



COMMITTEE ON PEACE AND ORDER & PUBLIC SAFETY

COMMITTEE REPORT

NO. POPS-028-S-2024

Subject: *AN ORDINANCE AUTHORIZING HOMEOWNERS ASSOCIATIONS AND BARANGAY OFFICIALS TO REQUIRE MOTORCYCLE RIDERS AND BACK RIDERS TO TEMPORARILY REMOVE THEIR HELMETS BEFORE ENTERING A GATED COMMUNITY OR BARANGAY CHECKPOINT FOR THE MAINTENANCE OF PUBLIC SAFETY AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF. (PCO 2024-179 dated 01 April 2024)*

Acting on the referral, the Committee on Peace and Order & Public Safety chaired by Councilor Alejandro Gutierrez conducted a committee hearing on April 18, 2024 regarding the above-mentioned subject matter with the following attendees. (See attached attendance sheet)

FINDINGS:

The committee respectfully reports that:

1. The City Government is mandated to implement R.A. 10054 (The "Motorcycle Helmet Act of 2009") which states that all motorcycle riders and back riders shall at all times wear helmets while driving.
2. The Bacoor City Police and various barangay officials have reported that a number of crimes within the city were perpetrated by persons riding motorcycles.
3. Efforts to apprehend the culprits behind the said crimes proved futile because of the near impossibility of identifying the said individuals resulting from their wearing of helmets while committing the said offenses.
4. In order to combat criminality and promote public safety, the Sangguniang Panlungsod proposed the above-mentioned ordinance while aggressively implementing the Motorcycle Helmet Act of 2009.
5. This ordinance shall be implemented by all homeowners' association, security guards/barangay officials of the City of Bacoor and by the Bacoor City Police on all gated community or barangay checkpoint.
6. Before entering a gated community or barangay checkpoint, all motorcycle riders and back riders are required to remove their helmets, write their names on logbook and stare at CCTV camera for face recognition. Afterwards, they can resume wearing their helmets while driving within the gated community or checkpoint.



7. If there are no available CCTV camera, a mobile phone can be used temporarily.
8. All homeowners' associations and barangay officials are mandated to share records to the Bacoor City Police.
9. Pictures taken shall be deleted not later than ten (10) days after the same were taken.
10. Violators of this ordinance are required to pay a fine of five thousand pesos (Php 5,000.00) or render a community service for those who can not afford to pay the fine.
11. Proposed corrections and additional provision are as follows:

a. **Section 2. Implementation** (content please refer to the draft)

- The words "all types of roads" be changed to "gated community or barangay checkpoint".

b. **Section 6. Deletion of Image; Confidentiality of Private Data**

- The term "private data" be changed to "personal information".

c. Additional provision;

The implementation of this ordinance shall be in compliance with the provisions of the "Data Privacy Act of 2012".

RECOMMENDATION/S:

In view of the foregoing, the Committee recommends for the **APPROVAL** of the above-mentioned proposed ordinance with the following corrections and additional provision;

1. **Section 2. Implementation** (content please refer to the draft)

- The phrase "all types of roads" be changed to "gated community or barangay checkpoint".

2. **Section 6. Deletion of Image; Confidentiality of Private Data**

- The term "private data" be changed to "personal information".



3. Additional provision;

The implementation of this ordinance shall be in compliance with the provisions of the "Data Privacy Act of 2012".

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

Signed this 25th day of April 2024 at the City of Bacoor, Cavite.

