



CITY OF BACOR

Province of Cavite

OFFICE OF THE SANGGUNANG PANLUNGSOD

CITY ORDINANCE NO. CO 29-2014

Series of 2014

AN ORDINANCE APPROVING THE GUIDELINES FOR THE ACCREDITATION OF TOWING AND IMPOUNDING SERVICE COMPANIES IN THE CITY OF BACOR.

Sponsored by: Hon. Hernando C. Gutierrez, Hon. Edwin G. Gawaran, and Hon. Bayani M. De Leon.

Co-Sponsored by: Hon. Rowena M. Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Leandro A. De Leon, Hon. Reynaldo M. Fabian, Hon. Victorio L. Guerrero Jr., Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, Hon. Reynaldo D. Palabrica and Hon. Avelino B. Solis.

WHEREAS, the Sangguniang Panlungsod has the power to formulate such guidelines and procedures for the accreditation of towing and impounding service companies that wish to operate within the City of Bacoor consistent with the provisions of Sections 130 to 133 of City Ordinance No. 2013-047 Series of 2013 (also known as the **Revised Traffic Code of the City of Bacoor**);

WHEREAS, the Sangguniang Panlungsod recognizes the urgent need to supplement the above-mentioned provisions of the Revised Traffic Code relative to the towing and impounding of illegally parked vehicles in City of Bacoor in order to prevent confusion and corruption in the implementation of the said ordinance;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod to approve the following guidelines and procedures implementing Sections 130-133 of the Amended Revised Traffic Code of the City of Bacoor, to wit:

SECTION 1. Definition of Terms. The following words and phrases as appearing herein shall have the following meaning:

- 1.1 **"Stalled Vehicle"** -- any motor vehicle and/or its attachment which, for any cause, is unable to proceed under its own motive power and is on a public road, street or thoroughfare including dilapidated or damaged vehicles dumped along road sides, sidewalks, or open spaces within the City.
- 1.2 **"Illegally Parked Vehicle"** -- any motor vehicle parked in areas designated by the Bacoor Traffic Management Department (BTMD), by the City Mayor, or by ordinance or law as "no parking zones".
- 1.3. **"No Parking Zones"** -- areas where no motor vehicle may be allowed to park as hereunder enumerated:

District I:
HON. AVELINO B. SOLIS
City Councilor

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City Councilor

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HON. ROWENA BAUTISTA - MENDIOLA
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City Councilor - ABC Pres.

Attested by:
ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:
HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:
HON. STRIKE B. REVILLA
City Mayor



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1.2.1 All national roads in the City of Bacoor.

1.2.2 The following "no parking zones" are hereby declared on all primary and secondary roads within the City of Bacoor:

- a. Within fifty (50) meters of any intersection or curved lane;
- b. Within twenty (20) meters of driveways or entrances to any fire station, hospital, clinic and other similar establishment;
- c. Within ten (10) meters of fire hydrants;
- d. On the roadside of any legally parked vehicle;
- e. On pedestrian crosswalks;
- f. In front of any authorized driveway;
- g. On the sidewalks, paths and alleys not intended for parking;
- h. At the foot or near bridges;
- i. At any place where official signs have been erected prohibiting parking and/or declared NO PARKING ZONE by the City Government of Bacoor; and
- j. Other areas duly declared as "NO PARKING ZONE" as provided by law or ordinances.

1.4 **"Attended illegally parked vehicle"** -- an illegally parked vehicle whose driver is present or would appear at any time prior to the actual clamping of the said vehicle to the tow truck and who is willing and able to move out the illegally parked vehicle without delay.

1.5 **"Unattended illegally parked vehicle"** -- an illegally parked vehicle that does not have a driver at the time that it was actually clamped to a towing truck.

1.6 **"Towing Services Companies" or "TSC"** - all juridical entities such as corporations, partnerships, associations, motoring clubs, cooperatives, or sole proprietorships engaged in the towing services business or in the towing of vehicles for humanitarian reasons or as a marketing strategy and to trucks operating in the City of Bacoor, whether private or public, including those operated/owned by government agencies or by the City of Bacoor used for the towing of stalled or illegally parked vehicles within the City.

