

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD

-oOo-

CITY ORDINANCE NO. 466

June 30, 2008

AN ORDINANCE AMENDING CITY ORDINANCE NO. 1548, SERIES OF 1979, ENTITLED "AN ORDINANCE REQUIRING MOTORCYCLE RIDERS INCLUDING TANDEM RIDERS TO WEAR CRASH OR SAFETY HELMET WHILE OPERATING ALONG CITY OF BAKOLOD AND PROVIDING PENALTIES AND OTHER PURPOSES.

WHEREAS, City Ordinance No. 1548, series of 1979 was implemented for almost 28 years and outmoded in events of time by invention of fast growing motorcycle as a mode of transportation;

WHEREAS, the proliferation of motorcycles on the City streets explain why motorcycles are the second most common type of vehicles involved in traffic accidents next to automobiles;

WHEREAS, wearing a safety helmet is the single most effective way of reducing head injuries and fatalities resulting from motorcycle accidents and fatal death of riders.

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of Bacolod City, in session assemble that:

Section 1 – TITLE

This ordinance shall be entitled "A Motorcycle Safety Helmet Ordinance amending City Ordinance No. 1548, series of 1979."

Section 2 – DEFINITION OF TERMS

For the purpose of this Ordinance, the following terms are hereby defined as follows:

- (a) **Backrider** – shall refer to an individual who rides behind the back of the motorcycle owner/driver.
- (b) **Helmet** – shall refer to a head-and-face-protective gear which is required by law to be worn by motorcycle driver and back rider while on travel.
- (c) **Motorcycle** – shall refer to a saddled two-wheeled combustion-driven vehicle used for land transport.



- (d) **Motorcycle Owner/Driver** – shall refer to an individual who is registered owner of a motorcycle, or if not being registered owner is given the authority by the owner, expressly or impliedly, to possess and use the motorcycle.
- (e) **Safety Helmet** – shall refer to a protective head covering used to prevent or minimize head injury, if there is a motorcycle accident.
- (f) **Tandem Rider** – shall refer to a person who rides as extra passenger on the motorcycle.

Section 3 – Motorcycle riders including tandem riders are required to wear crash or safety helmet while plying or operating on the territorial road artery of the City of Bacolod.

Section 4 – Violation of this Ordinance shall be penalized:

1st violation – citation ticket and fine of P150.00.

2nd violation – citation ticket and fine of P500.00.

3rd violation – suspension of drivers license for 30 days and fine of P1,000.00 and undergo seminar on Traffic Rules and Regulation with LTO or BTAO.

Section 5 – ENFORCEMENT AGENCY

The agents of the Land Transportation Office (LTO), Philippine National Police Traffic Division and the City Traffic Enforcement Unit are hereby authorized to apprehend violators of this ordinance.

Section 6 – REPEALING CLAUSE

Any ordinance, rules and regulation which are inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.

Section 7 - SEPARABILITY CLAUSE

If, for any reason or reasons, any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 8 – EFFECTIVITY CLAUSE

This ordinance shall take effect upon its approval in accordance with law.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors : Jocelle Batapa-Sigue, Wilson C. Gamboa, Jr., Dindo C. Ramos, Al Victor A. Espino, Napoleon A. Cordova, Catalino T. Alisbo, Roberto M. Rojas, Alex A. Paglumotan, Reynold I. Ifedan, Diosdado A. Valenzuela.

Negative : None.

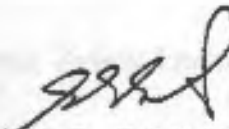
Absent : None.

Official Leave: Councilors Celia Matea R. Flor and Kevin Daniel L. Ramos.


Author : Councilor Catalino T. Alisbo.

Passed : June 30, 2008 (53rd Regular/Special Session)

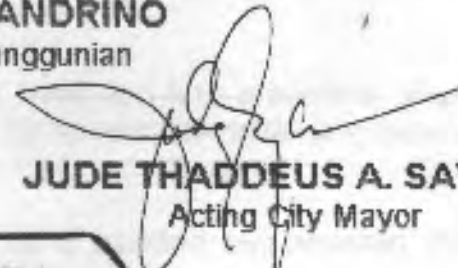
Comments: Passed.
Vice Mayor Jude Thaddeus A. Sayson was designated as Acting City Mayor.
Councilor Homer Q. Bals was not yet around when this ordinance was passed.


GREG G. GASATAYA
Acting Vice Mayor
Presiding Officer

ATTESTED:


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: July 4, 2008.


JUDE THADDEUS A. SAYSON
Acting City Mayor

NTAHPL/jbz