COMMITTEE ON PEACE AND ORDER & PUBLIC SAFETY

COUN. ALEJANDRO F. GUTIERREZ
Chairman

COUN. REYNALDO PALABRICA
Vice Chairman

COUN. MICHAEL SOLIS
Member

COUN. ALDE JOSELITO PAGULAYAN
Member



COMMITTEE ON PEACE AND ORDER & PUBLIC SAFETY

Office of the Sangguniang Panlungsod
Received by: Janet Pring
APR 29 2024
J.P.P. Pan

COMMITTEE HEARING MINUTES

NO. POPS-027-S-2024

Subject: *AN ORDINANCE AUTHORIZING HOMEOWNERS ASSOCIATIONS AND BARANGAY OFFICIALS TO REQUIRE MOTORCYCLE RIDERS AND BACK RIDERS TO TEMPORARILY REMOVE THEIR HELMETS BEFORE ENTERING A GATED COMMUNITY OR BARANGAY CHECKPOINT FOR THE MAINTENANCE OF PUBLIC SAFETY AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF. (PCO 2024-179 dated 01 April 2024)*

A committee hearing was held on April 18, 2024 regarding the above-mentioned subject matter with the following attendees. (See attached attendance sheet)

Committee Chair Coun. Alejandro Gutierrez acknowledged all the attendees and explained the importance of the proposed ordinance. According to him, the main reason why the Sangguniang Panlungsod is proposing this ordinance is because there is one particular residential subdivision in the City of Bacoor that implements a "No Helmet Policy". He also added that the City Government is mandated to implement R.A. 10054 (The "Motorcycle Helmet Act of 2009") which states that all motorcycle riders and back riders, shall at all times wear protective helmets while driving.

Floor was given to Committee Vice Chair Coun. Reynaldo Palabrica. According to him the "No Helmet Policy" that is being implemented by the said residential subdivision supersedes the existing R.A. 10054 which is not acceptable. He also added that mandatory identification of motorcycle riders before entering a gated community or checkpoint is very important. He also explained that the pictures taken or recorded by CCTV camera or other recording devices shall be deleted not later than ten (10) days after the same were taken. These records must also be shared with the Bacoor City Police for investigation purposes.

Coun. Palabrica also discussed the corresponding penalty for those who will violate this ordinance. All violators are required to pay a fine of Php 5,000.00 or render a community service if he/she can not pay the said fine.

Barangay Captain Hon. Vivian Gawaran and FOSCHAI President Sunnybelle Basconillo were both recognized. They both agreed for a community service from 8am to 5pm until they finish the 72 hours community service. They also agreed that they will conduct the community service within their jurisdiction.



Mr. Ronaldo Digo, Secretary of BHOACI was also recognized. He asked the committee of who will be incharge of issuing violation tickets. According to Coun. Palabrica if the violators were apprehended by the HOA they can endorse them to the Bacoor City Police.

Coun. Palabrica suggested that HOAs can adopt the ordinance to become HOA policy through a board resolution, same with the barangays to become barangay ordinance. Coun. Gutierrez agreed to this suggestion and instructed both HOAs and barangays to submit the same to the SP for notation.

Floor was given to Atty. Marius Sumira of the City Legal Services. He gave the following corrections;

1. Section 2. Implementation (content please refer to the draft)

- The phrase "all types of roads" be changed to "gated community or barangay checkpoint".

2. Section 6. Deletion of Image; Confidentiality of Private Data

- The term "private data" be changed to "personal information".

3. Additional provision;

The implementation of this ordinance shall be in compliance with the provisions of the "Data Privacy Act of 2012".

BHOACI representative also informed the committee that not all HOAs have CCTV cameras. He suggested that they will use mobile phone camera temporarily. The committee agreed to this.

PLT. Wilfredo Sabater of the Bacoor City Police was also recognized. He reminded the committee that taking pictures without the consent of an individual might violate the Cyber Security Act. Coun. Palabrica answered back by saying that if riders refused to record their faces they will not be allowed to enter the gated community or barangay checkpoint.

Since there are no other matters to be discussed, the hearing was adjourned at exactly 3:40pm.



