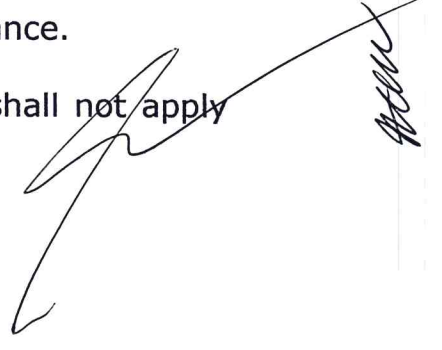
**SECTION 3. LEAD AND SUPPORT AGENCIES.** - The Land Transportation Office - Bataan (LTO-Bataan), Bataan Police Provincial Office (Bataan-PPO), Highway Patrol Group - Bataan and the Metro Bataan Development Authority (MBDA). The Land Transportation Franchising Regulatory Board (LTFRB-Bataan), Provincial Engineering Office (PEO), Management Information Systems Office (MISO) and the Department of Public Works and Highways (DPWH) are also enjoined to extend their full support and cooperation in the implementation of this Ordinance.

**SECTION 4. SIGNAGES.** - The MBDA, in coordination with the PEO and DPWH, shall provide for the appropriate traffic signs indicating the speed limits on Bataan Highways.

**SECTION 5A. FINES AND PENALTIES.** - Violators of this Ordinance shall, if warranted, be subjected to apprehension, confiscation of driver's license without prejudice to the imposition of penalties under the provisions of RA No. 4136.

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| 1. First Offense                         | Reprimand and traffic seminar with the MBDA;  |
| 2. Second Offense                        | Fine of TWO THOUSAND FIVE HUNDRED PESOS (PHP2,500.00) and traffic seminar with the MBDA;                                  |
| 3. Third Offense and Succeeding Offenses | Fine of FIVE THOUSAND PESOS (PHP5,000.00) and/or imprisonment of not exceeding one (1) year upon discretion of the Court. |

**SECTION 5B.** The MBDA as deputized shall implement this Ordinance and shall be authorized to perform the following acts:

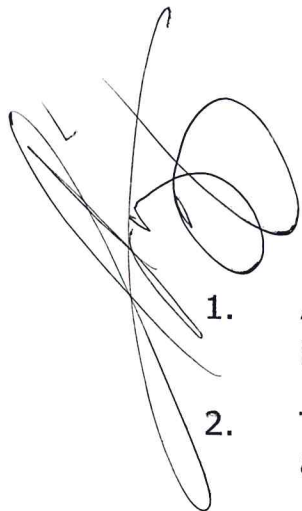


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1. To confiscate the driver's license of the violator and issue a citation ticket stating the violation/s therein;
  2. To conduct seminars for the violators of this Ordinance.

**SECTION 6. EXCEPTIONS.** - This Ordinance shall not apply to the following:



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1. A physician or his driver (provided that the physician is a passenger) when responding to an emergency;
  2. The driver of an ambulance on the way to and from the place of accident;
  3. Any driver bringing a wounded or sick person or persons for emergency treatment to a hospital, clinic or any other similar place;
  4. The driver of a vehicle belonging to the Armed Forces of the Philippines, while in use for official purposes in times of riot, insurrection or invasion;
  5. The driver of a vehicle when he or his passenger is in pursuit of a criminal;
  6. A law enforcement officer who is trying to overtake a violator traffic laws; and
  7. The driver officially operating a motor vehicle of any fire department provided that exemption shall not be construed to allow unless or unnecessary fast driving of drivers aforementioned.

**SECTION 7. SEPARABILITY CLAUSE.** - If for any reason, any part or provision of this Ordinance shall be declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect;

**SECTION 8. REPEALING CLAUSE.** - All local ordinances, acts, executive orders, decrees, proclamations and administrative regulations, part or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed and modified accordingly;

**SECTION 9. EFFECTIVITY.** - This Ordinance shall take effect upon approval and after compliance with the requirements on publication.

APPROVED UNANIMOUSLY.



SEVERINO P. SALAZAR  
Secretary to the SP



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BENJAMIN C. SERRANO, JR.  
Board Member



ARISTOTLE J. GAZA  
Board Member



DEXTER B. DOMINGUEZ  
Board Member




ROLANDO Z. TIGAS  
Board Member




REYNALDO T. IBE, JR.  
Board Member



MANUEL N. BELTRAN  
Board Member




EDGARDO P. CALIMBAS  
Board Member



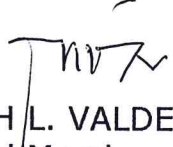
DANTE R. MANALAYSAY  
Board Member




JOSE C. VILLAPANDO, SR.  
Board Member



DOROTEO M. AUSTRIA  
Board Member  
(FABC President)




NOEL JOSEPH L. VALDECAÑAS  
Board Member  
(PCL President)



DANILO B. SALONGA  
Board Member  
(IPM Representative)

ATTESTED:



JOVY Z. BANZON  
Acting Vice-Governor  
(Presiding Officer)

APPROVED:



ALBERT S. GARCIA  
Provincial Governor  
Date: \_\_\_\_\_