

**Republic of the Philippines  
SANGGUNIANG PANGLUNGSOD  
CITY OF MAKATI**

**PRESENT:**

Councilor	ARNOLD C. MAGPANTAY- Temporary Presiding Officer
“	MARIE ALETHEA SJ. CASAL-UY
“	MARIA THERESA N. DE LARA
“	MANUEL MONSOUR T. DEL ROSARIO III
“	VIRGILIO V. HILARIO
“	HENRY A. JACOME
“	LEONARDO M. MAGPANTAY
“	ROMEO C. MEDINA
“	NELSON S. PASIA
“	TOSCA CAMILLE P. RAMOS
“	VINCENT T. SESE
“	MARY RUTH C. TOLENTINO
“	MA. CONCEPCION M. YABUT
“	NEMESIO S. YABUT, JR.
“	MA. ARLENE M. ORTEGA- Sectoral Representative

**ABSENT:**

Vice Mayor	ROMULO V. PEÑA, JR.
Councilor	FERDINAND T. EUSEBIO
“	SALVADOR D. PANGILINAN
“	KARIS ISRAELLE S. CRUZADO – Sectoral Representative

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By unanimous vote of the Sangguniang Panglungsod members who are present, the following City Ordinance was enacted:

**CITY ORDINANCE NO.2011-010**

Authors: Councilors R.C Medina, A.C. Magpantay, N.S. Pasia, H.A. Jacome,  
M.M.T.Del Rosario III, V.T. Sese, F.T. Eusebio, M.A. Casal-Uy,  
M.R.C. Tolentino and V.V. Hilario

**AN ORDINANCE AMENDING CERTAIN PROVISIONS UNDER CITY  
ORDINANCE NO. 2003-089 (MAKATI CITY TRAFFIC CODE) AND  
PROVIDING PENALTIES THEREOF, SUBJECT TO ALL LAWS AND  
EXISTING LEGAL RULES AND REGULATIONS.**

**WHEREAS**, Section 16 of the Local Government Code of 1991, states that: “Every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare”;

**WHEREAS**, the city government of Makati is committed to safeguard the well-being and safety of its constituency and is empowered, through its Sangguniang Panglungsod, to enact ordinances regulating traffic on all streets within its jurisdiction, including the adoption of programs and projects concerning road management and use pursuant to RA 7160, the Local Government Code of 1991, and RA 7854, the Makati Charter;

**WHEREAS**, there is a need to amend the aforesaid Makati City Traffic Code in order to keep it up to date on recent developments regarding road traffic safety regulations and at the same time to be able to effectively meet the objectives behind the enactment of the same, one of which is to improve road safety.

**NOW THEREFORE, BE IT ENACTED AS IT IS HEREBY ENACTED BY THE SANGGUNIANG PANGLUNGSOD OF MAKATI, METRO MANILA, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED**, that:

**Section 1.** The rule on driving over a yellow box as a prescribed under Article V, Section 23 is hereby amended to read as follows:

A portion of an intersection marked with a yellow box must always remain unobstructed and open for passage. A driver must not move his vehicle and enter a yellow box if his exit road or lane from it is not clear, or if he cannot cross or execute a turning movement and go beyond the boundaries of the box in a manner that his vehicle will not block the flow of traffic. The time period within which a driver must be able to move his vehicle out of the yellow box is hereby set at not more than fifteen (15) seconds reckoned from the time the signal facing his direction of origin turns red. Violation of this rule is hereby declared as a serious traffic offense with a fine of:

First Offense	-	Php 1,000.00
Second Offense	-	Php 2,500.00
Third Offense	-	Php 5,000.00

**Section 2.** Article IV, Section 10 (1) (c) (i) prescribing rule on Obedience to Traffic Control Signals is hereby amended to read as follows:

- (1) Every person shall at all times observed and comply with the instructions of any traffic control signal applicable to him.
- (2) The display by a traffic control signal of (c) a red circle alone is an instruction that (i) a driver facing the traffic control signal shall not proceed straight ahead or turn left beyond the stop line, or in the absence of a stop line, shall not proceed straight ahead or turn left beyond the traffic control signal itself.
- (3) To complement the comprehensive effort to enforce Article IV, Section 10 (1) (c) (i) the City shall install and use Red Light Cameras that operate automatically day or night to be connected to traffic lights and activated enabling the capture of image(s) of vehicle(s) crossing the stop line on red signal.