Republic of the Philippines
PROVINCE OF CAVITE
City of Bacoor



OFFICE OF THE SANGGUNIANG PANLUNGSOD

CGBCR-SPBac-F003.01
04/05/2024

Prepared By:



MA. CRISTINA A. GOROSPE
Local Legislative Staff Asst. I

Attested By:



COUN. ALEJANDRO F. GUTIERREZ
Chairman
Committee on Peace and Order & Public Safety



Republic of the Philippines
PROVINCE OF CAVITE
City of Bacoor

OFFICE OF THE SANGGUNIANG PANLUNGSOD

Office of the Sangguniang Panlungsod
Received by: Jenet Pring
Date: 08-20-2024
Time: 3:22 pm

COMMITTEE ON PEACE AND ORDER & PUBLIC SAFETY

ATTENDANCE OF THE COMMITTEE HEARING

18 April 2024 / 3:00 p.m.

Bacoor Legislative and Disaster Resilience Building,
Sangguniang Panlungsod Session Hall, 6th Floor, Bacoor Government Center

Subject: **AN ORDINANCE AUTHORIZING HOMEOWNERS ASSOCIATIONS AND BARANGAY OFFICIALS TO REQUIRE MOTORCYCLE RIDERS AND BACK RIDERS TO TEMPORARILY REMOVE THEIR HELMETS BEFORE ENTERING A GATED COMMUNITY OR BARANGAY CHECKPOINT FOR THE MAINTENANCE OF PUBLIC SAFETY AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF. (PCO 2024-179 dated 01 April 2024)**

NAME AND SIGNATURE	POSITION/AFFILIATION OFFICE/ADDRESS	CONTACT NUMBER/EMAIL
HON. ALEJANDRO F. GUTIERREZ	CITY COUNCILOR SANGGUNIANG PANLUNGSOD	
HON. REYNALDO PALABRICA	CITY COUNCILOR SANGGUNIANG PANLUNGSOD	
HON. MICHAEL SOLIS	CITY COUNCILOR SANGGUNIANG PANLUNGSOD	
HON. ALDE JOSELITO PAGULAYAN	CITY COUNCILOR SANGGUNIANG PANLUNGSOD	
	Foschari	0927 489 0992
	Foschari	0917 888 9624



Republic of the Philippines
PROVINCE OF CAVITE
City of Bacoor

Office of the Sangguniang Panlungsod
Received by: Jenet Pring
Date: APR 29 2024
Time: 2:27 pm.

OFFICE OF THE SANGGUNIANG PANLUNGSOD

NAME AND SIGNATURE	POSITION/AFFILIATION OFFICE/ADDRESS	CONTACT NUMBER/EMAIL
 DONG ANOUQUE	PV Co HAT MAMBONG	09985734085
 RICARDO D. BINEROS	PAULA HOMES MOLINOI	09455786980
 ATTY. MARIUS SUMRA	OCLS	
 Mary Rose Parido	BHOACI	09474249735
 RONALDO N. DIGO	BHOACI, Secretary	0917 3651172
 Ascencion Calicdan	BHOACI	09915423728
Cynthia A. Alim	BHOACI	09153612064
 Caridad J. Sanchez	P/B Sinbenali	09262608455
 PLT WILFREDO SABATER	PNP	09202370063
 GRACE D. SILVESTRE	LNB	09987938885
GRACE D. SILVESTRE	LNB	09050914207



Republic of the Philippines
PROVINCE OF CAVITE
City of Bacoor

Office of the Sangguniang Panlungsod
Received by: Jenet Pring
Date: APR 29 2024
Time: 1:22 pm

OFFICE OF THE SANGGUNIANG PANLUNGSOD

NAME AND SIGNATURE	POSITION/AFFILIATION OFFICE/ADDRESS	CONTACT NUMBER/EMAIL
 Julie Ann Alejandro	ORIENTVILLE MOLINO 1 VICE PRESIDENT	09198158408
 Lina Santos	Barangay Real	09271231665
 Nicole Anne Ullari	SP / Com. Randy	09317664427
 MARK ANTHONY M. ALENTADO	ORIENTVILLE MOLINO 1 PERSONNEL	09198158408
 AMY C. FAMISAN	BHOACI BOD FED. OF SALINAS URBAN (PRES)	09366267083
 ALEXANDER S. DAZA	FED. OF SALINAS URBAN B.O.U	0961-251-70-37
 RICELYN A. CUSTODIO VIOLETA OCHAMPO	BRGY. SAN NICOLAS 3	0928-6047-052
 VIOLETA OCHAMPO	BRGY. SAN NICOLAS 3	09423296152
 Helen Vidal	Member 2	0935 8043276
 Kim B. Cortez	Molino 3	0916 446 1822
 BOARD COUNCIL	W. AMBONG 4	09198900730



