

**REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD  
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**CITY ORDINANCE NO. 08-15-742  
June 3, 2015**

**AN ORDINANCE PROHIBITING THE CONDUCT OF ALL FORMS OF DRAG RACING ON PUBLIC STREETS AND HIGHWAYS OF BACOLOD CITY AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.**

**WHEREAS**, it is the policy of the state to protect the life, liberty and property of all individuals and to safeguard the interest of the youth in particular;

**WHEREAS**, in the general welfare clause of the Local Government Code of 1991 (RA 7160), the local government unit shall exercise powers necessary, appropriate and incidental for its efficient and effective governance within their respective territorial jurisdiction;

**WHEREAS**, the Local Government Code further states that, the local government unit shall ensure safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

**WHEREAS**, drag racing at City public roads, streets and highways must be prohibited, it disrupts peace and order and they are often accompanied by acts of violence, destruction of life and property;

**WHEREAS**, the City may allow drag racing events only on secured race track, which comply with specific rules and regulations that guarantee the safety of the driver and the public;

**WHEREAS**, safe drag racing events in the City will promote sports tourism and attract more drag racers enthusiast from all parts of the country and the world.

**NOW THEREFORE**, be it **ORDAINED** as it is hereby **ORDAINED** by the Sangguniang Panlungsod in session assembled, that:

**Section 1. Short Title.** This ordinance shall be known as "**An Ordinance Prohibiting Drag Racing Events on Public Streets of Bacolod City**".

**Section 2. Declaration of Policy** – It is hereby declared the policy of the City to protect all individuals from danger especially from drag racing events on public roads, streets and highways and to penalize any offenders, for the preservation of peace and order, comfort and convenience for all its inhabitants.

**Section 3. Definition of Terms:**

A. Drag race as used in this ordinance, shall refer to:



- A.1. The operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other.
- A.2. The operation of one or more vehicles over a common selected course and from the same point for the purpose of comparing the relative speeds or power of acceleration of the vehicle or vehicles within a certain distance or time limit.
- B. **Racing** – means the use of one or more vehicles in an attempt to outgain or outdistance another vehicle or prevent another vehicle from passing on stage.
- C. **Motor Vehicle** – shall mean any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinkles, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks and cranes if not used on public highways, vehicles which run only on rails or tracks and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes.
- D. **Motorbikes/motorcycles** – with typically two (2) tires but can include three (3) tires that transport one or more people utilizing a motor over a solid surface or stage.
- E. **Prohibited Drag Racing** – a contest of speed involving one or more vehicles on open public roads, streets and highways where the operator of the motor vehicle drives in reckless manner and imprudent speed, greater or less than the reasonable and proper, without due regard to traffic, width of the highway, and of any other existing condition.
- F. **Stage** – includes city and national roads, streets, highways and shoulders where the motor vehicle race takes place.
- G. **Public road, street or highway** – means the width between the boundary lines of a publicly maintained way, any part of which is open to the public for vehicular travel.
- H. **Roadway** – means the portion of a highway, other than the shoulder that is improved, designed, or ordinarily used for vehicular travel.
- I. **Shoulder** – a portion of a highway adjacent to the roadway which is not intended for normal vehicular travel; it is ordinarily used for parking, distinguished by a different design, construction or marking.

**Section 4. Drag Racing Offense** – No person shall drive a vehicle or participate in any manner in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance or exhibition of speed or acceleration or for the purpose of making a speed record on public roads, streets or highways within the jurisdiction of Bacolod City.

**Section 5. Penalties** – Subject to existing laws, rules and regulations, any person who commits any act herein prohibited shall, upon conviction, be punished to wit:

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a.	Offense	Penalties
	First Offense	- Php 3,000.00 and 10 days Imprisonment
	Second Offense	- Php 4,000.00 and 20 days Imprisonment
	Third Offense	- Php 5,000.00 and 30 days Imprisonment

All at the discretion of the court without prejudice to the penalty imposed under the Revised Penal Code.

- b. Upon a fourth and additional conviction, the offender shall be sentenced to the penalty provided for the last crime of which he had been found guilty and to the additional penalty of 30 days imprisonment, but in no case to exceed one year.
- c. Motor vehicles used shall be temporarily impounded and shall only be released after proper documentation and verification by authorized persons or government agencies to the owner or driver. In case of doubt on the right to possess the vehicle by the driver/claimant, release thereof shall be made to and/or presence of the registered owner.
- d. Confiscation of Driver's License shall be affected in every apprehension.

**Section 6. Enforcement** – This ordinance shall be enforced by the Bacolod Traffic Authority Office (BTAO), Bacolod City Police Office (BCPO), City Legal Enforcement Unit and Barangay Officials to apprehend any person who engages in drag racing at any time on public roads, streets and highways, as specified and described in this Ordinance.

**Section 7. Separability Clause.** If any part of this Ordinance is declared not valid, unconstitutional or unlawful, such declaration shall not affect or impair the remaining provisions, sections or parts thereof, which shall remain or continue to be in full force and effect.

**Section 8. Repealing Clause.** All previous Ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

**Section 9. Effectivity.** This Ordinance shall take effect fifteen days (15) after its publication in a local newspaper of general circulation.

**CARRIED BY THE VOTE OF:**

Affirmative :

Councilors : El Cid M. Familiaran, Roberto M. Rojas, Em L. Ang, Caesar Z. Distrito, Wilson C. Gamboa, Jr., Alex A. Paglumotan, Sonya M. Verdeflor, Ana Marie V. Palermo, Noli B. Villarosa.

Negative : None.

Official Leave : Councilors Jocelle Batapa-Sigue and Carlos Jose V. Lopez.

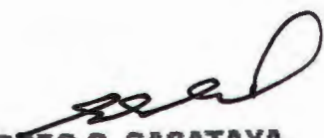
Absent : None.

Main Author : Councilor Wilson C. Gamboa, Jr.

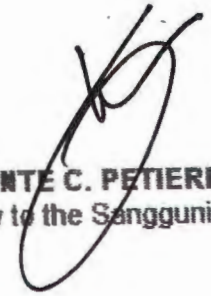
Co-Author : Councilor Claudio Jesus Raymundo A. Puentevella.

Passed : June 3, 2015 (100<sup>th</sup> Regular Session of the 8<sup>th</sup> Council).


Comments : Passed.  
Councilors Claudio Jesus Raymundo A. Puentevella and Archie S. Baribar were not around when this ordinance was passed.

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**GREG G. GASATAYA**  
Vice Mayor  
Presiding Officer

ATTESTED:

  
**ATTY. VICENTE C. PETIERRE III**  
Secretary to the Sanggunian

APPROVED: June 17, 2015.  


  
**MONICO O. PUENTEVELLA**  
City Mayor

VCP/HPL/jbz

SP  
LEGISLATIVE SERVICES SECTION  
DATE 6/17/15 TIME 1:40 PM  
BY: 