**Provided**, that the following shall be the mechanism for the implementation of the Red Light Camera as follows:

- (a) Only Red Light Cameras conforming to internationally accepted standards, such as, those already proven and tested in US and Canada, Europe, Australia, and other Asian countries shall be used for this purpose.
- (b) The system shall continuously monitor the traffic signal and the camera shall be triggered by any vehicle entering the intersection after the signal has turned red.
- (c) A series of photographs and/or video images showing the red light violator prior to entering the intersection on a red signal, as well as the vehicle's progression through the intersection shall be recorded and accepted as evidence of violation.

- (d) Cameras shall record the license plate, date, time of the day and time elapsed since the beginning of the red signal.
- (e) Stop lines shall be clearly marked and legible in all intersections to be equipped with Red Light Cameras.
- (f) Consistent with guidelines published by the US Institute of Transportation Engineers which are hereby adopted, the minimum time allotted for the yellow warning sign is hereby set at four (4) seconds before the traffic signal turns into red for all intersections equipped with Red Light Cameras.
- (g) A motorist who drives into an intersection sometime after the signal light has turned red is considered a violator under this Section and is called a red light runner.
- (h) A motorist who has driven passed the stop line before the traffic control signal applicable to him turns red is not a red light runner.
- (i) Where expressly allowed by a traffic sign to turn right anytime with care, a motorist, after executing a complete stop, may drive his vehicle and enter the intersection and turn right with care even if the traffic signals applicable to him has turned red.
- (j) A Traffic Violation Summon shall be sent to the registered owner of the motor vehicle by mail attaching thereon photographic evidence(s) copy furnished the Land Transportation Office (LTO) with an accompanying request for the latter to require clearance of the City before renewing registration of the motor vehicle.
- (k) All photographic evidences shall be reviewed by competent staff trained for this purpose.

**Provided, also,** that violators of this section shall be imposed a fine of Two Thousand Five Hundred Pesos (P2,500.00) and/or suspension of driver's license and/or, in case the public utility vehicle, suspension of Certificate of Public Convenience.

**Provided, finally,** that the apprehended driver shall undergo a driver's re-education seminar prescribed by the City and if ascertained that the violation hereof results to accident that causes severe damage to properties or loss of lives and limbs, the violators driver's license shall be revoked in accordance with due process and applicable procedures.

**Section 3.** Article XII, Section 58 relating to driving a motor vehicle while under the influence of liquor or incapacitating drug is hereby amended to read as follows:

No person shall drive a motor vehicle while under the influence if liquor or incapacitating drug. For the purposes of this Section, a driver is considered under the influence of liquor , if, at the time of competent examination performed within an hour of apprehension of a person, he is found to have in his blood at least 0.06% of alcohol or, in the case of drugs, if it is reasonably manifest from his actions or behavior that his exercise of his five senses is physically impaired as to expose himself or the vehicle or the other persons to a danger or accident. The operation of any transport unit, although not motorized, in the manner stated herein above, is likewise prohibited.

**Provided,** that the violators of this Section shall be imposed a fine in the amount of p2,500.00 plus imprisonment or both upon discretion of the Court and, additionally, suspension or revocation of the violators driver's license in accordance with due process and applicable procedures.

**Provided, also,** that, in the case of public transport, in addition to the above fine and penalty, the Certificate of Public Convenience or Permit to Operate shall be suspended.

**Provided, further,** that the driver shall not be allowed to continue operating his vehicle which shall be subject to impounding.

**Provided, finally,** that establishments are hereby enjoined from serving liquors or intoxicating beverages to customers driving a vehicle and, they are required to post corresponding signs at conspicuous areas of their place of business to serve as reminder against drunk driving. Violators of this provision will be imposed a fine of P2,500.00 plus suspension of business permit or both.

**Section 4.** Article XIV, Section 73(f) is hereby amended as follows:

(f) No person shall drive a tricycle on any national road and on all roads within the Central Business District of the City.

