



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304



ORDINANCE NO. 22-10 S. 2024

AN ORDINANCE AMENDING ARTICLE XXIV, SECTION 134 AND 135 OF ORDINANCE NO. 23 S. 2019 OR THE BATANGAS CITY TRAFFIC ORDINANCE OF 2020, PROHIBITING SMALL AND SLOW-MOVING VEHICLES IN NATIONAL HIGHWAYS, FORMING ALTERNATIVE ROUTES FOR USE THEREOF IN THE CITY OF BATANGAS, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

AUTHORS : SP MEMBER NELSON J. CHAVEZ
Chairman, Committee on Transportation

SP MEMBER NESTOR E. DIMACUHA
Chairman, Committee on Laws, Rules and Regulations

CO-AUTHORS : ALL SP MEMBERS

WHEREAS, Section 16, Chapter II, Title I of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that the local government units (LGUs) shall ensure the promotion of the general welfare of their inhabitants;

WHEREAS, the Local Government Code has empowered LGUs to oversee and regulate the operations of tricycle through their respective *Sanggunian*, subject to the guidelines issued by the Department of Transportation;

WHEREAS, the Land Transportation Office (LTO) Memorandum Circular No. 94-199 explicitly states that for safety reasons, no tricycle should operate on national highways utilized by four-wheel vehicles greater than four (4) tons and where normal speed exceeds 40 KPH;

WHEREAS, Section 4.6 of Department of Interior and Local Government (DILG) Memorandum Circular No. 2020-036 highly encourages the respective *Sanggunian* to enact an ordinance providing a portion of the national highway (ideally the outermost lane) to be utilized as alternative route, in cases where there are no alternative routes available;

WHEREAS, the DILG has issued several Memorandum Circulars reiterating the policy of the State that no tricycle should operate on national highways, the latest of which is **DILG Memorandum Circular No. 2023-195**, which has provided an alarming statistic on the vehicular accidents in the year 2022: **2,829** involving bikes/e-bikes/pedicabs and **2,241** involving tricycles in Metro Manila alone.

NOW, THEREFORE, the *Sangguniang Panlungsod* in session duly assembled, ordains and decrees:

HON. NELSON J. CHAVEZ
HON. ARMANDO C. LAZARTE
HON. OLIVER Z. MACATANGAY
HON. NESTOR E. DIMACUHA
HON. ANDREA LOUISE F. MACARAIG
HON. KARLOS EMMANUEL A. BUTED
HON. HAMILTON G. BLANCO
HON. ALYSSA RENEE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO
HON. ANGELITO DONDON A. DIMACUHA
HON. MICHAEL C. VILLENA
HON. LDRINZO A. GAMBORA JR.
HON. SIDRA M. ATIENZA
HON. ZESTER CARLO M. HERNANDEZ
HON. JOSE JONASH LUIS F. TOLENTINO



Continuation of Ordinance No. 22-10 S. 2024

AN ORDINANCE AMENDING ARTICLE XXIV, SECTION 134 AND 135 OF ORDINANCE NO. 23 S. 2019 OR THE BATANGAS CITY TRAFFIC ORDINANCE OF 2020, PROHIBITING SMALL AND SLOW-MOVING VEHICLES IN NATIONAL HIGHWAYS, FORMING ALTERNATIVE ROUTES FOR USE THEREOF IN THE CITY OF BATANGAS, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

SECTION 1. SHORT TITLE. – This ordinance shall be known and cited as the “**ORDINANCE PROHIBITING SMALL AND SLOW-MOVING VEHICLES IN NATIONAL HIGHWAYS, AND FORMING ALTERNATIVE ROUTES FOR USE THEREOF IN THE CITY OF BATANGAS.**”

SECTION 2. COVERAGE. – This ordinance shall cover the use of all types of small or slow-moving vehicle, including but not limited to Tricycles, Small Motorcycles, Pedicabs, Bicycles, Three-wheeled Utility Vehicles, Pedicabs, Light Electric Vehicles (LEV), Electric Bicycles (E-Bike), Electric Tricycles (E-Trike) and other vehicles capable of propelling the unit up to a maximum of 50 km/hr.

