

## **REPUBLIC ACT NO. 4136**

### **AN ACT TO COMPILE THE LAWS RELATIVE TO LAND TRANSPORTATION AND TRAFFIC RULES, TO CREATE A LAND TRANSPORTATION COMMISSION AND FOR OTHER PURPOSES**

#### **CHAPTER I**

##### **Preliminary Provisions Article**

#### **ARTICLE I**

##### **Title and Scope of Act**

**SECTION 1.** Title of Act. – This Act shall be known as the “Land Transportation and Traffic Code.”

**SECTION 2.** Scope of Act. – The provisions of this Act shall control, as far as they apply, the registration and operation of motor vehicles and the licensing of owners, dealers, conductors, drivers, and similar matters.

#### **ARTICLE II**

##### **Definitions**

**SECTION 3.** Words and Phrases Defined. – As used in this Act:

(a) “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, sprinklers, 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.

Trailers having any number of wheels, when propelled or intended to be propelled by attachment to a motor vehicle, shall be classified as separate motor vehicle with no power rating.

(b) “Passenger automobiles” shall mean all pneumatic-tire vehicles of types similar to those usually known under the following terms: touring car, command car, speedster, sports car, roadster, jeep, cycle car (except motor wheel and similar small outfits which are classified with motorcycles), coupe, landaulet, closed car, limousine, cabriolet, and sedan.

Motor vehicles with changed or rebuilt bodies, such as jeepneys, jitneys, or station wagons, using a chassis of the usual pneumatic-tire passenger automobile type, shall also be classified as passenger automobile, if their net allowable carrying capacity, as determined by the Commissioner of Land Transportation, does not exceed nine passengers and if they are not used primarily for carrying freight or merchandise.

The distinction between “passenger truck” and “passenger automobile” shall be that of common usage: Provided, That a motor vehicle registered for more than nine passengers shall be classified as “truck”: And Provided, further, That a “truck with seating compartments at the back not used for hire shall be registered under special “S” classifications. In case of dispute, the Commissioner of Land Transportation shall determine the classification to which any special type of motor vehicle belongs.

(c) “Articulated vehicle” shall mean any motor vehicle with a trailer having no front axle and so attached that part of the trailer rests upon motor vehicle and a substantial part of the weight of the trailer and of its load is borne by the motor vehicle. Such a trailer shall be called as “semi-trailer.”

(d) “Driver” shall mean every and any licensed operator of a motor vehicle.

(e) “Professional driver” shall mean every and any driver hired or paid for driving or operating a motor vehicle, whether for private use or for hire to the public.

Any person driving his own motor vehicle for hire is a professional driver. iatdc2005

(f) "Owner" shall mean the actual legal owner of a motor vehicle, in whose name such vehicle is duly registered with the Land Transportation Commission.

The "owner" of a government-owned motor vehicle is the head of the office or the chief of the Bureau to which the said motor vehicle belongs.

(g) "Dealer" shall mean every person, association, partnership, or corporation making, manufacturing, constructing, assembling, remodeling, rebuilding, or setting up motor vehicles; and every such entity acting as agent for the sale of one or more makes, styles, or kinds of motor vehicles, dealing in motor vehicles, keeping the same in stock or selling same or handling with a view to trading same.

(h) "Garage" shall mean any building in which two or more motor vehicles, either with or without drivers, are kept ready for hire to the public, but shall not include street stands, public service stations, or other public places designated by proper authority as parking spaces for motor vehicles for hire while awaiting or soliciting business.

(i) "Gross weight" shall mean the measured weight of a motor vehicle plus the maximum allowable carrying capacity in merchandise, freight and/or passenger, as determined by the Commissioner of Land Transportation.

(j) "Highways" shall mean every public thoroughfare, public boulevard, driveway, avenue, park, alley and callejon, but shall not include roadway upon grounds owned by private persons, colleges, universities, or other similar institutions.

(k) "The Commissioner of Land Transportation or his deputies" shall mean the actual or acting chief of the Land Transportation Commission or such representatives, deputies, or assistants as he may, with the approval of the Secretary of Public Works and Communications, appoint or designate in writing for the purpose contemplated by this Act.

(l) "Parking or parked", for the purposes of this Act, shall mean that a motor vehicle is "parked" or "parking" if it has been brought to a stop on the shoulder or proper edge of a highway, and remains inactive in that place or close thereto for an appreciable period of time. A motor vehicle which properly stops merely to discharge a passenger or to take in a waiting passenger, or to load or unload a small quantity of freight with reasonable dispatch shall not be considered as "parked", if the motor vehicle again moves away without delay.

(m) "Tourist" shall mean a foreigner who travels from place to place for pleasure or culture.

### ARTICLE III

#### Administration of Act

SECTION 4. Creation of the Commission. – (a) There is created under the Department of Public Works and Communications an office which shall be designated and known as the Land Transportation Commission, composed of one Commissioner and one Deputy Commissioner, who shall be vested with the powers and duties hereafter specified. Whenever the word "Commission" is used in this Act, it shall be deemed to mean the Land Transportation Commission, and whenever the word "Commissioner" is used in this Act, it shall be taken to mean the Commissioner or Deputy Commissioner, as the case may be.

(b) The Commissioner and Deputy Commissioner shall hold office until removed in accordance with the provisions of the Revised Administrative Code.