**Provided, that,** the fine for driving tricycles along national roads and all roads within the Central Business District of the City is hereby increased to P1,000.00 plus impounding of tricycle.

**Section 5.** Article XV, Section 76 is hereby amended to read as follows:

No person shall drive a motor vehicle or a combination of a motor vehicle and trailer between sunset and sunrise, unless the motor vehicle or combination is equipped with appropriate lamps and reflectors prescribed as mandatory by the LTO to be carried by that vehicle or combination, and the lamps are lighted, specifically, starting at 6:00 p.m. until 6.00 a.m. the following day.

**Provided,** the violators of this Section shall be imposed a fine of P300.00

**Section 6.** Article XVII, in relation to Section 93 regarding Truck Routes and Limited Truck Ban is hereby amended to read as follows:

Cargo Trucks, gravel and sand trucks and other heavy cargo trucks with a gross vehicle weight exceeding 4,500 kilograms, including tractor trailers or containerized haulers, shall not be allowed to travel on any city streets with no more than two lanes, except along the streets specified as truck routes in Appendix V. The use of such truck routes enumerated under Appendix V shall be restricted to the hours of six in the morning (6:00 a.m.) to nine in the morning (9:00 a.m.), and from four in the afternoon (4:00 p.m.) to eight in the evening (8:00 p.m.).

The City Mayor, may, upon recommendation of the Traffic and Parking Management Office, ban the access for limited hours of any cargo trucks and heavy vehicles on any other street when conditions warrant and in order to ensure orderly traffic flow.

**Provided,** that the City Mayor or his duly authorized representative/s may: designate Exempted Truck Routes, including the day(s) and time period(s) of use thereof when conditions so warrant and for reasons determined necessary for the effective delivery of public service.

**Provided, also,** that where a truck ban sign is installed especially within the construction areas and bridges and interchanges, prohibition on the sign shall be observed and enforced. A fine of P1,000.00 shall be imposed for violation of this provision.

**Provided, finally,** that the City Mayor or duly authorized representative/s may grant one-day truck ban exemption subject to meritorious conditions and payment of a one-day truck ban exemption fee of One Thousand pesos (P1,000.00) for motor vehicles having a gross capacity weight of over 4,500 kilograms.

**Section 7.** Article XXIV, Section 139 relative to the Requirements and Procedures for Exemption and authority of the Mayor to grant special VVRP exemption is hereby amended to read as follows:

The City Mayor may grant special exemption for vehicles not covered by the preceding section on a case to case basis or when the situation warrants or extremely necessary, subject to the following requirements/procedures:

- (a) The application shall be filed with the Traffic and Parking Management Office that shall review the application if documents are in order and complete and validate entries therein before endorsement to the Office of the Mayor for approval and issuance of exemption.
- (b) The following requirements shall be submitted:
  - (i) Duly accomplished application form;
  - (ii) Certificate of Registration of the vehicle(s);
  - (iii) Proof of Payment of filing fee;
  - (iv) Documents in support of request of exemption.
- (c) Any exemption granted by the City Mayor shall be valid only for a period of three (3) months from date of issuance, subject to renewal.
- (c) The certificate of exemption shall be in a prescribed original form duly signed by the City Mayor.

**Provided**, that the City Mayor or his designated representative(s) is hereby further authorized to also grant VVRP exemption valid for one day for meritorious reasons(s) subject to a one day VVRP exemption fee of Five Hundred Pesos (P500.00) for motor vehicles having a gross capacity weight of 4,000 kilograms to 4,500 kilograms, and Two Hundred and Fifty Pesos (P250.00) for motor vehicles having a gross capacity weight of less than 4,000 kilograms.

**Section 8.** Article XXIV, Section 140 relative to Fees for VVRP Exemption is hereby amended to read as follows:

Filing and processing fees for applications for VVRP Exemption shall be as follows:

Vehicle	Filing Fee	Processing Fee
Car/Private Jeeps	PhP200.00	PhP500.00
Vans/delivery Panels, Public Utility Jeeps	PhP400.00	PhP750.00
Buses	PhP500.00	PhP1,000.00
Cargo Truck with gross vehicle weight of less than 4,500 kgs.	PhP600.00	PhP1,200.00
Cargo Truck with gross vehicle weight of more than 4,500 kgs.	PhP800.00	PhP1,500.00

The filing and processing fees shall be paid to the City Treasury upon filing of the application. The City Administrator shall release the certificate of exemption to be approved and issued by the City Mayor.

