



Republic of the Philippines  
Province of Cavite  
City of Bacoor

Office of the Sangguniang Panlungsod  
Received by: Janet Pring  
Date: 125 JUN 2024  
Time:

## 5<sup>th</sup> SANGGUNIANG PANLUNGSOD

Office of the Sangguniang Panlungsod  
Received by: Janet Pring  
Date: 125 JUN 2024  
Time:

Committee on Public Transportation and Traffic Management  
Committee on Rules and Privileges, Laws and Ordinances

### JOINT COMMITTEE HEARING REPORT NO. PTTM-002-2024

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**Subject: AN ORDINANCE AMENDING AND MODIFYING SECTIONS 3, 4, 5, 6, 15, 16, AND 17 OF THE CITY ORDINANCE NO. 228-2022 SERIES OF 2022, OTHERWISE KNOWN AS THE "UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOR" AND INCORPORATING NEW PROVISIONS THEREOF. (PCO-2024-154 dated February 05, 2024)**

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This report discussed the amending and modifying sections 3,4,5,6,15,16 and 17 of the City Ordinance No. 228-2022 otherwise known as the "Uniform Implementation Procedure Ordinance of Bacoor" and incorporating new provisions thereof. The proposed ordinance was referred to the Committee by the Sangguniang Panlungsod Presiding Officer, Hon. Rowena Bautista-Mendiola, on February 05, 2024.

#### FINDINGS:

The Sangguniang Panlungsod believes that the existing uniform procedure in the implementation of City Ordinances in the City of Bacoor, Cavite as embodied in City Ordinance No. 228-2022 also known as the "Uniform Implementation Procedure Ordinance of Bacoor", needs to be supplemented and amended to conform to the national government's direction to digitalize and to make use of technology to ensure the efficiency and reliability in the performance of public functions and delivery of services to the public, and to comply with the requirements of Republic Act. 10930 and its IRR.

Sangguniang Panlungsod likewise believes that certain fines and penalties must be increased to have an effective deterrent against violators of Ordinances in the City of Bacoor, Cavite and to be consistent with the Single Ticketing System.

#### RECOMMENDATION:

After a thorough review of all the matters brought before its attention, the Committee recommends that "AN ORDINANCE AMENDING AND MODIFYING SECTIONS 3, 4, 5, 6, 15, 16, AND 17 OF THE CITY ORDINANCE NO. 228-2022 SERIES OF 2022, OTHERWISE KNOWN AS THE "UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOR" AND INCORPORATING NEW PROVISIONS THEREOF" be **APPROVED** by the Sangguniang Panlungsod.



Republic of the Philippines  
Province of Cavite  
City of Bacoor

## 5<sup>th</sup> SANGGUNIANG PANLUNGSOD

**WE HEREBY CERTIFY** that the contents of the foregoing report are true and correct.

Signed this 20th day of February 2024 at the City of Bacoor, Cavite.

### Committee on Public Transportation and Traffic Management

**COUN. ROBERTO L. ADVINCULA**  
Chairman

**COUN. ADRIELITO G. GAWARAN**  
Vice Chairman

*Member – Rules and Privileges, Laws and Ordinances*

**COUN. REYNALDO FABIAN**  
Member

**COUN. MICHAEL SOLIS**  
Member

### Committee on Rules and Privileges, Laws and Ordinances

**COUN. REYNALDO PALABRICA**  
Chairman

**COUN. LEVY TELA**  
Vice Chairman

**COUN. ALEJANDRO GUTIERREZ**  
Member



Republic of the Philippines  
Province of Cavite  
City of Bacoor

Office of the Sangguniang Panlungsod  
Received by *[Signature]*  
Date *2/2/2024*  
Time *9:12 am*

## 5<sup>th</sup> SANGGUNIANG PANLUNGSOD

Committee on Public Transportation and Traffic Management  
Committee on Rules and Privileges, Laws and Ordinances

### JOINT COMMITTEE HEARING MINUTES NO. PTTM-002-2024

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**Subject: AN ORDINANCE AMENDING AND MODIFYING SECTIONS 3, 4, 5, 6, 15, 16, AND 17 OF THE CITY ORDINANCE NO. 228-2022 SERIES OF 2022, OTHERWISE KNOWN AS THE "UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOR" AND INCORPORATING NEW PROVISIONS THEREOF. (PCO-2024-154 dated February 05, 2024)**

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This report discussed the amending and modifying sections 3,4,5,6,15,16 and 17 of the City Ordinance No. 228-2022 otherwise known as the "Uniform Implementation Procedure Ordinance of Bacoor" and incorporating new provisions thereof. The proposed ordinance was referred to the Committee by the Sangguniang Panlungsod Presiding Officer, Hon. Rowena Bautista-Mendiola, on February 05, 2024.