(c) The Commissioner shall receive an annual compensation of twenty thousand five hundred eighty pesos and the Deputy Commissioner, an annual compensation of eighteen thousand six hundred thirty-six pesos. The Commissioner shall be assisted by one head executive assistant (MV regulation adviser or chief), one administrative officer, one registration regulation chief, one

inspection, examination and licensing regulation chief, one law and traffic enforcement regulation chief, one provincial regulation chief, one utility and property regulation chief, one accounting officer, one internal chief auditor, one personnel officer III, one budget officer IV, and one chief medical division IV, who shall receive an annual compensation of fifteen thousand two hundred sixty-four pesos each; ten land transportation regional directors who shall receive an annual compensation of fourteen thousand five hundred thirty-two pesos each; ten transportation assistant regional directors, who shall receive an annual compensation of eleven thousand three hundred twenty-eight pesos each; and ten land transportation assistant regulation chiefs, who shall receive an annual compensation of thirteen thousand one hundred fifty-two pesos each; Provided, That the assistant chiefs of divisions shall receive an annual compensation of twelve thousand five hundred sixteen pesos each; the chiefs of sections, district supervisors, and land transportation registrars III shall receive an annual compensation of ten thousand two hundred sixty pesos each; the assistant district supervisors and land transportation registrars II shall receive an annual compensation of eight thousand eight hundred thirty-two pesos each; the land transportation registrars I shall receive an annual compensation of seven thousand six hundred eight pesos each; and all other employees in the land transportation commission whose salaries are paid monthly shall receive an increase in an amount equivalent to eight WAPCO ranges each, but in no case shall an employee exceed the salary of his immediate superior.

(d) The Commission shall have its offices in Quezon City where the present Motor Vehicle Office is located, and shall establish a regional branch office each in Tuguegarao (Cagayan), Baguio City, Pasig (Rizal), Lipa City, San Fernando (La Union), Naga City, Cebu City, Iloilo City, Cagayan de Oro City, and Davao City, to be headed by a regional director who will have immediate administration, supervision and control over all activities and administration of the Commission in the respective regions.

The Commissioner shall be responsible for the administration of this Act and shall have, in connection therewith, the following powers and duties, in addition to those mentioned elsewhere in this Act:

(1) With the approval of the Secretary of Public Works and Communications, to issue rules and regulations not in conflict with the provisions of this Act, prescribing the procedure for the examination, licensing and bonding of drivers; the registration and re-registration of motor vehicles, transfer of ownership, change of status; the replacement of lost certificates, licenses, badges, permits or number plates; and to prescribe the minimum standards and specifications including allowable gross weight, allowable length, width and height of motor vehicles, distribution of loads, allowable loads on tires, change of tire sizes, body design or carrying capacity subsequent to registration and all other special cases which may arise for which no specific provision is otherwise made in this Act.

(2) To compile and arrange all applications, certificates, permits, licenses, and to enter, note and record thereon transfers, notifications, suspensions, revocations, or judgments of conviction rendered by competent courts concerning violations of this Act, with the end in view of preserving and making easily available such documents and records to public officers and private persons properly and legitimately interested therein.

(3) To give public notice of the certificates, permits, licenses and badges issued, suspended or revoked and/or motor vehicles transferred and/or drivers bonded under the provisions of this Act.

(4) The Commissioner of Land Transportation, with the approval of the Secretary of Public Works and Communications, may designate as his deputy and agent any employee of the Land

Transportation Commission, or such other government employees as he may deem expedient to assist in the carrying out the provisions of this Act.

(5) The Commissioner of Land Transportation and his deputies are hereby authorized to make arrest for violations of the provisions of this Act in so far as motor vehicles are concerned; to issue subpoena and subpoena duces tecum to compel the appearance of motor vehicle operators and drivers and/or other persons or conductors; and to use all reasonable means within their powers to secure enforcement of the provisions of this Act.

(6) The Commissioner of Land Transportation or his deputies may at any time examine and inspect any motor vehicle to determine whether such motor vehicle is registered, or is unsightly, unsafe, overloaded, improperly marked or equipped, or otherwise unfit to be operated because of possible excessive damage to highways, bridges and/or culverts.

(7) The Philippine Constabulary and the city and municipal police forces are hereby given the authority and the primary responsibility and duty to prevent violations of this Act, and to carry out the police provisions hereof within their respective jurisdictions: Provided, That all apprehensions made shall be submitted for final disposition to the Commissioner and his deputies within twenty-four hours from the date of apprehension.

(8) All cases involving violations of this Act shall be endorsed immediately by the apprehending officer to the Land Transportation Commission. Where such violations necessitate immediate action, the same shall be endorsed to the traffic court, city or municipal court for summary investigation, hearing and disposition, but in all such cases, appropriate notices of the apprehensions and the dispositions thereof shall be given to the Commissioner of Land Transportation by the law-enforcement agency and the court concerned.

Notation of all such dispositions shall be entered in the records, and copy shall be mailed to the owner and to the driver concerned.

## CHAPTER II

### Registration of Motor Vehicles

#### ARTICLE I

##### Duty to Register, Reports, Applications, Classifications

SECTION 5. Compulsory Registration of Motor Vehicles. – (a) All motor vehicles and trailer of any type used or operated on or upon any highway of the Philippines must be registered with the Bureau of Land Transportation for the current year in accordance with the provisions of this Act. (b) The dates of annual registration of motor vehicles shall be based on a registration scheme to be prepared by the Bureau of Land Transportation subject to approval of the Minister of Transportation and Communications. The scheme shall provide for a system that will distribute the registration of motor vehicles equitably over different months in a calendar year. Said scheme and rates shall not be changed more often than once every three (3) years, and only upon due notice given to the public at least ninety (90) calendar days before the effectivity of such registration scheme.

Any registration of motor vehicles not renewed or before the date fixed by the Bureau of Land Transportation shall become delinquent and invalid.

(c) Dealer's Report. – Dealers shall submit to the Director of Land Transportation a report concerning the sale or transfer of or any other transaction involving motor vehicles, including such information as importation, manufacturing data, and number of stocks remaining, as the Director may require for the effective enforcement of the provision of this Act within five (5) working days from such sale, transfer or transaction. Such dealers shall furnish also the buyer with a duplicate copy thereof, duly authenticated by the Director of Land Transportation.

(d) Unauthorized repair or change of engine serial number. – Unless satisfactorily explained to and approved by the Director of Land Transportation, no repair involving the restoration of the original or registered serial number as stamped on the engine shall be allowed. No change involving an alteration of or tampering with the original or registered engine serial number of a motor vehicle shall ever be allowed, and any motor vehicle with a trace of having its engine serial number altered or tampered with shall be refused registration or re-registration.