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**CITY OF BACOR**

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OFFICE OF THE SANGGUNIANG PANLUNGSOD**SECTION 2. Coverage**

These guidelines shall apply to all juridical entities such as corporations, partnerships, associations, motoring clubs, cooperatives, or sole proprietorships engaged in the towing services business or in the towing of vehicles for humanitarian reasons or as a marketing strategy and to trucks operating in the City of Bacoor, whether private or public, including those operated/owned by government agencies or by the City of Bacoor used for the towing of stalled or illegally parked vehicles within the City.

SECTION 3. Scope of Work

3.1 Towing services companies shall have the primary responsibility to remove any stalled and/or illegally parked vehicle in their area of jurisdiction within the shortest time possible but shall not exceed fifteen (15) minutes from the time they received the report or directive on such stalled illegally parked vehicle.

3.2 Only one towing service company shall be accredited by the City Mayor for Bacoor West (District 1) and Bacoor East (District 2) as defined under Section 10 of Republic Act NO. 10160 (also known as the "Charter of the City of Bacoor").

3.3 Towing services companies must be accredited by means of public bidding pursuant to the pertinent provisions of Republic Act No. 9184 and Republic Act No. 6957 as amended and their respective implementing guidelines. PROVIDED that no negotiated contracts shall be allowed under this ordinance.

3.4 Towing services must have designated impounding areas for their towed vehicles with an efficient system to ensure the safety of the towed vehicle as well as the accessories, parts and tools of such vehicles. The BTMD shall have the authority to conduct inspection of these impounding areas.

3.5 Tow trucks must be pre-deployed at strategic locations to ensure quick response.

3.6 The City of Bacoor shall be entitled to 45% of all fees collected as a result of the implementation of this Ordinance. The share of the City to such fees shall be deposited in a special trust fund to be used for the installation and/or purchase of road safety signs and equipment within the City of Bacoor to be opened and maintained by the City Treasurer.

3.7 An official receipt issued by the Office of the City Treasurer shall be issued to anyone who pays the fees and penalties specified hereunder.

SECTION 4. Vehicle and Operating Standards

4.1 All accredited towing services companies must be registered with the BTMD annually. To qualify as an accredited towing services company under this Ordinance, the winner in the bidding to be called for

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the purpose of such accreditation must submit the following documents to the BTMD:

- 4.1.1 Duly accomplished TSC Registration Form issued by the BTMD;
- 4.1.2 Certificate of Registration/Official Receipt of Registration from the Land Transportation Office (LTO) of each tow truck to be used and operated by the TSC;
- 4.1.3 Certificate of Public Convenience or Franchise issued by the Land Transportation Franchising and Regulatory Board (LTFRB), of each tow truck to be used and operated by the TSC if operating as for hire;
- 4.1.4 Certificate of Smoke Emission Test of each tow truck to be used and operated by the TSC;
- 4.1.5 SEC Registration and/or DTI Registration of Business Name of the accredited TSC.
- 4.1.6 Mayor's Permit for the current year;
- 4.1.7 Accreditation documents, if any
- 4.1.8 Police Clearances and Mayor's Worker's Permit of tow trucks personnel.
- 4.1.9 Neuro-Psychiatric Examination of tow trucks personnel.
- 4.1.10 Surety bond certificate covering the amount of (P100,000.00) per tow truck
- 4.1.11 Location map or vicinity map showing the location of the TSC's impounding area
- 4.1.12 Notarized proof of ownership or proof of legitimate possession (such as a lease contract, deed of usufruct, and the like) over the parcel of land to be used as impounding area
- 4.1.13 Other applicable documentary requirements such as fire inspection permit, sanitation permit, business permit, and the like.

A registration fee of One Thousand Pesos (PhP1,000.00) per tow truck shall be paid by the owner of the accredited TSC annually. In exchange, an official receipt shall be issued in favor of the TSC.

- 4.2 Upon submission of the documents mentioned above and upon payment of the registration fee, the BTMD shall issue a control sticker for each tow truck owned and operated by the TSC and a Certificate of Registration in favor of the TSC.
- 4.3 Tow truck shall be required to undergo air pollution tests every six (6) months.