SECTION 3. DECLARATION OF POLICY. – It is the policy of the City of Batangas to promote the safety of general public by prohibiting tricycles, electronic motorcycles and electronic-bicycles from operating on national highway.

SECTION 4. Section 134, Article XXIV of Ordinance No. 23 S. 2019 is hereby amended to read as follows:

a. **Use of Outer Lanes of the Road.** All types of small or slow-moving vehicle, including but not limited to Tricycles, Small Motorcycles, Pedicabs, Bicycles, Three-wheeled Utility Vehicles, Pedicabs, Light Electric Vehicles (LEV), Electric Bicycles (E-Bike) and Electric Tricycles (E-Trike) shall comply with the following:

1. As a general rule, Tricycles, Small Motorcycles, Pedicabs, Bicycles, Three-wheeled Utility Vehicles, Pedicabs, Light Electric Vehicles (LEV), Electric Bicycles (E-Bike), Electric Tricycles (E-Trike) and other slow-moving vehicles are prohibited to operate on national highways or roads utilized by 4-wheels vehicle greater than 4 tons, and where normal speed exceed 40 km/hour.
2. In the absence of any alternative route available and as last resort, the above-mentioned vehicles shall only be allowed to use **the outer lanes of the road**, subject to the prohibitions and exceptions provided in **Subsection b and c of this Section**.
3. The operation of electric kick scooter and electric vehicles with a maximum speed of 25 km/hour shall be limited within private roads, barangay roads, or on bicycle or similar lanes designated for electric vehicles. Drivers/riders of this vehicle are required to wear protective helmet designed for this kind

HON. NELSON J. CHAVEZ

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HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLEN

HON. LORENZO A. GAMBOA JR.

HON. JISDR M. ATIENZA

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of vehicle. Drivers/riders shall follow the flow of traffic and shall be subject to the penalty for counterflow as provided herein.

4. Electric Vehicles with a maximum speed of 26-50 km/hour may be allowed to go beyond barangay roads to cover local roads provided it will take the outermost part of the road close to the edge. It can pass main thoroughfares and national roads for purposes of crossing only when the road it is allowed to transverse is divided by the former and shall yield the right of way to all incoming traffic that constitute an immediate hazard. Drivers/riders of this vehicle are required to wear motorcycle protective helmet;
 5. When using the outermost lanes designated as "tricycle or bike lanes", drivers must not exceed the maximum speed limit of 40 km/hour;
 6. The above-mentioned vehicles must stay inside their designated lanes, or in the absence of such, in the outermost lane of the road or streets, in the absence of any alternative route;
 7. The above-mentioned vehicles shall not be allowed to use the inner lanes unless turning left to the next intersection. Provided, however, that they must signal their intention to turn left at least 30 meters from the intersection;
 8. No driver shall park a vehicle, or permit it to stand, whether attended or unattended in the outermost lanes intended for slow-moving vehicles, within intersections, crosswalk, and within six meters of the intersection of curb lines, parking along the roads of residential and commercial establishments located along public or national roads.
- b. **Prohibition to travel on National and Major Roads.** All types of small or slow-moving vehicle, including but not limited to Tricycle, Small Motorcycles, Bicycles, Three-wheeled Utility Vehicles, Pedicabs, Light Electric Vehicles (LEV), Electric Bicycles (E-Bike) and Electric Tricycles (E-Trike) are prohibited from using the national highway utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceeds 40 kilometers per hour, including but not limited to the following roads and streets:

1. Jose P. Laurel National Highway – from Brgy. Balagtas to Brgy. Kumintang Ilaya

HON. WILSON J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OLIVER L. MACAYANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOPEZ F. MACARAIG

HON. KARLOS EMMANUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. ALYSSA BENEZA A. CRUZ

HON. MARCUS MANUEL D. CASTILLO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. LORENZO A. GAMBOA JR.