(e) Encumbrances of motor vehicles. Mortgages, attachments, and other encumbrances of motor vehicles, in order to be valid against third parties must be recorded in the Bureau. Voluntary transactions or voluntary encumbrances shall likewise be properly recorded on the face of all outstanding copies of the certificates of registration of the vehicle concerned.

Cancellation or foreclosure of such mortgages, attachments, and other encumbrances shall likewise be recorded, and in the absence of such cancellation, no certificate of registration shall be issued without the corresponding notation of mortgage, attachment and/or other encumbrances.

Records of encumbrances of motor vehicles shall be kept by the Bureau of Land Transportation in chronological and/or alpha-numerical and/or any other sequence and shall contain, among other things, the time, date, number of the entry, and other cross-indexing entries for immediate data retrieval, in a “Book of Motor Vehicle Encumbrances” referring to the creation, cancellation or foreclosure of the aforesaid mortgages, attachments or to other encumbrances.

The Bureau of Land Transportation shall collect a fee of Fifty Pesos (P50.00) for every annotation of a mortgage, attachment and/or other encumbrances or cancellation thereof.

SECTION 6. Application and Payments for Registration. – Applications and payments for registration shall be made either personally or by registered mail, and the date of the cancellation of the postage stamps of envelopes containing money order or check shall be taken as the date of the application and/or payment for registration: Provided, That the application is properly prepared and the payment for registration is sufficient as required by law.

SECTION 7. Registration Classification. – The classification of vehicles shall be:

- (1) Private
- (2) For Hire
- (3) Government
- (4) Diplomatic

Within ninety days from the approval of this Act, appropriate subclassifications shall be determined by the Director of Land Transportation with the approval of the Minister of Transportation and Communications, taking into consideration the body configuration, weight, cubic displacement and/or number of cylinders of the motor vehicle.

(a) Private. – Motor vehicles registered under this classification shall not be used for hire under any circumstance.

(b) For Hire. – Motor vehicles registered under this classification are those covered by certificates of public convenience, or special permits issued by the Board of Transportation, and shall be subject to the provisions of the Public Service Act and the rules and regulations issued thereunder, as well as the provisions of this Act.

(c) Government. – Motor vehicles owned by the government of the Philippines or any of its political subdivisions shall be registered under this classification.

(d) Diplomatic. Motor vehicles owned by foreign governments or by their duly accredited diplomatic officers in the Philippines and used in the discharge of their official duties.

Tourists bringing their own motor vehicles to the Philippines may, however, without registering such motor vehicles, use the same during but not after ninety (90) days of their sojourn: Provided,

That the motor vehicle displays the number plates for the current year of some other country or state, and said number plates as well as the name and address (permanent and temporary) of the thereof are registered in the Bureau of Land Transportation prior to the operation of the motor vehicle.

If such tourists remain in the Philippines longer than ninety (90) days, the motor vehicle shall not be operated unless registered in accordance with this Act and the corresponding registration fees paid.

## ARTICLE II

### Registration Fees

SECTION 8. Schedule of Registration Fees. – Except as otherwise specifically provided in this Act, each application for registration of motor vehicles shall be accompanied by an annual registration fee in accordance with a schedule to be prepared by the Bureau of Land Transportation subject to the approval of the Minister of Transportation and Communications in consultation with the Minister of Finance. The fees in the schedule shall be fixed on the basis of the model, body configuration, weight, cubic displacement or number of cylinders of the motor vehicle and other relevant factors. Said schedule shall not be changed more often than once every three (3) years, and only upon due notice given to the public at least ninety (90) calendar days before the effectivity of such schedule: Provided, however, That beginning the calendar year 1981 and until changed pursuant to this section, the schedule of registration fees shall be as follows:

	Type	Gas	Diesel
Bantam Cars 0-1600 cc	Private	P300.00	P250.00
	For Hire	450.00	400.00
Light Cars 1601-1280 cc	Private	600.00	550.00
	For Hire	900.00	800.00
Heavy Cars 2801-over	Private	1,500.00	1,200.00
	For Hire	2,500.00	2,000.00

Trucks/Buses, including all types of utility vehicles (per 100 kg. of gross vehicle weight)	Private	20.00	2.00
	For Hire	30.00	15.00
Trailers (per 100 kg. of gross weight)	Private	P10.00	
	For Hire	12.00	
Mopeds (0-49 cc)		P60.00	
Mopeds (50-cc over) Without sidecar	Private	120.00	
With sidecar	Private	150.00	
Without sidecar	For Hire	150.00	
With sidecar	For Hire	240.00	

Provided, further, That registration fees for vehicles owned by the government and its political subdivisions shall be determined in consultation with the Minister of the Budget and within the constraints imposed by available funds: Provided, further, That all motor vehicles, regardless of type and/or classification, which are exclusively used and operated on private roads shall be subject to a recording fee of One Hundred Pesos (P100.00) only, for which stickers in lieu of regular plates shall be issued corresponding to the year of recording: Provided, finally, that such vehicles shall not be required to be physically brought to the office of the Bureau of Land Transportation for recording nor to be covered by compulsory vehicle insurance as required for registration purposes.

For uniformity of registration fees and classification, all manufacturers and/or assemblers of motor vehicles, prior to the introduction of a new model motor vehicle, shall submit the specifications of said model to the Bureau of Land Transportation which shall determine under what schedule of registration fees the said model should fall.

**SECTION 9. Permissible Weights and Dimensions of Vehicles in Highways Traffic.** – (a) The maximum gross weight and measurement of motor vehicles, unladen or with load, permissible on public highways shall be as specified hereunder, subject to such regulations as the Commissioner with the approval of the Secretary of Public Works and Communications, may promulgate, from time to time, as the conditions of the public highways may warrant and the needs of the service may require.

Permissible maximum weights:

1.	Per most heavily loaded wheel	three thousand six hundred kilograms;
2.	Per most heavily loaded axle	eight thousand kilograms;
3.	Per most heavily loaded axle group (the two axles of the group being at least one meter and less than two meters apart)	fourteen thousand five hundred kilograms.