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City Vice Mayor/Presiding Officer

Approved by:

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City Mayor

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- 4.4 Tow trucks must be in excellent running condition, must be equipped with radios and/or cell phones, and all the other required devices such as the following:
- 4.4.1 Towing Bar
 - 4.4.2 Spare tire
 - 4.4.3 Chain block with belt lifter
 - 4.4.4 Jack and tire wrench
 - 4.4.5 Fire extinguisher
 - 4.4.6 Blinker and hazard light
 - 4.4.7 Tool box
 - 4.4.8 Two (2) units of reflectorized early warning device
 - 4.4.9 Signboard to be installed at the rear of towed vehicle indicating that it is being towed.
- 4.5 They shall be required to undergo monthly maintenance check up.
- 4.6 Towing services must operate on a 24 hour basis.
- 4.7 They must have proper markings on their body indicating the name, address and telephone number of the towing company/operator.
- 4.8 The tow trucks crew or personnel must:
- 4.8.1 Wear identification cards of their company/office, prescribed uniforms, shoes and have short hair cuts.
 - 4.8.2 Exercise utmost courtesy and observe proper decorum in dealing with the public/motorist.

SECTION 5. Guidelines For Accreditation

The towing services companies that will be accredited under this ordinance shall comply with the following guidelines:

- 5.1 It must have at least two (2) wreckers passing LTO standards for handling light and heavy vehicles. Improvised wreckers not meeting the said standards shall not be allowed to operate within the City.
- 5.2 It must submit its latest performance record to the BTMD to ensure that it has sufficient skills to provide towing services.
- 5.3 It must submit a surety bond for each tow truck requested for accreditation to answer to any loss or damage incurred in towing vehicles. Towing company/agency shall be required to post a surety bond of P100,000.00 per tow truck.
- 5.4 It must pay annual accreditation fees to the City amounting to P5,000.00 for the first two (2) tow trucks and P2,000 for every additional unit in excess of two (2) not later than the last

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business day of January following the approval of this ordinance.

- 5.5 It must submit all necessary documents pertinent to the ownership of the company and its towing equipment to the BTMD.
- 5.6 All accredited tow trucks under this ordinance must be predominantly painted dark blue and white.

SECTION 6. Guidelines for Towing Vehicles

6.1 The TSC, whether private or government shall be held responsible for losses/damages incurred while towing the vehicles suffered by the said vehicles or by third parties. If the towing truck is government owned, the driver of the said truck shall be held liable for such damage. If the truck is privately owned, the driver and/or the registered owner of the truck shall be held liable for such damage.

6.2 For Illegally Parked Vehicles:

6.2.1 Attended illegally parked vehicles shall not be towed but the driver shall be immediately issued an OVR.

6.2.2 Unattended illegally parked vehicle shall be towed and the OVR shall be issued immediately upon its arrival at the impounding area. The said OVR shall be given to the registered owner of the said vehicle who comes to claim the vehicle.

6.3 For Stalled Vehicles as a Result of Flat Tire:

6.3.1 Flat-tired vehicles blocking the flow of traffic must be moved by its driver to the emergency lane (if any) or to the shoulder. Otherwise, the vehicle will be towed. In either case, an OVR will be issued against the driver of the vehicle by the BTMD or by persons deputized to enforce the Traffic Code of the City of Bacoor.

6.3.2 Changing of flat tires on the road or on bridges shall not be allowed.

6.4 Stalled or illegally parked vehicles with empty fuel tanks, may be towed to the nearest gasoline station. However, the towing fee should be paid to the City Treasurer's Office based on the number of kilometers travelled from the point of origin to the gasoline station. An official receipt and OVR shall be issued to the driver.

6.5 Stalled or illegally parked vehicle as a result of engine trouble shall be towed in cases where the driver deliberately refuses to remove his vehicle or cannot move his vehicle due to the

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absence of equipment, etc. or to circumstances beyond his control. An OVR shall be issued to the driver.

- 6.6 Illegally parked vehicles that are already clamped to the tow truck shall not be subject to intercession by the owner of the vehicle or by the representatives of their company's tow truck.

SECTION 7. Towing Procedures

- 7.1 Upon receipt of the report on a stalled/illegally parked vehicle, the tow truck shall immediately proceed to the identified location thereof.
- 7.2 On arrival at the identified location, to the tow truck crew shall immediately call the City of Bacoor Command Center to report on the said stalled/illegally parked vehicle. The following information must be provided:
- 7.2.1 Stalled/illegally parked vehicle's plate number, type and color.
- 7.2.2 Vehicle's condition/other description.
- 7.2.3 Tow truck's name, plate number, address and telephone number.
- 7.2.4 Names of towing crew/personnel.
- 7.2.5 Designated impounding area or location where the stalled/illegally parked vehicle will be brought.
- 7.3 If the vehicle is unattended, the tow truck driver shall blow the truck's horn five (5) times twice in a row with a space of one minute in between. If the owner does not respond, the vehicle will be towed.
- 7.4 The Command Center operator on duty shall verify on its records whether or not said tow truck is duly registered. If so, it shall record all above information in the Command Center official logbook of incoming reports and assign a control number for each entry or towing incident. He must also affix his signature opposite each entry.