The committee hearing was held on February 15, 2024 at 10:00 am. It was presided over by the Committee Chairman, Hon. Roberto L. Advincula, with Committee Member Hon. Reynaldo Fabian and Hon. Michael Solis together with Committee on Rules and Privileges, Laws and Ordinances Member Hon. Alejandro Gutierrez. It was also attended by Atty. Joshua Flores from City Legal Services Office and Mr. Adel Udarbe of Bacoor Traffic Management Department (BTMD).

Hon. Alejandro Gutierrez asked Mr. Adel Udarbe of BTMD if he has some comments and suggestion with the proposed ordinance. Mr. Udarbe said that they have studied the proposed ordinance and they haven't seen any conflict with those existing ordinance in the city. Also, he mentioned that the proposed amendment of the city ordinance will enhance more the existing ordinance and will empower the traffic enforcers and other personnel of the city who were issuing citation ticket.

Atty. Joshua Flores commented regarding the No Contact Apprehension Policy (NCAP) because the Supreme Court issued a Temporary Restraining Order (TRO) with Land Transportation Office (LTO) to stop the implementation of NCAP-related programs and ordinances. Mr. Udarbe explains that once the TRO has been lifted the city has already an ordinance that can be implemented.

After all the queries were answered and no other matters to be discussed the Presiding Officer adjourned the meeting at exactly 10:30am.





Republic of the Philippines  
Province of Cavite  
City of Bacoor

## 5<sup>th</sup> SANGGUNIANG PANLUNGSOD

Prepared By:

**ARIANNE JANE C. BAUTISTA**  
Local Legislative Staff Assistant I

Attested By:

**COUN. ROBERTO L. ADVINCULA**  
Chairman



Republic of the Philippines  
 Province of Cavite  
 City of Bacoor

**5th SANGGUNIANG PANLUNGSOD**

Office of the Sangguniang Panlungsod  
 Received by JUL on 2024  
 Date 2 Time 9:11 am

Committee on Public Transportation and Traffic Management  
 Committee on Rules and Privileges, Laws and Ordinances

**NOTICE OF JOINT COMMITTEE HEARING  
 (PROOF OF RECEIPT)**

February 15, 2024/10:00am  
 MSBR Conference Room, 4<sup>th</sup> Flr., City of Bacoor Legislative and Disaster Resilience Bldg.,  
 Bacoor Government Center

Subject: PCO 2024-154 – AN ORDINANCE AMENDING AND MODIFYING SECTIONS 3, 4, 5, 6, 15, 16, AND 17 OF THE CITY ORDINANCE NO. 228-2022 SERIES OF 2022, OTHERWISE KNOWN AS THE “UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOOOR” AND INCORPORATING NEW PROVISIONS THEREOF.

NAME	BUSINESS/OFFICE AFFILIATION	CONTACT NUMBER	SIGNATURE/DATE
Marietta Niles	SP	0904128498	[Signature] 2/13/24
GATHY BUNEGEN	SP	09385929105	[Signature] 2/13/24
Deneth Soriano	SP	0945092922	[Signature] 2-13-24
END MARIANDA	SP		[Signature] 2/13/24
MHATO PASUAL	SP		[Signature] 2/13/24
CHRYS BONUSPE	SP		[Signature] 2-13-24
Kathleen Sacramento	BTMD		[Signature] 2-13-24



Republic of the Philippines  
PROVINCE OF CAVITE  
City of Bacoor

OFFICE OF THE SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. \_\_\_\_\_  
Series of \_\_\_\_\_

**"AN ORDINANCE AMENDING AND MODIFYING SECTIONS 3, 4, 5, 6, 15, 16 AND 17 OF CITY ORDINANCE NO. 228-2022, SERIES OF 2022, OTHERWISE KNOWN AS THE "UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOR" AND INCORPORATING NEW PROVISIONS THEREOF.**

Sponsored by:

Co-sponsored by:

Authored by:

**WHEREAS**, it is a declared policy, as embodied in Republic Act No. 8792 ("RA No. 8792") otherwise known as the "Electronic Commerce Act of 2000", that the State recognizes the vital role of information and communications technology (ICT) in nation-building; the need to create an information-friendly environment which supports and ensures the availability, diversity and affordability of ICT products and services; the primary responsibility of the private sector in contributing investments and services in ICT; its obligation to facilitate the transfer and promotion of technology; to ensure network security, connectivity and neutrality of technology for the national benefit; and the need to marshal, organize and deploy national information infrastructures, comprising in both communications network and strategic information services, including their interconnection to the global information networks, with the necessary and appropriate legal, financial, diplomatic and technical framework, systems and facilities.