An axle weight shall be the total weight transmitted to the road by all the wheels the centers of which can be included between the parallel transverse vertical planes one meter apart extending across the full width of the vehicles.

No provincial, city or municipal authority shall enact or enforce any ordinance or resolution regulating or prescribing the maximum gross weight of any motor vehicle.

(b) No motor vehicle operating as a single unit shall exceed the following dimensions:

Overall width	two and five-tenths meters
Overall height	four meters
Overall length:	
Freight vehicles with two axles	ten meters
Passenger vehicles with two axles	eleven meters
Vehicles with three or more axles	fourteen meters

(c) No motor vehicle and/or trailer combination shall exceed eighteen meters in overall projected length, including any load carried on such vehicle and trailer.

(d) No articulated vehicles shall be allowed to draw or pull a trailer and no vehicle already drawing a trailer shall draw another.

**SECTION 10. Special Permits, Fees for.** – The Commissioner with the approval of the Secretary of Public Works and Communications, shall issue regulations and schedules of additional fees under which special permits may be issued in the discretion of the Commissioner or his deputies for each of the following special cases, without which special permit no vehicles shall be operated on the public highways:

(a) To operate a motor vehicle or trailer outfit with wheel, axle, or axle group loads in excess of the limits fixed in subsection (a) of Section nine hereof or in any regulation issued by the Commissioner.

(b) To operate a motor vehicle the size of which exceeds the limit of permissible dimensions specified in paragraph (b) of Section nine hereof.

(c) To operate a motor vehicle with any part of the load extending beyond the projected width of the vehicle.

(d) To pull two trailers behind a motor vehicle.

(e) For any other special authority relating to the use of vehicles, not otherwise specifically provided herein.

SECTION 11. Additional Fees. – In addition to the fees elsewhere provided in this Act, for each change of registration, from private to for hire or vice-versa; revision of gross weight rating, change of tire size; transfer of ownership; replacement of a lost registration certificate, number plate, driver's license or permit; badge; preparation of affidavit or certified copy of records, or for any similar circumstances requiring the issue, revision, or reissue of a certificate of registration, driver's license, badge, permit, or other document, a fee of two pesos shall be collected.

The replacement of a lost or utterly spoiled certificate, number plate, license, badge or permit shall render the original invalid.

In case of request in writing for certification of data or facts involving two or more vehicles, a fee of five pesos a page or part thereof shall be collected for each certification.

SECTION 12. Fee for Original Registration for Part of Year. – If any application for the original registration is made during the first quarter of a calendar year, the total annual fee for the year shall be paid, if made during the second quarter, three-fourths of the annual fee for that year shall be paid, if made during the third quarter, one half of the annual fee shall be paid, and if made during the fourth quarter, one-fourth of the annual fee shall be paid.

Nothing in this section shall be construed as allowing quarterly renewals of registrations in order to avoid payment of fees in advance for the entire year.

SECTION 13. Payment of Taxes Upon Registration. – No original registration of motor vehicles subject to payment of taxes, customs duties or other charges shall be accepted unless proof of payment of the taxes due thereon has been presented to the Commission.

### ARTICLE III

#### Registration Certificates, Records, Number Plates

SECTION 14. Issuance of Certificates of Registration. – A properly numbered certificate of registration shall be issued for each separate motor vehicle after due inspection and payment of corresponding registration fees.

SECTION 15. Use and Authority of Certificate of Registration. – (a) The said certificate shall be preserved and carried in the car by the owner as evidence of the registration of the motor vehicle described therein, and shall be presented with subsequent applications for re-registration, transfer of ownership, or recording of encumbrances: Provided, That in lieu of the certificate of registration a true copy or photostat thereof may be carried in the motor vehicle.

(b) The certificate of registration issued under the provisions of this Act for any motor vehicle shall, while the same is valid and effective and has not been suspended or revoked, be the authority for the operation of such motor vehicle.

(c) No motor vehicle shall be operated on the public highways in a manner which would place it under a classification requiring the payment of a larger registration fee than that stated in the certificate of registration.

SECTION 16. Suspension of Registration Certificate. – If on inspection, as provided in paragraph (6) of Section four hereof, any motor vehicle is found to be unsightly, unsafe, overloaded, improperly marked or equipped, or otherwise unfit to be operated, or capable of causing excessive damage to the highways, or not conforming to minimum standards and specifications, the Commissioner may refuse to register the said motor vehicle, or if already registered, may require the number plates thereof to be surrendered to him, and upon seventy-two hours notice to the owner of the motor vehicle, suspend such registration until the defects of the vehicle are corrected and/or the minimum standards and specifications fully complied with.



Whenever it shall appear from the records of the Commission that during any twelve-month period more than three warnings for violations of this Act have been given to the owner of a motor vehicle, or that the said owner has been convicted by a competent court more than once for violation of such laws, the Commissioner may, in his discretion, suspend the certificate of registration for a period not exceeding ninety days and, thereupon, shall require the immediate surrender of the number plates.

Whenever a motor vehicle is found to be underweighed the owner thereof shall pay the difference in the registration fees corresponding to the shortage in weight plus a fifty per cent surcharge, and until such payment is made, the certificate of registration of the motor vehicle concerned shall be suspended by the Commissioner.

After two such suspension, re-registration of the vehicle concerned for one year may be denied.

The Commissioner shall notify the owner of the motor vehicle of any action taken by him under this section.

**SECTION 17. Number Plates, Preparation and Issuance of.** – The Bureau of Land Transportation shall cause reflective number plates to be prepared and issued to owners of motor vehicles and trailers registered and recorded in the Bureau of Land Transportation under this Act, as amended, for a reasonable fee: Provided, That the fee shall be subject to the approval of the Minister of Transportation and Communications in consultation with the Minister of Finance, and, Provided, further, That the identification, numbers and letters of any motor vehicle number plate shall be permanently assigned to such motor vehicle during its lifetime. No motor vehicles shall be exempted from payment of registration fees. Motor vehicles for hire and privately owned motor vehicles shall bear plates of reflective materials so designed and painted with different colors to distinguish one class from another.