The pages of the Command Center official logbook must be pre-numbered in case of any error made in the recording of the towing incident, a horizontal line must be made to indicate the error or its validation.

- 7.5 If the subject vehicle for towing is in the watch list of carnapped vehicle, then it will be reported to the proper authorities.
- 7.6 The Command Center, thereafter, shall give the go signal to the towing crew with the following instructions: 'YOU ARE

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CLEARED TO TOW"" to indicate that they may proceed in towing the vehicle.

7.7 Upon receipt of such instructions, the towing crew shall engage the tow-hook to the stalled or illegally parked vehicle.

7.8 Before actual towing, if the owner is around, the tow truck crew shall issue a Technical Inspection Report indicating the name of the owner, vehicle's plate number, type and color, including the accessories thereof, and a description of the vehicle's condition. In case the owner/driver is not in the premises of the vehicle, the notice shall be left/entrusted to any traffic officer on duty at the site, or to any responsible person who can give the notice to the owner.

The impounding area where the said vehicle shall be towed and impounded should likewise be indicated.

7.8.1 Should the vehicle owner refuse to accept the notice, the notice shall be disregarded and the apprehending officer will place a notation in the notice that the owner refused to accept before the vehicle is towed.

7.8.2 In all instances, an OVR will be used, as prescribed in Sec. 6.

7.8.3 When the tow truck starts to move, within the first minute after towing, the tow truck crew shall advise the Command Center that the towing operation is in progress.

7.9 The tow truck crew shall also advise the Command Center of the time of their arrival upon reaching the designated impounding area with towed vehicle.

7.10 Command Center shall validate the above information.

7.11 If the towed vehicle is not recorded in the logbook, the vehicle will be reported as missing and considered as carnapped.

SECTION 8. Monitoring of Towing Operations

8.1 Traffic enforcement units shall be responsible in monitoring any suspicious or legal towing operation being conducted in City of Bacoor.

8.2 In case of any suspicion on a tow truck conducting a towing operation which may arise due to absence of the sticker to be issued by BTMD, the traffic enforcer shall stop said tow truck for questioning. He shall call the Command Center to verify whether said towing incident has been reported to it, and if said tow truck is duly authorized.

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- 8.3 If the tow truck has no authority to operate towing service in City of Bacoor, the towing incident shall be considered an unlawful or illegal act, and the tow truck operator shall be charged for colorem operation. The traffic enforcer shall issue an OVR to the tow truck operator thru the driver for such violation and shall impound said tow truck.
- 8.4 The traffic enforcer shall report the illegally operating tow truck to the Command Center with complete information on the towing vehicle and the towed vehicle.
- 8.5 The Command Center shall send the above information to all law enforcement agencies to verify if same is among those reported as carnapped vehicle.
- 8.6 Appropriate charges of carnapping shall be filed against the tow truck owner/operator, whose tow trucks are registered but failed to report the on-going towing operation or whose tow trucks are not registered with the City of Bacoor.

SECTION 9. Construction and Operation of Impounding Yards

The construction and operation of impounding yards shall be subject to the guidelines to be prescribed by the BTMD.

SECTION 10. Towing Fees

Tow trucks shall charge the towing fees herein stated for hire and shall be paid either to the towing company or to the City Treasurer's Office;

Vehicle Class	Type of Vehicle	Gross Capacity	Towing Fees	
			Without Additional Load	With Additional Load
I	Cars, Jeeps, Pick-ups	Less than 4,000 kgs.	P2,500.00	P3,000.00
II	Trucks, Vans	Less than 4,000 kgs.	P3,500.00	P4,000.00
III	Trucks	4,000 kgs and above	P4,000.00	P4,500.00

In addition thereto, any driver who shall illegally park his motor vehicle on any public road, street or thoroughfare in City of Bacoor shall pay a fine of **FIVE HUNDRED PESOS (P500.00)** as mandated in Sections 117 to 122 of the Revised Traffic Code. An official receipt shall be issued in favor of the person paying the said fines or fees.



