



Republic of the Philippines  
PROVINCE OF CAVITE  
City of Bacoor

Office of the Sangguniang Panlungsod  
Received by: Jenet Pring  
APR 19 2024  
H. Han

OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE ON HOUSING, LAND UTILIZATION  
AND URBAN DEVELOPMENT

COMMITTEE REPORT  
NO. HLUUD 070 S-2024

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Subject: **A RESOLUTION DIRECTING THE OFFICE OF THE CITY LEGAL SERVICE TO SEND A LETTER ADDRESSED TO THE OFFICERS OF THE HOMEOWNERS ASSOCIATION OF TOWN AND COUNTRY WEST SUBDIVISION REQUESTING THEM TO FURNISH THE CITY COUNCIL A COPY OF THEIR BOARD RESOLUTION ON THE LEGAL BASIS OF THE "NO HELMET POLICY" ALLEGEDLY BEING IMPLEMENTED BY THE SAID RESIDENTIAL SUBDIVISION. (PCR 549-2024 dated 01 April 2024)**

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This report pertains to a resolution directing the Office of the City Legal Service (OCLS) to send a letter addressed to the officers of the Homeowners Association (HOA) of Town and Country West Subdivision, requesting them to furnish the city council with a copy of their board resolution on the legal basis of the "No Helmet Policy" being implemented in their subdivision. This matter was raised by Hon. Alde Joselito F. Pagulayan during the 85th Regular Session dated April 1, 2024.

In compliance with Republic Act No. 10054, also known as the "Motorcycle Helmet Act of 2009," all motorcycle riders are mandated to wear standard protective motorcycle helmets while driving, with penalties for non-compliance. Section 2 of the act emphasizes the state's policy to protect motorcycle operators, passengers, and pedestrians from accidents. Section 3 requires that all motorcycle riders wear helmets at all times while driving.

**FINDINGS:**

The implementation of the "No Helmet Zone" by the HOA of the Town and Country West Subdivision and other HOAs violates the Republic Act No. 10054. Emphasizing HOA regulations over national laws is not permissible. The council suggests that helmets could be temporarily removed for identification purposes upon entry to the subdivision but must be worn again.

**RECOMMENDATION:**

After careful evaluation, the council recommends the **APPROVAL** of the aforementioned subject matter. It further directs the Office of the City Legal Services to pass a resolution requesting the HOA of Town and Country to provide the legal basis for their "No Helmet Policy."



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

Signed this 03<sup>rd</sup> day of April 2024 at the City of Bacoor, Cavite.

**Committee on Housing, Land Utilization and Urban Development**



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**COUN. ALDE JOSELITO F. PAGULAYAN**  
Chairman



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



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**COUN. SIMPLICIO G. DOMINGUEZ**  
Member



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**COUN. ALEJANDRO F. GUTIERREZ**  
Member



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COMMITTEE ON HOUSING, LAND UTILIZATION  
AND URBAN DEVELOPMENT

Office of the Sangguniang Panlungsod  
Received by: Jenet Pring  
Date: 11/15/2024  
Time: 11:52 AM

**EXCERPT FROM THE MINUTES OF THE 85<sup>TH</sup> REGULAR SESSION**  
NO. HLUUD 070 S-2024

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**Subject: A RESOLUTION DIRECTING THE OFFICE OF THE CITY LEGAL SERVICE TO SEND A LETTER ADDRESSED TO THE OFFICERS OF THE HOMEOWNERS ASSOCIATION OF TOWN AND COUNTRY WEST SUBDIVISION REQUESTING THEM TO FURNISH THE CITY COUNCIL A COPY OF THEIR BOARD RESOLUTION ON THE LEGAL BASIS OF THE "NO HELMET POLICY" ALLEGEDLY BEING IMPLEMENTED BY THE SAID RESIDENTIAL SUBDIVISION. (PCR 549-2024 dated 01 April 2024)**

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Hon. Alde Joselito F. Pagulayan was acknowledged by the Chair, Hon. Rowena Bautista-Mendiola. Hon. Pagulayan informed the body that on both entrances of the Town and Country Subdivision, he noticed a tarpaulin stating that "This village is a no helmet zone," which was a complete violation of Republic Act No. 10054 (the "Motorcycle Helmet Act of 2009").

Hon. Reynaldo D. Palabrica said that the Homeowners Association (HOA) must be reminded that HOA regulations should not supersede a Republic Act, which is a national law and was authored by Sen. Ramon Revilla Jr., because doing so is a violation of the law. It also came to the knowledge of Hon. Pagulayan that other subdivisions will implement the same. He suggested that helmets may be removed only upon entry and must be worn again. Hon. Palabrica also suggested that the HOA may request the removal of helmets in order for their cameras to capture the identities of the riders. They must modify their implementations with the regard to the safety measures within the subdivision.

The Chair asked for the suggestion of the SP Secretary. Atty Khalid Atega Jr. suggested the council to pass a resolution directing the Office of the Legal Service to send a letter addressed to the Homeowners' Association of Town and Country, requesting them to furnish the city council a copy of their board resolution or the legal basis of the said "no helmet policy". Then to request the Office of the City Legal Service to draft an ordinance to include the council's suggestions to remove the helmets for recognition at the gate and wear again upon entry.

The Chair declared the aforementioned recommendation APPROVED upon motion of Hon. Pagulayan, with no objections from the Council members.





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Prepared By:

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*Local Legislative Staff I*

Attested By:

**COUN. ALDE JOSELITO F. PAGULAYAN**  
*Chairman*  
*Committee on Housing, Land Utilization*  
*and Urban Development*