Republic of the Philippines
PROVINCE OF CAVITE
City of Bacoor

Office of the Sangguniang Panlungsod
Received by: Jenot Pring
Date: APR 29 2024
J. J. Pring

OFFICE OF THE SANGGUNIANG PANLUNGSOD






COMMITTEE ON PEACE AND ORDER & PUBLIC SAFETY

NOTICE OF THE COMMITTEE HEARING
(PROOF OF RECEIPT)

18 April 2024 / 3:00 p.m.

Bacoor Legislative and Disaster Resilience Building,
Sangguniang Panlungsod Session Hall, 6th Floor, Bacoor Government Center

Subject: **AN ORDINANCE AUTHORIZING HOMEOWNERS ASSOCIATIONS AND BARANGAY OFFICIALS TO REQUIRE MOTORCYCLE RIDERS AND BACK RIDERS TO TEMPORARILY REMOVE THEIR HELMETS BEFORE ENTERING A GATED COMMUNITY OR BARANGAY CHECKPOINT FOR THE MAINTENANCE OF PUBLIC SAFETY AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF. (PCO 2024-179 dated 01 April 2024)**

RECEIVED BY: NAME/SIGNATURE	POSITION/AFFILIATION OFFICE/ADDRESS	DATE/TIME CONTACT NUMBER
GERALD ANDREW FELONIA 	clerk / Liga ng mga Barangay	04/15/2024 1:54 PM 0939 982 2448
Aissa MAMBULABANAN 	SEC / BACOR RUP	4/15/24 752 0819 0977(496)
Ron Digo 	BHADA Sec	4/15/24 0917 3651172
Peter BODIA 	Comm. Pagubayan Office	04/15/2024 2:31 PM
RONARDO M. VERON 	SP / ^{Comm.} Roy Palabrica	4/15/24

PROPOSED CITY ORDINANCE NO. 2024-179

Series of 2024

AN ORDINANCE AUTHORIZING HOMEOWNERS ASSOCIATIONS AND BARANGAY OFFICIALS TO REQUIRE MOTORCYCLE RIDERS AND BACK RIDERS TO TEMPORARILY REMOVED THEIR HELMETS BEFORE ENTERING A GATED COMMUNITY OR BARANGAY CHECKPOINT FOR THE MAINTENANCE OF PUBLIC SAFETY AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Sponsored by:

Co-Sponsored by:

WHEREAS, the City Government is mandated by Republic Act No. 10150 (the "Charter of the City of Bacoor, Cavite"); and by Republic Act No. 7160 (the "Local Government Code of 1991"); to enforce all laws within the territorial jurisdiction of the City of Bacoor, Cavite.

WHEREAS, one of the laws that the City Government is mandated to implement is Republic Act No. 10054 (the "Motorcycle Helmet Act of 2009"), Section 3 of which explicitly provides:

"Section 3. Mandatory Use of Motorcycle Helmets. - All motorcycle riders, including drivers and back riders, shall at all times wear standard protective motorcycle helmets while driving, whether long or short drives, in any type of road and highway." (Emphasis and underscoring supplied)

WHEREAS, the Bacoor City Police and various barangay officials have reported that a number of crimes within the City were perpetrated by persons riding motorcycles.

WHEREAS, efforts to apprehend the culprits behind the said crimes proved futile because of the near impossibility of identifying the said individuals resulting from their wearing of safety helmets while committing the said offenses.

WHEREAS, the Sangguniang Panlungsod believes that there is a way of promoting public safety and effectively combating criminality while strenuously implementing the Motorcycle Helmet Act of 2009.

NOW THEREFORE, upon motion of Hon. _____, duly seconded by Hon. _____, be it **ORDAINED** by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite **THAT**:

Section 1. Title. This Ordinance shall be known as the "Motorcycle Rider Identification Ordinance of the City of Bacoor".

