Republic of the Philippines
Province of Cavite
MUNICIPALITY OF BACOOR
Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 01-S-2011

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE
NO. 2-S-2007 ENTITLED: “AN ORDINANCE IMPOSING A
TRUCK BAN ALONG EVANGELISTA ROAD, BACOOR,
CAVITE FROM 5:00 A.M. TO 9:00 A.M. AND 5:00 P.M. TO
9:00 P.M.”.

Sponsored by Hon. Avelino B. Solis, Reynaldo M. Fabian,
Venus D. De Castro, Janairo C. San Miguel, Reynaldo D.
Palabrca, Jaime A. Sapanghila, Bayani M. De Leon, Maria
Eliza H. Bautista, and Catherine H. Sarino.

WHEREAS, the Sangguniang Bayan passed Municipal Ordinance No.
2-S-2007 on 06 August 2007 entitled: “An Ordinance Imposing a Truck Ban
along Evangelista Road, Bacoor, Cavite from 5:00 a.m. to 9:00 a.m. and 5:00
p.m. to 9:00 p.m.”

WHEREAS, there is a need to amend the said ordinance because of the
following reasons, to wit: (a) in accordance with pertinent provisions and
Implementing Rules and Regulations of RA 4136, otherwise known as the Land
Transportation Act of the Philippines, the term “cargo trucks” refers to vehicles
having a gross capacity weight of over 4,500 kilograms which differs from the
definition of the same term under Municipal Ordinance No. 2-S-2007 which
provide that cargo trucks are vehicles having a gross capacity weight of over
4,000 kilograms. However, the municipal government lack the necessary heavy
duty weighing scales used to determine the weight of trucks thereby making
the implementation of the said ordinance difficult, (b) the imposition of a truck
ban along Evangelista Road did not alleviate the municipality’s traffic problem
because trucks can still use other roads not covered by the said ordinance, and
(c) the penalties imposed in Municipal Ordinance No. 2-S-2007 is difficult to
implement considering that the municipality does not have the capacity to
determine how many violations an offender already made in the past.

NOW, THEREFORE, upon the unanimous vote of the Sangguniang
Bayan in regular session assembled, BE IT ORDAINED AS IT IS HEREBY
ORDAINED to enact this Ordinance, to wit:

Section 1. Coverage— Section 2 of Municipal Ordinance No. 2-S-
2007 is hereby amended, and as so amended, shall now read in full, as follows:

“Section 2. Coverage.— No cargo truck shall be allowed to
travel or pass along Evangelista Road, R-1 Extension Road
Agualnardo Highway, Zapote-Molino-Salawag Road, Daang
Hari, Molino Boulevard, Marcos Alvarez and Tirona Highway
within the territorial jurisdiction of Bacoor, Cavite from 5:00
a.m. to 9:00 a.m. and from 5:00 p.m. to 9:00 p.m. everyday except
Saturdays, Sundays and Holidays.

Section 2. Definition of Cargo Trucks—Section 3 of Municipal
Ordinance No. 2-S-2007 is hereby amended, and as so amended, shall now read
in full, as follows:

Address: Evangelista St., Barangay Tahaning Dagat, Bacoor, Cavite
Telefax No.: (046) 434-6716
Municipal Ordinance 01-S-2011
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"Sec. 2. Definition of Cargo Trucks. The term "cargo trucks" shall be understood to mean motor vehicles principally intended for carrying cargo and having license plates of the following classifications: "S", "T", "TC", "TH", "TRLB", "HBB", and "TRJ", to include other vehicles such as lorries, vans, tankers, or other delivery vehicles, whether loaded or empty, having six wheels or more. Provided, that trucks owned and operated by the national government and its various instrumentalities including the municipal government, and/or privately-owned and operated trucks being leased by the municipal government are exempted from the coverage of this Ordinance."

Section 3. Penalty. -- Section 4 of Municipal Ordinance No. 2-S-2007 is hereby amended, and as so amended, shall now read in full, as follows:

"Sec. 4. Violation and Penalty. -- Any person who violates the provisions of this Ordinance shall be punished with a fine not to exceed One Thousand Pesos (PhP 1,000.00)."

Section 4. Separability Clause. -- Should any provision hereof be declared void by any competent court of law, the other provisions of this Ordinance that are not affected thereby shall retain their legal force and effect.

Section 5. Exemption/Exemption Fees. -- Owners of trucks affected by this Ordinance may apply for exemption herefrom by paying the following fees with the Office of the Mayor once a year, to wit:

For truck owners who reside/operate in Bacoor, Cavite:
P250.00

For truck owners who reside/operate outside of Bacoor, Cavite:
P500.00

Section 6. Effectivity. -- This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the Province of Cavite.

PASSED and ENACTED unanimously on third and final reading by the Sangguniang Bayan in regular session assembled this 10th day of January 2011 at Bacoor, Cavite.
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I hereby certify that the foregoing ordinance is true and correct and that it was passed and enacted on third and final reading by the Sangguniang Bayan of Bacoor, Cavite on the 10th day of January 2011.

Certified by:

HON. EDWIN G. GAWARAN
Councilor/Acting Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Secretary to the Sangguniang Bayan

Approved by:

HON. STRIKE B. REVILLA
Municipal Mayor

Address: Evangelista St., Barangay Tapiso Dugat, Bacoor, Cavite
Telefax No.: (046) 434-6716