**WHEREAS**, The Electronic Commerce Act provides that an electronic online network facilitates the open, speedy, and efficient electronic online transmission, conveyance, and use of electronic documents amongst all government departments, agencies, bureaus, offices, up to the division level, and to the regional and provincial offices, government-owned and controlled corporations, local government units, other public instrumentalities, universities, colleges, and other schools, and universal access to the general public.

**WHEREAS**, Section 23 of Republic Act No. 4136, as amended by Republic Act No. 10930 (R.A. 10930), also known as the "Land Transportation and Traffic Code", expressly provides that "local government units (LGUs), the Metropolitan Manila Development Authority (MMDA) or other agencies lawfully issuing traffic violation shall report within a reasonable time, to be determined in the implementing rules and regulations (IRR), the details of the traffic violation to the LTO, which shall serve as the repository of all traffic violation records".

**WHEREAS**, Section 23 of the Implementing Rules and Regulations ("IRR") of R.A. 10930 also provides that driver's licenses of violators included in the apprehension reports submitted by the LGUs and the MMDA shall be placed on an alarm in the Land Transportation Office (LTO) Law Enforcement and Traffic Adjudication System within twenty-four (24) hours from the receipt of the report and that no demerit points shall be incurred by and recorded against the driver-violator until the submission of the LGU or

MMDA of a complete updated report on the apprehension cases indicating whether such apprehension was admitted, uncontested, or affirmed or dismissed on adjudication which shall be submitted not later than three (3) working days from the lapse of the prescribed contest period of the apprehending agency.

**WHEREAS**, LTO is now implementing its own enterprise-wide Land Transportation and Management System (LTMS), which is a web-based core system application deployed in its exclusively on-premise private cloud in the implementation of paperless and non-face-to-face based transactions and delivery of its services to its clients, to enhance agency's efficiency, improving client-focused services, promoting transparency and accountability in its transactions, and increasing inter-agency coordination, cooperation, and public partnership.

**WHEREAS**, in order to effectively comply with the requirements of R.A. 10930 and its IRR, as well as fulfill its mandate to serve as the repository of all traffic violation records, the LTO desires to implement the interconnectivity with LGUs, the MMDA or other agencies lawfully issuing traffic violation to its LTMS to facilitate the authentication and verification of alarm and apprehension.

**WHEREAS**, the MMDA and LGUs in Metro Manila, through the Metro Manila Council, have institutionalized a Single Ticketing System and a system of interconnectivity with the LTO and government instrumentalities involved in transport and traffic management in Metro Manila.

**WHEREAS**, the Single Ticketing System provides for uniform and harmonized fines and penalties for common traffic violations and recognizes the use of technology in apprehending violators.

**WHEREAS**, despite the strict imposition of fines and penalties arising from violations of Ordinances, the number of violations continues to increase in the City of Bacoor, Cavite.

**WHEREAS**, Section 16 of R.A. No. 7160, otherwise known as the "Local Government Code of 1991", provides that "every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance".

**WHEREAS**, the Sangguniang Panlungsod believes that the existing uniform procedure in the implementation of City Ordinances in the City of Bacoor, Cavite, as embodied in City Ordinance No. 228-2022, Series of 2022, also known as the "Uniform Implementation Procedure Ordinance of Bacoor", needs to be supplemented and amended to conform to the national government's direction to digitalize and to make use of technology to ensure the efficiency and reliability in the performance of public functions and delivery of services to the public, and to comply with the requirements of R.A. 10930 and its IRR.

**WHEREAS**, the Sangguniang Panlungsod likewise believes that certain fines and penalties must be increased to have an effective deterrent against violators of Ordinances in the City of Bacoor, Cavite, and to be consistent with the Single Ticketing System.