**Section 9.** Article XIX regarding PUBLIC UTILITY VEHICLE OPERATIONS prescribing additional regulations for public conveyances for hire, relative to Rules on PUV Stops and Taxi Stands is hereby amended to read as follows:

- (a) PUVs must stop only at designated PUV Stops/Stations as indicated by signs and only within a reasonable time by which passengers are able to alight or board. For this purpose, the reasonable time referred herein shall not exceed 15 seconds from the time a PUV stops within the designated loading/unloading zone.
- (b) PUVs are prohibited from stopping at designated PUV stops that are empty and when no passenger on board is requesting for a stop.
- (c) Where a taxi stand is installed and whenever passenger(s) in it is/are waiting for a ride, empty taxis are prohibited from by-passing said taxi stand unless said passenger(s) convey(s) desire not to board the taxi.

- (d) Passenger of PUVs are required to observe proper queuing within the PUV Station/Taxi Stand. PUV drivers shall board the passenger ahead of the queue.
- (e) When stopping to board/unboard passengers, the front and the rear tires of PUVs and Taxis shall be within 18 inches of the road-side edge of the curb.
- (f) PUVs on queue shall allow for enough space for passengers to safely alight or board other PUVs ahead of the queue.

**Provided, that,** the PSD shall continuously conduct studies to improve transport and traffic management and recommend, for approval of the Mayor, the adoption and implementation of transport and traffic improvement measures, such as, but not limited to:

- i. PUVs Stop/Loading /Unloading Segregation – whereby PUVs are assigned separate stops by origin or destination and commuter loading is separated from point of unloading. The PSD shall conduct the necessary study and formulate. Recommend and implement PUV Stop/Loading and Unloading Segregation Scheme.
- ii. Yellow Lane Rule/PUV Priority Lanes - designating PUV Priority Lanes indicated by continuous yellow line to decongest traffic lanes assigned to public transport by limiting access to non-public utility vehicles based on time of day.
- iii. Tricycles Lanes – where warranted and for the safety of tricycles/pedicabs riders/drivers, yellow lanes for tricycles/pedicabs may be provided limiting access to tricycle/pedicabs only and prohibiting operation of tricycles/pedicabs outside the Tricycle Lane.

**Provided, also,** that subject to the result of the corresponding study, appropriate recommendation/s shall be submitted by the PSD to the Mayor and upon approval, the measure/s shall be implemented on an experimental basis and once proven beneficial, it maybe permanently adopted after two (2) weeks from submission of report and recommendation to the Mayor and the City Council.

**Provided, finally,** that for violations of any of the above rules and regulations on PUV Stops and Taxi Stands and any of the duly approved transport and traffic improvement measure/s enumerated under this Section, there shall be a fine of P500.00 plus seminar.

**Section 10.** Article XIX Section 103 (a) is hereby amended to read as follows:

- (a) In addition to the requirements in section 99 hereof, taxicabs must be equipped with light on taximeter and on top of taxi unit both permanently attached, clean seat covers, interior lights, etc. and must bear body markings in accordance with the standards required by LTFRB.

**Provided, that** for violation of this Section, there shall be imposed a fine of P300.00

**Section 11.** In relation to Section 58, Section 73(f), Section 94, Section 97, Section 100, Section 101, Section 102(a), and other related Sections of City Ordinance No.2003-089, duly deputized traffic officers are hereby granted authority to impound the motor vehicle of a violator found to have committed the following infractions, to wit:

- 11.1 Driving without license; driving without the license in possession; and/or, refusal/failure to surrender license;
- 11.2 Unregistered/improperly registered/delinquent or invalid registration;
- 11.3 Using license plates different from the body number;
- 11.4 Unregistered substitute or replacement motor, vehicle engine, engine block or chassis;
- 11.5 Unauthorized change of color or configuration;