The transfer of motor vehicle plates whether temporary or regular, validating tags and/or stickers from one motor vehicle to another without permit from the Bureau of Land Transportation, except security number plates on authorized vehicles, shall be punishable with a fine of not less than Five Thousand Pesos (P5,000.00) and/or imprisonment of six months at the discretion of the Court.

For purposes of renewal of registration of motor vehicles, the Director or his Deputies shall issue validating tags and stickers indicating the year of registry, charging a reasonable fee: Provided, That the fee shall be subject to the approval of the Minister of Transportation and Communications in consultation with the Minister of Finance.

**SECTION 18. Use of Number Plates.** – At all times, every motor vehicle shall display in conspicuous places, one in front and one in the rear thereof, the said number plates.

The number plates shall be kept clean and cared for, and shall be firmly affixed to the motor vehicle in such a manner as will make it entirely visible and always legible.

Except in the case of dealer's number plates which may be used successively on various motor vehicles in stock, no person shall transfer number plates from one motor vehicle to another.

No dealer's number plate shall be used on any motor vehicle after said vehicle has been sold and delivered to a purchaser, and no dealer shall allow such dealer's number plates to be used on any motor vehicle after its sale and delivery to a purchaser.

### CHAPTER III

#### Operation of Motor Vehicle

#### ARTICLE I

#### License to Drive Motor Vehicles

SECTION 19. Duty to have License. – Except as otherwise specifically provided in this Act, it shall be unlawful for any person to operate any motor vehicle without having in his possession a valid license to drive a motor vehicle.

The license shall be carried by the driver at all times when operating a motor vehicle, and shall be shown and/or surrendered for cause and upon demand to any person with authority under this Act to confiscate the same.

SECTION 20.

SECTION 21. Operation of Motor Vehicles by Tourists. – Bona fide tourist and similar transients who are duly licensed to operate motor vehicles in their respective countries may be allowed to operate motor vehicles during but not after ninety days of their sojourn in the Philippines.

If any accident involving such tourist or transient occurs, which upon investigation by the Commissioner or his deputies indicates that the said tourist or transient is incompetent to operate motor vehicles, the Commissioner shall immediately inform the said tourist or transient in writing that he shall no longer be permitted to operate a motor vehicle.

After ninety days, any tourist or transient desiring to operate motor vehicles shall pay fees and obtain and carry a license as hereinafter provided.

SECTION 22. Application for Driver's License, Fees, Examination. – Every person who desires to personally operate any motor vehicle shall file an application to the Director or his deputies for a license to drive motor vehicles: Provided, however, That no person shall be issued a professional driver's license who is suffering from contagious diseases, such as tuberculosis, sexually transmitted diseases and epilepsy or who is an alcohol or drug addict or dependent.

Each such application, except in the case of enlisted men operating government-owned vehicles, shall be accomplished by a fee of five pesos, and shall contain such information respecting the applicant and his ability to operate motor vehicles, as may be required by the Bureau.

The Director or his deputies shall also ascertain that the applicant's health, sight and hearing are sound and normal, and is physically and mentally fit to operate motor vehicles. To this end, the Director or his deputies shall require a certificate to that effect, signed by a reputable accredited physician.

An examination, theoretical and practical, to determine every applicant's ability and fitness to operate motor vehicles to be conducted by the Director in such form and manner as he shall prescribe shall also be required. A manual containing the general scope of the examinations and such information as may be necessary for the guidance of the applicants and for the purpose of effectivity and implementation of this Act may be published in an official language and distributed at no cost to the applicants.

No application for a driver's license shall be received, unless the applicant:

(1) For a professional driver's license, is at least eighteen years of age, possesses a valid student-driver's permit and has undergone instruction in the operation of motor vehicles for at least five months under a qualified instructor: Provided, however, That the period of time the applicant has operated a motor vehicle with a non-professional driver's license shall be credited against the period of instruction required herein; and

(2) For a non-professional driver's license, is at least seventeen years of age, possesses a valid student-driver's permit and has undergone instruction in the operation of motor vehicles for at least a month.

SECTION 23. Issuance of Driver's License, Fees and Validity. – If, after such examination, the Director or his deputies find that the applicant possesses the necessary qualification and proficiency in the operation of motor vehicles, is able to read and write any of the official languages

or a major dialect and knows how to read and interpret various traffic signs, signals and road markings, a professional or nonprofessional license may be issued to such applicant upon payment of the fee prescribed in accordance with law, but prior to the issuance of said license, the applicant shall present himself in person and have his photograph taken by the bureau. All driver's licenses issued shall be signed in the presence of the Director or his deputies and shall bear, among others, the full name, date of birth, height, weight, sex, color of eyes, blood type, complete current address, right hand thumbprint of the licensee, license number, and its date of issue and expiration.

In the issuance of licenses, the Bureau shall use such process or adopt such measure as will prevent any alteration or falsification of a license or will enable the Bureau to detect any unauthorized license.

Except for student permits and new licenses, all driver's licenses shall be valid for three consecutive years reckoned from the birthdate of the licensee, unless sooner revoked or suspended: Provided, however, That, subject to Section twenty-six hereof, any holder of a professional or nonprofessional driver's license who has not committed any violation during the three-year period shall be entitled to a renewal of such license for five-year period.

SECTION 24. Use of Driver's License and Identification Card. – Every license issued under the provisions of this Act to any driver shall entitle the holder thereof, while the same is valid and effective, to operate motor vehicles described in such license: Provided, however, That every licensed professional driver, before operating a public utility vehicle registered under classification (b) of Section seven hereof, as amended by Batas Pambansa Bilang 74, shall secure from the Director, upon payment of the sum of five pesos, a driver's identification card which he shall, at all times while so operating a public utility vehicle, display in plain sight in the vehicle being operated. The identification card shall be issued simultaneously with the license.