HON. ISIDORA M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

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2. P. Burgos St. – from Calicanto Junction to Rizal Avenue St.
3. Rizal Avenue – from P. Burgos St. to D. Silang St.
4. D. Silang St. – from Evangelista St. to Lt. Col. Danilo S. Atienza
5. C. Tirona St. – from P. Canlapan St. to P. Zamora St.
6. B. Luna St. – from D. Silang St. to P. Genato St.
7. Noble St. – from P. Canlapan St. to P. Burgos St.
8. Mabini St. – from P. Canlapan St. to P. Burgos St.

c. Exceptions. In the absence of any alternative-route, all types of small or slow-moving vehicle, including but not limited to Tricycle, Small Motorcycles, Bicycles, Three-wheeled Utility Vehicles, Pedicabs, Light Electric Vehicles (LEV), Electric Bicycles (E-Bike) and Electric Tricycles (E-Trike) shall utilize the outermost lane of the road for the following routes:

- a. Palico-Balayan-Batangas Road from Sta. Rita Karsada– Manila-Batangas Road (Calicanto Junction)
- b. Diversion Road from Sitio Pulo & Sitio Tramo, Balagtas to DJPMM Access Road No. 2
- c. Jose P. Laurel National Highway from Bucal to Balagtas By Pass
- d. Kumintang Ibaba from Lion’s Marker to BIR Road
- e. Rizal Avenue Extension from Sta. Clara to P. Genato St.
- f. Rizal Avenue from P. Canlapan St. to P. Herrera St.
- g. Batangas-Tabangao-Lobo Road to Gov. Antonio Carpio Road
- h. Batangas-Taysan-Lobo Road to Gov. Antonio Carpio Road
- i. San Jose-Ibaan-Batangas Road from Balagtas to Tingga Itaas

HON. MELSON J. CHAVEZ

HON. MAIBANDO C. LAZARTE

HON. OLYVER L. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACARAIG

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SECTION 5. Section 135, Article XXIV of the same Ordinance is hereby amended to read as follows:

- a. Any provision to the contrary notwithstanding, all tricycles for private use shall only utilize the streets designated for use by tricycle for hire as provided in Article VII of the Revised Tricycle Franchising Ordinance of Batangas City;
- b. For purposes of this provision, tricycle for private use shall refer to any mode of conveyance with three wheels and an attached sidecar, using a motorcycle as a prime mover which under any of the circumstances shall not be used to solicit, accept or be used to transport people or cargo with or without a fee;
- c. The TDRO with the approval of the City Mayor may grant exceptions to the provisions of the first and second paragraphs in cases of parades, processions, activities of the civic organizations, and the like;
- d. Tricycles, Small Motorcycles and other slow-moving vehicles shall take the outermost part of the road close to the edge. It can pass main thoroughfares and national roads for purposes of crossing only when the road it is allowed to transverse is divided by the former and shall yield the right of way to all incoming traffic that constitute an immediate hazard. Drivers/riders of this vehicle are required to wear motorcycle protective helmet;

SECTION 6. APPLICABILITY. - This Ordinance shall apply to all types of small or slow-moving vehicle, including but not limited to Tricycles, Small Motorcycles, Pedicabs, Bicycles, Three-wheeled Utility Vehicles, Pedicabs, Light Electric Vehicles (LEV), Electric Bicycles (E-Bike) and Electric Tricycles (E-Trike) regardless of their registration status, mandate, or regulation by the Land Transportation Office (LTO).

SECTION 7. PENALTY CLAUSE. - Any person found guilty of violating any of the provisions of this Ordinance shall be penalized under Section 193 (e), Article XXXVI of Ordinance No. 23 S. 2019.