Section 2. Implementation. This Ordinance shall be implemented by all homeowners associations, the security guards/personnel under the employe of the said homeowners associations, barangay officials of the City of Bacoor, Cavite, and by the Bacoor City Police on all types of roads within the City of Bacoor, Cavite.

Section 3. Mandatory Identification of Motorcycle Riders. While a motorcycle is at a stop, and before entering a gated community or a checkpoint manned by barangay officials of the City of Bacoor, the driver and passenger/s of the said vehicle shall be required to remove their helmets, write their names and addresses on a logbook maintained by the said HOA or barangay, and indicate therein their destination within the said gated community or barangay. The said driver and his/her passenger/s shall also be required to stare for a few seconds at the nearest closed circuit television (CCTV) camera or other image recording device so that their face can be recorded. Thereafter, the motorcycle driver and his/her passenger shall be required to resume wearing their helmets while driving within the said gated community or barangay.

Any motorcycle driver and/or his/her passenger who refuse to comply with the said directive shall be barred from entering the said gated community or from passing through the said checkpoint.

Section 4. Mandatory Maintenance of Cameras/Recording Devices. The officers of all homeowners associations operating within the City and all barangay officials of the City of Bacoor are hereby mandated to ensure that the CCTV cameras or other recording devices to be used in the implementation of this Ordinance shall always be in good working condition.

Section 5. Sharing of Records with the Police. All homeowners associations operating within the City and all barangay officials of the City of Bacoor are mandated to share all records related to their implementation of this Ordinance with the Bacoor City Police in relation to any investigation related to the commission of a crime.

Section 6. Deletion of image; Confidentiality of Private Data. The pictures taken by the homeowners associations and by its security guard/s or security personnel operating within the City and all barangay officials of the City of Bacoor who shall implement this Ordinance shall be deleted not later than ten (10) days after the same were taken. The said persons are also prohibited from sharing, publishing, selling, or in any manner disclosing the private data of motorcycle drivers and their passengers except with the Bacoor City Police for the purpose stated in Section 5 of this Ordinance.

Section 7. Penalty. Any (1) motorcycle rider or motorcycle passenger, (2) homeowners association official or security guards/personnel, or (3) barangay official or barangay personnel who violates any of the foregoing provisions shall be apprehended and shall, upon conviction by a court of law, be required to pay a fine of P5,000.00 or render community service as mandated by law if he/she cannot afford to pay the said fine.

Section 8. Implementing Guidelines. The Office of the City Legal Service, after consulting with the Commission on Human Rights, the Philippine National Police, the Liga ng mga Barangay, and the officials of the various homeowners associations in the City of Bacoor, shall submit the implementing guidelines of this Ordinance for the review and approval of the City Mayor not later than sixty (60) days after the effectivity date hereof.

Section 9. Automatic Review. The Sangguniang Panlungsod shall review this Ordinance at least once each year to address any concern with regard its implementation.

Section 10. Separability Clause. In case any provision of this Ordinance is declared void or contrary to law, the remaining provisions hereof not affected by the said declaration shall remain valid.

Section 11. Repeal Clause. All ordinances inconsistent with this Ordinance are hereby repealed.

Section 12. Effectivity. This Ordinance shall become effective immediately after it has been published at least once in a newspaper of general circulation in the City of Bacoor, Cavite and after a copy thereof has been posted in at three (3) conspicuous places within the City.

ENACTED this ___ day of _____ 2024 at the City of Bacoor, Cavite by the Sangguniang Panlungsod of the said City.