- 11.6 Operating a motor vehicle with a suspended or revoked Certificate of Registration;
- 11.7 Illegal transfer of license plates, LTO/LGU-Issued tags or stickers;
- 11.8 Violations involving absence of required parts, accessories or devices or defective parts, accessories or devices which pose danger to the public;
- 11.9 Authorized route not properly painted;
- 11.10 Unauthorized/improvised number painted/printed on license plates;
- 11.11 Failure to paint vehicle business or trade name;
- 11.12 Failure to paint required markings;
- 11.13 No body number;
- 11.14 Using a radio or stereo in violation of existing regulation or without the necessary permit or in breach of the condition in permit or regulation.
- 11.15 Installation of Jalousies, curtains, dim colored lights, strobe lights, dancing lights or similar lights, colored, tinted or pointed windshield or window glass on “for hire” vehicles;
- 11.16 Fake vehicle registration sticker;
- 11.17 Fake license plate;
- 11.18 Fake official receipt and certificate of registration;
- 11.19 Tampered documents pertaining to franchising, registration and licensing;;
- 11.20 Failure to present any document regarding motor vehicle at the time of apprehension;
- 11.21 Breach of franchise conditions;
- 11.22 Use of fake/expired/invalid driver’s license/OVR;
- 11.23 Improper use of driver’s license;
- 11.24 Student driver unaccompanied by duly licensed driver;
- 11.25 Use of expired/unauthorized traffic violation ticket provided that the following are hereby considered as unauthorized traffic violation ticket:
  - 11.25.a) Traffic citation tickets declared invalid in the Court;
  - 11.25.b) Traffic citation tickets issued by LGUs outside Metro Manila.
- 11.26 Failure/refusal to remove illegally/improperly parked/stalled vehicles;
- 11.27 Double/multiple driver’s license/OVR;
- 11.28 Refusal to unload overloaded cargo trucks;
- 11.29 Out of line/operating outside its authorized route;
- 11.30 Colorum operation including private passenger automobiles, private trucks, private motorcycles/tricycles/pedicabs used as public transport for a fee;
- 11.31 Trip-cutting;
- 11.32 Refusal to convey passenger;
- 11.33 Non-issuance of fare tickets on bus;
- 11.34 Unauthorized use of commercial or business name;
- 11.35 Allowing another entity to use one’s commercial or business name;
- 11.36 Fast, tampered, defective, or non-operational taxi meter; tampered, broken, fake or altered meter seal;
- 11.37 Overcharging or undercharging of fare;
- 11.38 Taxi found to have any device contrivance, appliance or gadget for making the taximeter fast;
- 11.39 Tampered, broken, joined reconnected, fake or altered sealing wire;
- 11.40 Failure to present taxi unit for annual testing and calibration; old meter, transmission and/or triplex seal;
- 11.41 Loose triplex seal;
- 11.42 Plugged-up meter or operating taxi on contractual basis;
- 11.43 Operating a taxi unit without taximeter;
- 11.44 Unauthorized use of air-conditioning unit;
- 11.45 Improper panel route painting.

**Provide, that** technical impounding, whereby licensed plates(s) is/are confiscated, in lieu of physical impounding of vehicle is disallowed. License plate(s) may only be confiscated in accordance with LOI 43 and the Clean Air Act.

**Provide also, that** after due process, traffic officer(s) found violating this Section shall be immediately suspended for a time period to be determined by the City Mayor or his authorized representative without prejudice to the filing of appropriate charges against subject traffic officer(s).

**Section 12. Colorum Vehicles-** All motorized vehicles having four (4) wheels or more used to ferry passengers and/or carry cargoes for a fare or for hire basis, in order to operate as such, must secure a valid Certificate of Public Convenience (CPC) in accordance with existing LTFRB rules and regulations and be duly registered as such by the Land Transportation Office (LTO)

**Provided, that** motorized pedicabs, tricycles and/or three-wheeled vehicles used for public transport for a fare or to carry cargo for a fee or for hire basis must secure a permit to operate from the Makati City Government and be registered by the LTO before it can be operated as such;

**Provided, also, that** non-motorized pedicabs, tricycles and/or three-wheeled vehicles, used for public transport for a fare or to carry cargo for a fee or for hire basis must first secure a permit to operate from the Makati City Government before it can be operated as such;

**Provided, furthermore, that** no pedicabs, tricycles and/or three-wheeled vehicles, whether used for public transport or for private use only, may be operated in any national road;

**Provided furthermore also, that** violation of any of the above provisions shall constitute colorum operation punishable with the following schedule of fines and impoundment of vehicle:

- (a) not exceeding P2,500.00 for motorized vehicles having four (4) wheels or more; and
- (b) not exceeding P2,000.00 for motorized tricycles and/or three-wheeled vehicles and non-motorized pedicabs and/or three-wheeled vehicles.