SECTION 8. REPEALING CLAUSE. - All provisions of Ordinance, executive orders, or resolutions inconsistent herewith are hereby repealed and or modified accordingly.

SECTION 9. SEPARABILITY CLAUSE. - If, for any reasons, any part of or provisions of these Implementing Rules and Regulations shall be held unconstitutional or invalid, other parts or provisions thereof which are not affected thereby shall continue to be in full force and effect.

HON. NELSON J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. JOSE P. MACAMANGAY

HON. MESTOR E. DIMACUHA

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SECTION 10. EFFECTIVITY. – This Ordinance shall take effect 10 days after approval by the City Mayor and publication in a newspaper of general circulation in the province and cities of Batangas.

ENACTED by the Sangguniang Panlungsod this 14th day of May, 2024.

ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: MAY 30 2024

HON. ARSON L. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOUISE F. MACARAIG

HON. KARLOS EMMANJUEL A. BUTED

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HON. ISORA MATIENZA

HON. ZESFER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLENTINO



**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON MAY 14, 2024 AT THE SANGGUNIAN SESSION HALL**

PRESENT:

Hon. Alyssa Renee A. Cruz,	Presiding Officer
Hon. Hamilton G. Blanco,	Sangguniang Panlungsod Member
Hon. Karlos Emmanjuel A. Buted,	”
Hon. Andrea Loise F. Macaraig,	”
Hon. Nestor E. Dimacuha,	”
Hon. Oliver Z. Macatangay,	”
Hon. Armando C. Lazarte,	”
Hon. Nelson J. Chavez,	”
Hon. Jose Jonash Luis F. Tolentino,	”
Hon. Zester Carlo M. Hernandez,	”
Hon. Isidra “Ched” M. Atienza,	”
Hon. Lorenzo A. Gamboa, Jr.,	”
Hon. Michael C. Villena,	”
Hon. Angelito Dondon A. Dimacuha,	Liga ng mga Barangay President
Hon. Marcus Manuel D. Castillo,	SK Pederasyon President

“On motion of SP Member Nestor Dimacuha seconded by SP Member Buted, the following Resolution was Adopted:

RESOLUTION NO. 22-243 S. 2024

**ADOPTING THE REPORT OF THE JOINT COMMITTEES ON TRANSPORTATION
AND LAWS, RULES AND REGULATIONS AND APPROVING ON SECOND AND
FINAL READING THE PROPOSED ORDINANCE AMENDING ARTICLE XXIV
SECTIONS 134 AND 135 OF THE BATANGAS CITY TRAFFIC ORDINANCE OF 2020**

RESOLVED, to adopt the report of the Joint Committees on Transportation and Laws, Rules and Regulations and approving on Second and Final Reading the proposed Ordinance Amending Article XXIV Sections 134 and 135 of the Batangas City Traffic Ordinance of 2020.

UNANIMOUSLY APPROVED.”

I hereby certify that the foregoing Resolution No. 22-243 S. 2024 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on May 14, 2024.

ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer



Republic of the Philippines
BATANGAS CITY
OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE REPORT

DATE : **May 14, 2024**

FROM : **THE COMMITTEE ON TRANSPORTATION
THE COMMITTEE ON LAWS, RULES AND REGULATIONS**

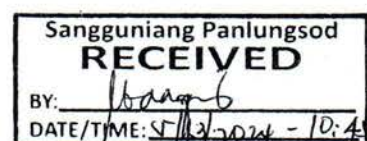
TO : **THE HONORABLE VICE MAYOR & PRESIDING OFFICER
ATTY. ALYSSA RENEE A. CRUZ AND THE HONORABLE
SANGGUNIANG PANLUNGSOD MEMBERS**

SUBJECT : **RESOLUTION NO. 22-221 S. 2024
"ORDINANCE AMENDING ARTICLE XXIV SECTION 134
AND 135 OF ORDINANCE NO. 23 S. 2019 OR THE
BATANGAS CITY TRAFFIC ORDINANCE OF 2020,
PROHIBITING SMALL AND SLOW-MOVING VEHICLES IN
NATIONAL HIGHWAYS, FORMING ALTERNATIVE ROUTES
FOR USE THEREOF IN THE CITY OF BATANGAS,
PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND
FOR OTHER PURPOSES".**