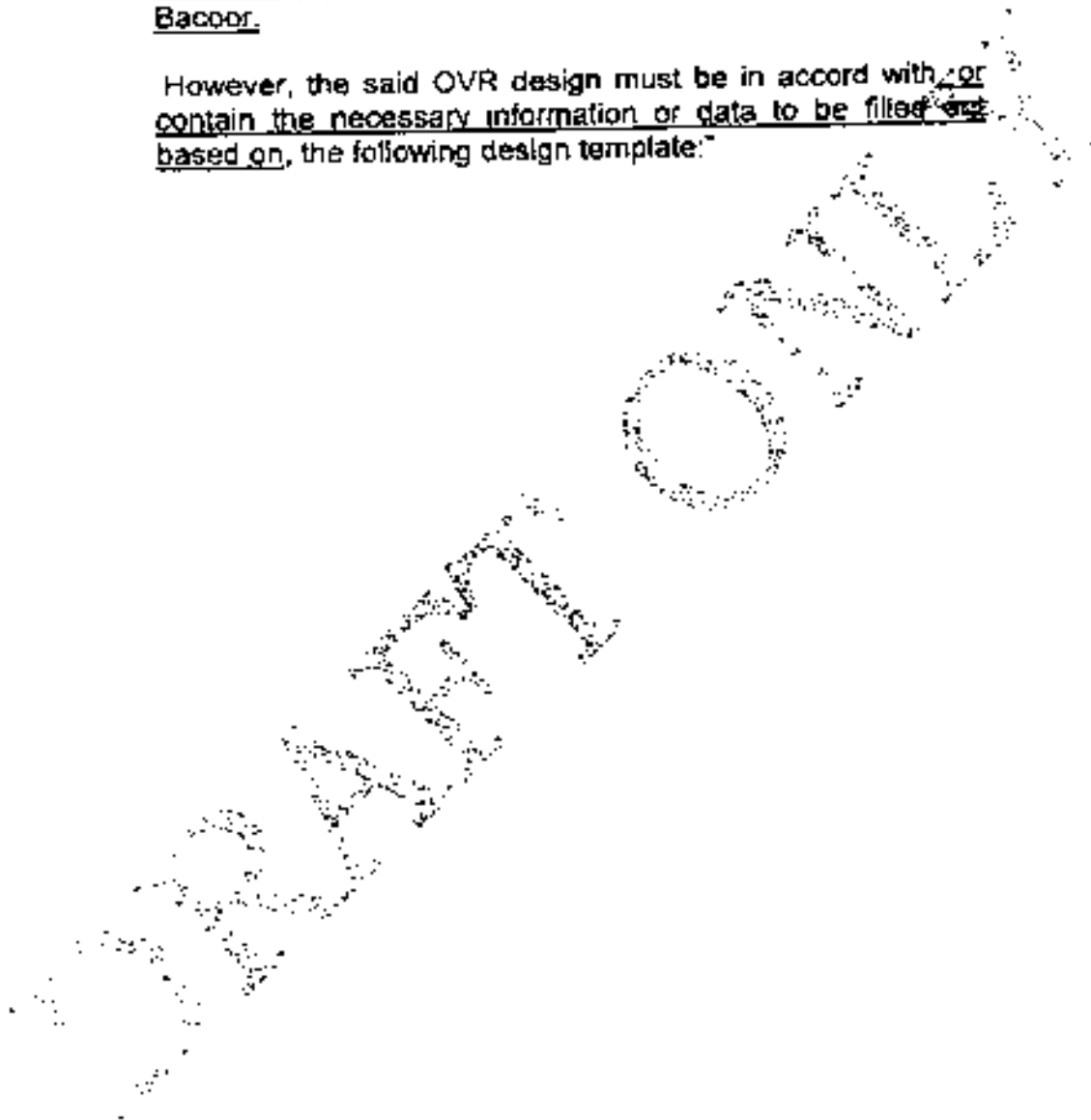
**BE IT ENACTED** by the 5<sup>th</sup> Sangguniang Panlungsod of the City of Bacoor, in regular session duly assembled:



**SECTION 1. AMENDMENT OF SECTION 3 OF THE UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACCOOR.** Section 3 of the Uniform Implementation Procedure Ordinance of Bacoor is hereby amended as follows:

**\*SECTION 3. Mandatory Use of OVR Design Template.** All departments/units under the Office of the City Mayor tasked to implement an ordinance are required to design an OVR subject to the approval of the City Mayor. The OVR contains the following features: the logo and the specific and distinctive serial numbers of the City Government of Bacoor. The OVR shall be recognized by authorized or deputized traffic personnel as a valid traffic citation within the City of Bacoor.