It shall be unlawful for any duly licensed driver to transfer, lend or otherwise allow any person to use his license for the purpose of enabling such person to operate a motor vehicle.

No owner of a motor vehicle shall engage, employ, or hire any person to operate such motor vehicle, unless the person sought to be employed is a duly licensed professional driver.

SECTION 25. Driver's Records. – Any driver who changes his address shall, within fifteen days, notify the Commissioner in writing of his new address, name and address of his new employer, the number of the motor vehicle he is employed to operate, and such other information as the Commissioner may require.

SECTION 26. Renewal or Replacement of Lost License. – Any license not renewed on or before the last working day prior to the expiry date of such license as provided for in the third paragraph of Section twenty-three of this Act shall become delinquent and invalid, except when the license is surrendered to the Director or his deputies on or before the last working day prior to the expiry date of such license as hereinabove specified in order to avoid payment of the delinquency fees.

For a renewal of a delinquent license, there shall be collected as delinquency fee, in addition to the basic fee as prescribed, an amount equivalent to fifty per cent of said basic fee.

Every applicant for renewal of license to operate any motor vehicle shall present to the Director or his deputies, in person, the license issued to the applicant for the previous period, together with the basic fee hereinabove prescribed, and, in the case of professional drivers, three copies of a readily recognizable photograph of the applicant taken by the Bureau. In case the applicant for renewal has committed three or more offenses within a period of one year, or has suffered any injury or illness that impairs his ability to operate motor vehicles, he shall be required to undergo a theoretical and practical examination in order to determine his ability and fitness to operate motor vehicles.

Lost License. – In case the license has been lost or cannot be produced, the licensee shall apply for a duplicate of the original on file with the Bureau by filing a sworn statement that such license has been lost and that a thorough and diligent search was futile and in accordance with the procedure which the Director is hereby authorized to promulgate, subject to the approval of the Minister of Transportation and Communications.

The Director or his deputies are hereby authorized to administer the oath in connection with such application.

SECTION 27. Authority to Suspend, Revoke and Reinstate Driver's License. – Without prejudice to the authority of the court in appropriate cases and except as herein otherwise provided, the Director shall have exclusive power and authority to suspend or revoke for cause any driver's license issued under the provisions of this Act.

(a) The Director may suspend for a period not exceeding three months or, after hearing, revoke any driver's license and may order such license, whether confiscated by, and/or in the possession of, any other law enforcement agencies deputized in accordance with paragraph (d) (1) of Section four of this Act, to be delivered to him whenever he has reason to believe that the holder thereof is an improper person to operate motor vehicles, or in operating or using a motor vehicle in, or as an accessory to, the commission of any crime or act which endangers the public. Any deputy of the Director may, for the same cause, suspend for a period not exceeding three months any driver's license issued under the provisions of this Act; Provided, that such suspension may be appealed to the Director who may, after reviewing the case, confirm, reverse or modify the action taken by such deputy.

(b) Whenever during any twelve-month period a driver shall have been convicted at least three times for the violations of any provisions of this Act or of any regulations issued by the Director or any municipal or city ordinance relating to motor vehicle traffic not in conflict with any of the provisions of this Act, the Director may revoke or suspend the license of such driver for a period not exceeding two years.

(c) The license suspended or revoked under the provisions of subsections (a) and (b) of this section shall not be reinstated by the Director, unless the driver has furnished a bond in accordance with Section twenty-nine of this Act and only after the Director has satisfied himself that such driver may again safely be permitted to operate a motor vehicle.

(d) A decision of the Director revoking or refusing the reinstatement of a license under the provisions of this section may be appealed to the Minister of Transportation and Communications.

SECTION 28. Driver's Bond. – The Director before reinstating any driver's license which has been suspended or revoked under the provisions of the preceding section or of any provisions of this Act, may require such driver to post a bond in the sum of five thousand pesos conditioned upon the satisfaction and payment of any claim which may be filed or of any execution which may be issued against such driver in any case wherein said driver may be held answerable while operating motor vehicles. The bond required in this section shall be in such form as to render sureties liable at least for a period of not less than one year nor more than three years: Provided, however, That upon written application to the Director for release from such bond, the Director may, after revoking or suspending the driver's license, authorize the release of the bondsmen from further responsibility thereunder: Provided further, That should the Director decide not to revoke the license of a driver who has been convicted of homicide through reckless imprudence, or of violation of the speed limit or of reckless driving at least three times within a twelve-month period, the said driver shall post a bond in the sum of not less than ten thousand pesos, conditioned upon

the payment of any claim which may be filed or any execution which may be issued against him in any case wherein said driver may be held answerable while operating motor vehicles.

SECTION 29. Confiscation of Driver's License. – Law enforcement and peace officers of other agencies duly deputized by the Director shall, in apprehending a driver for any violation of this Act or any regulations issued pursuant thereto, or of local traffic rules and regulations not contrary to any provisions of this Act, confiscate the license of the driver concerned and issue a receipt prescribed and issued by the Bureau therefor which shall authorize the driver to operate a motor vehicle for a period not exceeding seventy-two hours from the time and date of issue of said receipt. The period so fixed in the receipt shall not be extended, and shall become invalid thereafter. Failure of the driver to settle his case within fifteen days from the date of apprehension will be a ground for the suspension and/or revocation of his license.

SECTION 30. Student-Driver's Permit. – Upon proper application and the payment of the fee prescribed in accordance with law, the Director or his deputies may issue student-driver's permits, valid for one year to persons not under sixteen years of age, who desire to learn to operate motor vehicles.

A student-driver who fails in the examination on a professional or non-professional license shall continue as a student-driver and shall not be allowed to take another examination at least one month thereafter. No student-driver shall operate a motor vehicle, unless possessed of a valid student-driver's permit and accompanied by a duly licensed driver.

The licensed driver duly accredited by the Bureau, acting as instructor to the student-driver, shall be equally responsible and liable as the latter for any violation of the provisions of this Act and for any injury or damage done by the motor vehicle on account or as a result of its operation by a student-driver under his direction.