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SECTION 11. Act of Goodwill

Accredited tow trucks shall render its services free of charge in times of conflagration, floods, earthquakes and other calamities within City of Bacoor.

SECTION 12. Storage Fees – If the registered owners of towed vehicles fail to redeem their vehicles within the same day after it has been towed and/or impounded, he/she shall be liable to pay a one-time administration fee of P200.00 plus a storage fee of:

Class 1 – P100/day

Class 2 – P200/day

Class 3 – P300/day

SECTION 13. Implementation

The Philippine National Police (PNP) in coordination with the BTMD shall be in charge of the towing operations and shall supervise the proper implementation of these guidelines. Additional rules and regulations relative thereto may be issued by the City Mayor.

SECTION 14. Repealing Clause

All issuances, ordinances, and resolutions inconsistent with these guidelines are hereby deemed revoked.

SECTION 15. Effectively

This shall take effect fifteen (15) days after publication in a newspaper of general publication and after it has been posted in three (3) conspicuous places within the City of Bacoor.

ENACTED this 7th day of October, 2014 by the Sangguniang Panlungsod of the City of Bacoor, Cavite.


VOTING RECORD	
IN FAVOR	Hon. Rowena M. Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Bayani M. De Leon, Hon. Leandro A. De Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Victorio L. Guerrero Jr., Hon. Hernando C. Gutierrez, Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, Hon. Reynaldo D. Palabrica and Hon. Avelino B. Solis
DISSENTING	NONE
ABSTAINED	NONE
ATTENDANCE RECORD	
PRESENT	13
ON LEAVE	Hon. Miguel N. Bautista
ABSENT	



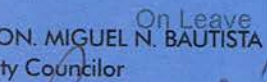
CITY OF BACOR

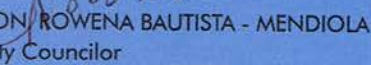
Province of Cavite

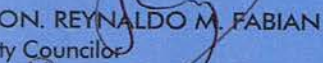
OFFICE OF THE SANGGUNIANG PANLUNGSOD

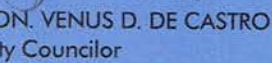

District I
HON. AVELINO B. SOLIS
City Councilor

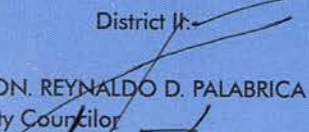
HON. EDWIN G. GAWARAN
City Councilor

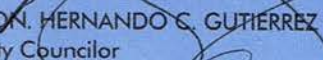

On Leave
HON. MIGUEL N. BAUTISTA
City Councilor

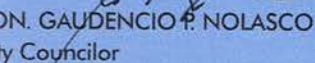

HON. ROWENA BAUTISTA - MENDIOLA
City Councilor

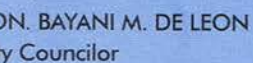

HON. REYNALDO M. FABIAN
City Councilor

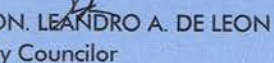

HON. VENUS D. DE CASTRO
City Councilor

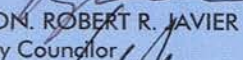

District II
HON. REYNALDO D. PALABRICA
City Councilor

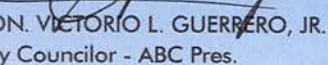

HON. HERNANDO G. GUTIERREZ
City Councilor


HON. GAUDENCIO P. NOLASCO
City Councilor

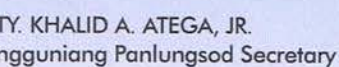

HON. BAYANI M. DE LEON
City Councilor


HON. LEANDRO A. DE LEON
City Councilor


HON. ROBERT R. JAVIER
City Councilor


HON. VICTORIO L. GUERRERO, JR.
City Councilor - ABC Pres.

Attested by:


ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

I hereby certify that the foregoing ordinance was approved in accordance with law and the contents hereof are true and correct.

CERTIFIED CORRECT:

HON. CATHERINE SARINO-EVARISTO
City Vice Mayor/Presiding Officer

ATTESTED BY:


ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

APPROVED BY:

HON. STRIKE B. REVILLA
City Mayor