However, the said OVR design must be in accord with or contain the necessary information or data to be filed and based on, the following design template:





observe the proper decorum and rules in issuing a citation ticket.

The following procedures shall be observed by all law enforcers in the physical apprehension of any person who violates any City Ordinance:

- i. In case of traffic violations involving vehicles, instruct the vehicle to pull over through a hand signal or by the aid of available devices;
  - ii. Introduction of the personnel's authority;
  - iii. Inform the violator of his/her violation;
  - iv. Issue the OVR, either by filling out a printed copy thereof or by using a handheld device, indicating therein the name, address, and other pertinent data of the person apprehended, as may be required in the OVR, including the violation committed;
  - v. Inform the violator of his/her right to avail of the No Contest Provision, as provided in Section 5, hereof, or to contest or appeal the traffic violation within ten (10) working days from the date of apprehension before the Bacoor City Traffic Adjudication Board.
- B. Transmittal - Transmit the copy of the OVR to the designated office within twenty-four (24) hours from issuance.
- C. 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 availment of the No Contest Provision, nor settlement or payment of the imposed fines and/or penalties 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 in the Alarm's List pursuant to Section 4(a) of this Ordinance and operates as a request for the non-renewal of the motor vehicle's registration until fines and penalties are fully settled."

**SECTION 3. INSERTION OF NEW PROVISIONS IN SECTION 4 OF THE UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOR.** The following provisions are hereby inserted under Section 4 of the Uniform Implementation Procedure Ordinance of Bacoor:

"Section 4(a). The following procedures shall be observed in the no-physical contact apprehension of any person who violates any traffic-related City Ordinance:

- 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, the propriety of the initial citation/s and, if warranted, imposed additional traffic violation/s shall be determined.
  - 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 a 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 Section 4(b)(1) hereof.
  - iv. The notice shall be attested by a law officer by affixing his/her signature thereto and shall be approved by the Head of Bacoor Traffic Management Department (BTMD) or duly appointed or designated personnel.
  - v. The notice is akin to an OVR issued during physical and actual apprehension and, therefore, shall contain the actual point where the violation was committed, 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 has the right to contest or appeal the cited traffic violation/s before the Bacoor City Traffic Adjudication Board within ten (10) working days from 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 through personal service, registered or ordinary mail, private or government couriers, or other modes of service that may be deemed 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 - It shall be made by depositing a 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 through registered or ordinary mail and shall be deemed as 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 at his/her address appearing 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 accessible, including the traffic violation notice, within a reasonable period.

Other modes of service may also be made provided that they are 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 refuses 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 notice of violation, the person against whom it was issued may settle or pay the imposed fine and penalties or file a traffic violation contest/appeal.

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/appeal, 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 (LTO) for its inclusion in the Alarm's List pursuant to Section 4(b) hereof and operates as a request for the non-renewal of the motor vehicle's registration until fines and penalties are fully settled.

For purposes of clarity, a "law enforcer" is any employee or official of the city government, any barangay official, traffic enforcer, or any police officer or barangay tanod authorized by law or by a city ordinance to implement a particular city ordinance or law.

**SECTION 4(b). Procedures for Tagging of Alarm arising from Traffic Violations.**

1. **Non-Contact Apprehension Policy (NCAP) – For non-contact apprehensions, the 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 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.
  - iii. The notice of violation shall include the following details: 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 or appeal the apprehension; and i) procedure on how to settle the apprehension.
2. **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 through 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 the 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, providing a clear picture of the valid LTO driver's license of the driver, and a logbook 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 at the time of no contact apprehension. Failure on the part of the operator/owner to establish the identity of the driver operating the PUV during the time of the offense shall hold the operator/owner liable to pay the penalty charged.

3. Permanent Alarms in LTMS - By placing a permanent alarm, the City of Bacoor, Cavite, through its authorized representatives, attests and certifies that the identity of the driver has been duly established and that the period to contest or appeal has lapsed after the receipt of the notice of violation but no contest or appeal 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 or appeal 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 addresses;
- iii. In the 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 on two (2) separate days to deliver the

notice of violation to the registered address of the motor vehicle owner appearing in the LTMS and

- iv. When a contest or appeal 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 or appeal 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 the registered vehicle owner.