## ARTICLE II

### Illegal Use of Licenses, Number Plates, Etc.

SECTION 31. Imitation and False Representations. – No person shall make or use or attempt to make or use a driver's license, badge, certificate of registration, number plate, tag, or permit in imitation or similitude of those issued under this Act, or intended to be used as or for a legal license, badge, certificate, plate, tag or permit, or with intent to sell or otherwise dispose of the same to another. No person shall falsely or fraudulently represent as valid and in force any driver's license, badge, certificate, plate, tag or permit issued under this Act which is delinquent or which has been revoked or suspended.

No person shall, knowingly and with intent to deceive, make one or more false or fraudulent statements in an application for the registration of vehicles, or for a driver's license.

## ARTICLE III

### Passengers and Freight

SECTION 32. (a) Exceeding Registered Capacity, Issuance of Conductor's License, Validity and Fee. – No person operating any motor vehicle shall allow more passengers or more freight or cargo in his vehicle than its registered carrying capacity. In the case of public utility trucks or buses, the conductor shall be exclusively liable for the violations of this section or of Section thirty-two, letter (c) hereof: Provided, That the conductor before being employed by any public service operator shall get a permit or license from the Bureau and pay the fee prescribed in accordance with law, for said license or permit issued in his favor, which shall be valid for three years, and the same is renewable on or before the last working day prior to or on his birthdate, attaching a readily recognizable photograph taken by the Bureau and after presentation of a medical certificate of fitness of applicant.

Passenger trucks may be allowed to construct any cargo-carrying device at the rear or at the side of the truck, subject to the approval of the Director: Provided, however, That the total weight of the device, including the cargo, shall not exceed one hundred kilos.

(b) Carrying of Passengers and Freight on Top of Vehicles. – No person operating a motor vehicle shall allow any passenger to ride on the cover or top of such vehicles: Provided, however, That, subject to such conditions as may be contained in permits that may be issued by the Director, baggage or freight may be carried on the top of a truck so long as the weight thereof does not exceed twenty kilos per square meter and is distributed in such a manner as not to endanger the passengers or stability of the truck.

(c) Riding on Running Boards. – No driver shall allow any person to ride on the running board, step board, or mudguard of his motor vehicle for any purpose while the vehicle in motion.

SECTION 33. Passenger or Freight Capacity Marked on Vehicle. – All passengers automobiles for hire shall have the registered passenger capacity plainly and conspicuously marked on both sides thereof, in letters and numerals not less than five centimeters in height.

All motor trucks, whether for passenger or freight, private, or for hire, shall have the registered passenger gross and net weight capacities plainly and conspicuously marked on both sides thereof, in letters and numerals not less than five centimeters in height.

#### ARTICLE IV

##### Accessories of Motor Vehicles

SECTION 34. (a) Tires of Motor Vehicles. – No motor vehicle with metallic tires shall be operated upon any public highway, and solid tires whenever used shall be of sufficient thickness to prevent the metal rims thereof from coming in direct contact with the road.

(b) Brakes. – Every motor vehicle with four or more wheels shall be provided with dual hydraulic brake system so that in case of hydraulic line failure affecting the braking efficiency of any of the four wheels at least either the front or rear wheels shall retain normal braking capabilities. In the absence of such dual braking system every motor vehicle with four or more wheels shall be provided with safety valve devices of such design and make so that failure of the hydraulic braking system of the vehicle because of leakage in the line or other parts of the system will not affect all wheels but rather render at all times effective the braking power of either the two front wheels or the two rear wheels when brakes are applied. This requirement, however, does not apply to motor vehicles equipped with pneumatic braking system.

(b-1) Horns. – Every motor vehicle shall be provided with a horn or signalling device in good working order: Provided, however, That no horn or signalling device emitting an exceptionally loud, startling, or disagreeable sound shall be installed or used on any motor vehicle.

All authorized emergency vehicles, such as ambulance and police cars and fire wagons used for emergency calls shall be equipped with a bell, siren, or exhaust whistle of a type approved by the Commissioner, and no such device shall be installed or used in any other vehicle.

No vehicle not classified as a motor vehicle under this Act shall be equipped with a horn or signalling device similar to the horn customarily used on motor vehicles.

(c) Headlights. – Every motor vehicle of more than one meter of projected width, while in use on any public highway shall bear two headlights, one on each side, with white or yellowish light visible from the front, which, not later than one-half hour after sunset and until at least one-half hour before sunrise and whenever weather conditions so require, shall both be lighted.

Additional lamps and light may be carried, but no red lights shall be visible forward or ahead of the vehicle. Trucks, buses, trailers, and other similar vehicles must carry, while in use on any

public highway during night-time, colored riding lights on each of the four corners not more than ten centimeters from the top.

All motor vehicles shall be equipped with devices for varying the intensity of light, and the driver must dim the headlights or tilt the beams downward whenever the vehicle is being operated on well-lighted streets within the limits of cities, municipalities, and thickly populated barrios or districts, or whenever such vehicle meets another vehicle on any public highway.

(d) Taillights. – Every motor vehicle and trailer shall, during the above-mentioned hours, also bear on each side in the rear a lamp showing a red light visible at least one hundred meters from the rear of the vehicle and a lamp throwing a white light upon the number plate issued for such vehicle.

(e) Stop lights. – Every motor vehicle shall be equipped at the rear with at least one lamp which shall throw a sustained bright red light visible under all conditions, even under bright sunlight, when the brakes are applied. Each bus, truck, trailer or similar vehicle shall be equipped, as its stop light at or near its rear center, with a lamp at least twelve centimeters in diameter with the word “stop” inscribed in the center.

(f) Motorcycle and other vehicle lights. Every motor vehicle of less than one meter of projected width shall be subject to the preceding provisions of this section, except that one headlight and one taillight shall be required. No signal light shall be necessary.

Additional lamps may be carried provided they comply with the preceding provisions of this section.