Gentlemen and Mesdames,

Referred to the Committee on Transportation and Committee on Laws, Rules and Regulations, is the aforementioned subject. Committee Hearing was held on May 8, 2024, at 9:00 o'clock in the morning at the Sangguniang Panlungsod Session Hall. Present during the Committee Hearing were the Committee Chairman on Transportation Hon. Nelson J. Chavez and Committee Chairman on Laws, Rules and Regulations Hon. Nestor "Boy" E. Dimacuha and the Sangguniang Panlungsod Members. Invited guests who attended the hearing are Atty. Mel Gainza – City Legal Office, Mr. Chris Mark Banaag and Ms. Edna Magnaye of TDRO.

Taking cognizance of the communication forwarded by the Hon. City Mayor Beverley Rose A. Dimacuha, without hesitations, the joint committee convened to discussed the aforementioned subject. It was emphasized in DILG Memorandum Circular # 2020-036 which highly encourages the Sangguniang Panlungsod to enact and ordinance providing portion of the national road to be utilized as alternative route in cases where there are no alternative routes available, which the primary reasons is to amend or repeal the existing Ordinance No. 23 S. 2019 Article XXIV Section 134 and 135 to effectively address the more sensible issues on lack of regulations such as road and personal safety, registration and proper education which requires the urgent action of the city government.





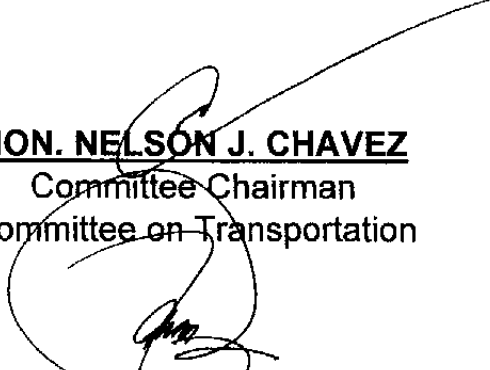
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BATANGAS CITY
OFFICE OF THE SANGGUNIANG PANLUNGSOD


The proposed Ordinance Amending Article XXIV Section 134 and 135 of Ordinance No. 23 S. 2019 or the Batangas City Traffic Ordinance of 2020, Prohibiting Small and Slow-moving Vehicles In National Highways, Forming Alternative Routes for Use Thereof in The City of Batangas, Providing Penalties for Violations Thereof, and for Other Purposes” was confidently and eloquently discussed by the TDRO Personnel present in the person of Mr. Cris Banaag with the collaboration of Atty. Mel Gainza of City Legal Office.

In view of the foregoing, the Joint Committee recommends the following for the utmost consideration of this August body.

1. Adoption of the Committee Report.
2. To dispense the reading of the proposed “Ordinance Amending Article XXIV Section 134 and 135 of Ordinance No. 23 S. 2019 or the Batangas City Traffic Ordinance of 2020, Prohibiting Small and Slow-moving Vehicles In National Highways, Forming Alternative Routes for Use Thereof in The City of Batangas, Providing Penalties for Violations Thereof, and for Other Purposes” and the same be approved on Second and Final Reading.

Respectfully submitted, May 14, 2024


HON. NELSON J. CHAVEZ
Committee Chairman
Committee on Transportation


HON. NESTOR “BOY” E. DIMACUHA
Committee Chairman
Committee Laws, Rules and Regulations


HON. KARLOS EMMANJUEL A. BUTED
Committee Member


HON. ARMANDO C. LAZARTE
Committee Member


HON. LORENZO A. GAMBOA JR.
Committee Member


HON. ISIDRA M. ATIENZA
Committee Member