4. Physical Apprehension – A permanent alarm shall be tagged on the driver's license of the apprehended driver in the following instances:
  - i. When, after the contest or appeal process, the apprehension is upheld as valid or
  - ii. After the lapse of the contest or appeal period, no contest or appeal was filed by the apprehended driver.
5. Physical Apprehension Through the Use of Handheld Devices – Physical apprehensions through handheld devices, after the contest or appeal process or the lapse of the contest or appeal period, an alarm may then be placed against the apprehended driver in the LTMS through the biometric signoff of two (2) authorized personnel 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.
6. Permanent Alarms on the Driver's License – A permanent alarm shall be tagged on the driver's license of the apprehended driver when, after the contest or appeal process, the apprehension is upheld as valid or after the lapse of the period to file a contest or appeal and no contest or appeal was filed by the apprehended driver.

SECTION 4(c). 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 Implementing Rules and Regulations (IRR) of Republic Act No. 10930 (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 not included in the schedule, such as, but not limited to, number coding schemes and truck bans, shall be assigned a demerit point equivalent to light violation.

SECTION 4(d). *Lifting of Alarm.* The City Government of Bacoor, Cavite, through the BTMD, has the authority to request the removal of alarms after due settlement of the apprehension or when the citation is reversed upon contest or appeal. However, the LTO is not proscribed from lifting such in cases with justifiable circumstances and with notice to the City of Bacoor, Cavite.

**SECTION 4. AMENDMENT OF SECTION 5 OF THE UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACCOOR.** Section 5 of the Uniform Implementation Procedure Ordinance of Bacoor is hereby amended as follows:

**"SECTION 5. No Contest Provision.** Any person apprehended for violating a City Ordinance who does not wish to contest or appeal the violation and is willing to pay voluntarily the fine imposed upon him/her prior to the filing of a formal complaint against him/her with the Office of the City Prosecutor or inclusion to the Alarm's List for traffic-related violations shall be allowed to pay the said fine at the City Treasurer's Office or through other modes of payment, to avoid being criminally prosecuted and/or subjected to applicable civil or administrative remedies."

The City of Bacoor, Cavite, through the City Mayor, is hereby authorized to enter into agreements with third-party institutions or entities for purposes of establishing modes of payment or settlement of violations other than physical payment, such as well established banks, Maya, GCash, Bayad Center or other online platforms.

**SECTION 5. AMENDMENT OF SECTION 6 OF THE UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACCOOR.** Section 6 of the Uniform Implementation Procedure Ordinance of Bacoor is hereby amended as follows:

**"SECTION 6. Procedure In the Availment of the No Contest Provision.** The following provisions shall be used before the "No Contest Provision" of this ordinance can be availed of:

a. The violator shall be given ten (10) working days from the issuance of the Ordinance Violation Receipt (OVR) or service of the traffic violation notice within which to pay the fine. xxx'

**SECTION 5. AMENDMENT OF SECTION 15 OF THE UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACCOOR.** Section 15 of the Uniform Implementation Procedure Ordinance of Bacoor is hereby amended as follows:

**"SECTION 15. Printing and Custodian of Ordinance Violation Receipt (OVR).** The City General Services Office is hereby authorized to secure the printing of sufficient copies of the Ordinance Violation Receipt (OVR), the specification of which shall be prepared by the department/unit concerned. The city department/unit implementing the said ordinances shall take custody of and be accountable for all the OVRs printed for use in the enforcement of City Ordinances. The Punong Barangay of all barangays that will implement a city ordinance shall also be given copies of the OVR and shall be held accountable for their misuse or loss.

The City of Bacoor, Cavite, through procurement, joint venture, or other appropriate modes of Public-Private Partnership, may avail of available technology or services for the enforcement of its Ordinances, issuance of OVRs and notices, and interoperability with the LTO and/or other government agencies, such as, but not limited to, systems, cameras, sensors, devices, and/or other "gadgets" in compliance with the Data Privacy Act of 2012. The City of Bacoor, Cavite shall execute the necessary or required data privacy agreement with the LTO, government agencies, private sector partners, and/or third parties to ensure the integrity of any data collected, shared, or processed by the parties."