**Provided finally, that** impounded unregistered motor vehicles and the license of its driver shall not be released until said motor vehicle is registered by the LTO.

**Section 13. Mandatory coordination of plans, programs and projects.** In accordance with Republic Act 7160, also known as Local Government code of 1991 mandating coordination with the City Government, plans, programs and projects to be undertaken within the jurisdictional boundary of the City by other agencies are required to be coordinated with and, when so required, secure the necessary permit/s from the City Government, to include the following:

- (a) Traffic enforcement operations by other traffic law enforcement agencies.

The City Mayor, vested with the power to exercise operational control over all law enforcement personnel assigned within his/her locality, shall necessarily be informed and his/her clearance be secured prior to traffic law enforcement operations to be undertaken within the jurisdiction of the City. All Law Enforcement Agencies intending to conduct traffic law enforcement operations within the City are required to present mission order/s to ensure that they have legitimate/authorized traffic enforcement operations to be conducted within the City.

- (b) Traffic engineering and transport infrastructure plans, programs and projects Particularly, insofar as, securing of excavation permit and traffic clearance/s.

The MMDA, DPWH, DOTC and other transport and traffic infrastructure agencies shall involve the City Government during planning stage of its transport and traffic management plans, programs and projects upon approval thereof, coordinate with and secure the necessary permit/s and clearance/s from the City Government.



- (c) Urban transport plans, programs and projects concerning the City, mainly in view of The traffic impact, including among others: issuance/renewal of Certificate of Public Conveyances; accreditation of public transport, cooperatives; and revision/extension/modification/amendment of routes, particularly, in relation to the requirement for garage which is regulated by the City;

No motorized vehicles, except tricycles, will be allowed to operate as public transport for hire without securing a Certificate of Public Convenience from the DOTC-LTFRB. All public transport operators intending to use/establish commuter facilities, such as, transit stations/sheds, terminal/s and garage/s (whether public or private) within the jurisdiction of the City shall first secure the required permit and the necessary endorsement from the Makati City Government before applying for a Certificate of Public Convenience with the DOTC-LTFRB. Where necessary, a traffic impact assessment shall be required prior to endorsement to DOTC-LTFRB.

**Section 14.** Surcharge for late payment of fines and penalties. – Unless otherwise specified herein, the surcharges prescribed under Appendix VI of Sangguniang Panlungsod Ordinance 2003-089 otherwise known as the Traffic Management Code of the City of Makati shall apply.

**Section 15. Separability Clause.** – If for any reason, any section or provision of this Ordinance is declared illegal or unconstitutional other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 16. Repealing Clause.** – All previous issuances, ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Code are hereby repealed or modified accordingly.

**Section 17.** Let copy of this Ordinance be furnished the Office of the Mayor, City Treasurer's Office, Accounting Office, Office of Floor Leader, Councilor Arnold C. Magpantay, and Office of all the Barangay Captains of District I and II, MAPSA and to all concern offices for their information, guidance and reference.

**Section 18.** Effectivity – This Ordinance shall take effect after fifteen (15) days from its publication in a newspaper of local circulation.

**ENACTED BY THE SANGGUNIANG PANLUNGSOD OF MAKATI, METRO MANILA,** in its regular session held on August 4, 2011.

Certified true and correct by:

**ATTY. ANA LUZ B. CRISTAL, CPA, MNSA**  
Secretary to the Sangguniang Panlungsod

Attested by:

**COUN. ARNOLD C. MAGPANTAY**  
Temporary Presiding Officer

Approved by:

**JEJOMAR ERWIN S. BINAY, JR.**  
City Mayor

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