I hereby certify that the foregoing Ordinance was duly approved in accordance with law.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Date of Approval: _____



Bacoor, Calabarzon, Philippines
229 New Bacoor City Hall Access Rd, Bacoor, Cavite, Philippines
Lat 14.431666°
Long 120.96759°
18/04/24 03:15 PM GMT +08:00
Note Hearing with Task Us

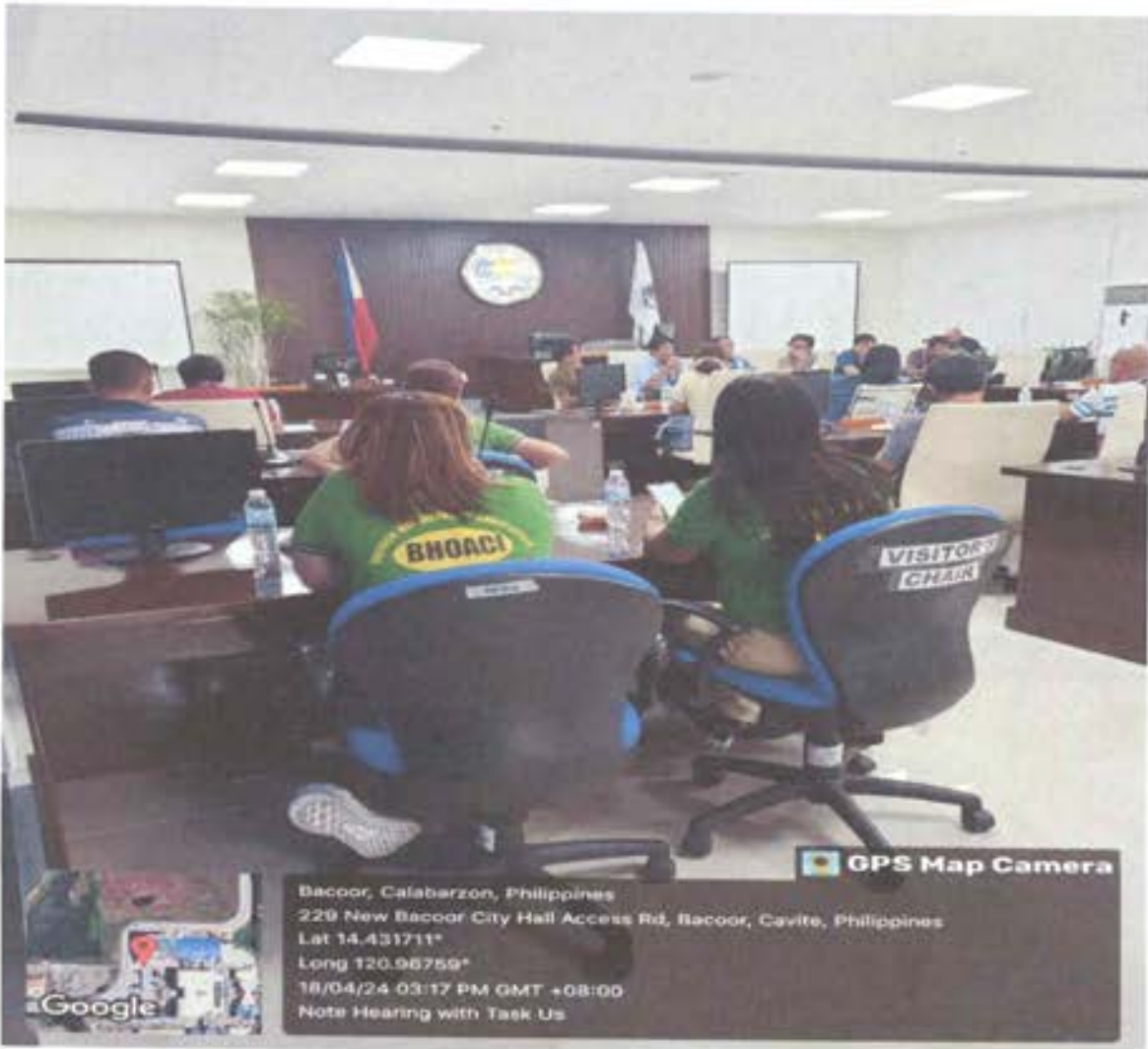


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Note Hearing with Task Us

Received by: Janet Prina
Date: APR 29 2024
Time: 2:22pm



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Note Hearing with Task Us



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