**SECTION 7. INSERTION OF A NEW SECTION AFTER SECTION 15 OF THE UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOOR. A new Section shall be inserted after Section 15 and shall hereby be inserted and read as follows:**

**"SECTION 16. The Bacoor City Traffic Adjudication Board (BCTAB), Pursuant to Section 167 of City Ordinance No. 2013-047, as amended by City Ordinance No. 11-2019, Series of 2019, a Bacoor City Traffic Adjudication Board (BCTAB) shall be created that shall resolve all questions and protests pertaining to violations of the Revised Traffic Code of the City of Bacoor. Accordingly, the BCTAB shall be responsible to 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 BCTAB within ten (10) working days from the time of apprehension or the knowledge of the issuance of a traffic citation, pursuant to Section 167 of City Ordinance No. 11-2019. 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 BCTAB shall

be in writing, dated and signed, 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.

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.

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

- d) Summons - Upon the filing of complaint/contest/protest, the 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 refile of the same. The traffic citation and the BCTAB shall be considered affirmed.

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

1) **Hearing proper** - Hearings before the BCTAB shall be summary in nature and akin to preliminary investigation proceedings in criminal cases. No such trial-type proceedings are not required, and the hearing officer may resolve the case based solely on photos and video footage, 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 BCTAB.

The Hearing Officer shall take note in the minutes of the case, of 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 that 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, ordinances, 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 the



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, after which the Hearing Officer shall render a resolution imposing the citation corresponding to the violation committed.

- i) Appeal - An aggrieved party may file an appeal to the Office of the City Mayor, copy furnishing the City Administrator's Office and the Office of the City Legal Services, within fifteen (15) working days from receipt of the resolution by BCTAB 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."

**SECTION 8. AMENDMENT OF SECTION 17 OF THE UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOR.** Section 16 of the Uniform Implementation Procedure Ordinance of Bacoor is hereby amended as follows:

**"SECTION 17. Archiving of OVR and Data Gathering.** The E-Governance Department of the City of Bacoor is mandated to keep digital copies of all OVRs and relevant notices issued by all departments, units, and barangays that will implement city ordinances and to gather data related to the implementation of this ordinance and all other city ordinances. Moreover, the E-Governance Department is mandated to maintain a database that is accessible online by the City Legal Office, various courts of law, and city prosecutors in the City of Bacoor that will show the following:

- a. The name, age, and address of a violator who was issued with an OVR or notice.
- b. The date and place where the violation or offense was committed.
- c. The ordinance was violated.
- d. The fine paid by the violator, if any.
- e. The number of times that the said offender violated an ordinance and
- f. The pictures of the violator show the front and side profiles of the person.

**SECTION 9. RENUMBERING OF SECTIONS 17 TO 20 OF THE UNIFORM IMPLEMENTATION PROCEDURE ORDINANCE OF BACOR.** Sections 17 to Section 20 shall be renumbered as follows:

City Ordinance No. 228-2023	Amended City Ordinance No. 228-2023
Section 17	Section 18
Section 18	Section 19
Section 19	Section 20

**SECTION 10. DISSEMINATION.** Let copies of this Ordinance be sent to the Office of the City Mayor and to all government departments, agencies, and offices concerned.

**SECTION 11. MANDATORY INFORMATION DISSEMINATION.** The Public Information Office (PIO) of the City of Bacoor is hereby mandated to conduct a massive information campaign for at least thirty (30) days upon approval by the City Mayor of this Ordinance. The PIO is hereby authorized to coordinate with media organizations to ensure the widest dissemination of information regarding the implementation of this Ordinance.

**SECTION 12. REPEAL CLAUSE.** All provisions under existing Ordinances, Resolutions, and Executive Orders that are entirely in conflict with the provisions under this Ordinance are hereby repealed and/or modified accordingly.

**SECTION 13. SEPARABILITY CLAUSE.** If any provision of this Ordinance or the application thereof to a specific person or circumstance is held invalid, the remainder of the Ordinance, and the application thereof to other persons or circumstances, shall not be affected thereby.

**SECTION 14. EFFECTIVITY.** This Ordinance shall take effect ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the provincial capitol or city, municipal, or Barangay hall, as the case may be, and in at least two (2) other conspicuous places in the local government unit concerned.



Republic of the Philippines  
Province of Cavite  
City of Bacoor

## 5<sup>th</sup> SANGGUNIANG PANLUNGSOD

Committee on Public Transportation and Traffic Management  
Committee on Rules and Privileges, Laws and Ordinances

### JOINT COMMITTEE HEARING REPORT NO. PTTM-002-2024