Every motor vehicle, or whatever style, kind, make, character, or nature, when upon a highway during the hours above-mentioned, whether in motion or not, shall have one or more lights so arranged that the same shall be visible at least fifty meters from the front and the rear of such vehicle.

(g) Lights when parked or disabled. – Appropriate parking lights or flares visible one hundred meters away shall be displayed at a corner of the vehicle whenever such vehicle is parked on highways or in places that are not well-lighted or is placed in such manner as to endanger passing traffic.

(h) Windshield wiper. – Every motor vehicle shall be equipped with a mechanically or electrically operated device for wiping off raindrops or other moisture from its front windshield.

(i) Use of red flag. – Whenever the load of any vehicle extends more than one meter beyond the bed or body thereof, there shall be displayed at every projecting end of such load a red flag not less than thirty centimeters both in length and width, except that during the hours fixed under subsection (c), there shall be displayed, in lieu of the required red flags, red lights visible at least fifty meters away.

(j) Mufflers. – Every motor vehicle propelled by an internal combustion engine shall be equipped with a muffler, and whenever said motor vehicle passes through a street of any city, municipality, or thickly populated district or barrio, the muffler shall not be cut out or disconnected. No motor vehicle shall be operated in such a manner as to cause it to emit or make any unnecessary or disagreeable odor, smoke or noise.

## CHAPTER IV

### Traffic Rules

#### ARTICLE I

##### Speed Limit and Keeping to the Right

SECTION 35. Restriction as to Speed. – (a) Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed, not greater nor less than is reasonable and proper, having due regard for the traffic, the width of the highway, and of any other condition then

and there existing; and no person shall drive any motor vehicle upon a highway at such a speed as to endanger the life, limb and property of any person, nor at a speed greater than will permit him to bring the vehicle to a stop within the assured clear distance ahead.

(b) Subject to the provisions of the preceding paragraph, the rate of speed of any motor vehicle shall not exceed the following:

**MAXIMUM ALLOWABLE SPEEDS**

	Passengers Cars	Motor trucks and Motorcycle and buses		
1.	On open country roads, with no “blinds corners” not closely bordered by habitations.	80 km.	50 km.	
	per hour	per hour		
2.	On “through streets” or boulevards, clear of traffic, with no “blind corners,” when so designated.	40 km.	30 km.	
	per hour	per hour		
3.	On city and municipal streets, with light traffic, when not designated “through streets.”	30 km.	30 km.	
	per hour	per hour		
4.	Through crowded streets, approaching intersections at “blind corners,” passing school zones, passing other vehicles which are stationary, or for	20 km.	20 km.	
	similar dangerous circumstances.	per hour	per hour	

(c) The rates of speed hereinabove prescribed shall not apply to the following:

- (1) A physician or his driver when the former responds to emergency calls;
- (2) The driver of a hospital ambulance on the way to and from the place of accident or other emergency;
- (3) Any driver bringing a wounded or sick person for emergency treatment to a hospital, clinic, or any other similar place;
- (4) The driver of a motor vehicle belonging to the Armed Forces while in use for official purposes in times of riot, insurrection or invasion;
- (5) The driver of a vehicle, when he or his passengers are in pursuit of a criminal;
- (6) A law-enforcement officer who is trying to overtake a violator of traffic laws; and
- (7) The driver officially operating a motor vehicle of any fire department, provided that exemption shall not be construed to allow unless or unnecessary fast driving of drivers afore-mentioned.

**SECTION 36. Speed Limits Uniform Throughout the Philippines.** – No provincial, city or municipal authority shall enact or enforce any ordinance or resolution specifying maximum allowable speeds other than those provided in this Act.

**SECTION 37. Driving on Right Side of Highway.** – Unless a different course of action is required in the interest of the safety and the security of life, person or property, or because of unreasonable difficulty of operation in compliance herewith, every person operating a motor vehicle or an animal-drawn vehicle on a highway shall pass to the right when meeting persons or vehicles coming toward him, and to the left when overtaking persons or vehicles going the same direction,



and when turning to the left in going from one highway to another, every vehicle shall be conducted to the right of the center of the intersection of the highway.

SECTION 38. Classification of Highways. – Public highways shall be properly classified for traffic purposes by the provincial board, municipal board or city council having jurisdiction over them, and said provincial board, municipal board or city council shall provide appropriate signs therefor, subject to the approval of the Commissioner. It shall be the duty of every provincial, city and municipal secretary to certify to the Commissioner the names, locations, and limits of all “through streets” designated as such by the provincial board, municipal board or council.

## ARTICLE II

### Overtaking and Passing a Vehicle, and Turning at Intersections

SECTION 39. Overtaking a Vehicle. – The driver of any motor vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle except that on a highway, within a business or residential district, having two or more lanes for the movement of traffic in one direction, the driver of a vehicle may overtake and pass another vehicle on the right. Nothing in this section shall be construed to prohibit a driver overtaking and passing, upon the right, another vehicle which is making or about to make a left turn.

SECTION 40. Driver to Give Way to Overtaking Vehicle. – The driver of a vehicle about to be overtaken and passed by another vehicle approaching from the rear shall give way to the overtaking vehicle on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

SECTION 41. Restrictions on Overtaking and Passing. –

(a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking or passing another vehicle proceeding in the same direction, unless such left side is clearly visible, and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking or passing to be made in safety.

(b) The driver of a vehicle shall not overtake or pass another vehicle proceeding in the same direction, when approaching the crest of a grade, not upon a curve in the highway, where the driver's view along the highway is obstructed within a distance of five hundred feet ahead, except on a highway having two or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake or pass another vehicle: Provided, That on a highway within a business or residential district, having two or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake or pass another vehicle on the right.

(c) The driver of a vehicle shall not overtake or pass any other vehicle proceeding in the same direction, at any railway grade crossing, nor at any intersection of highways unless such intersection or crossing is controlled by traffic signal, or unless permitted to do so by a watchman or a peace officer, except on a highway having two or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake or pass another vehicle on the right. Nothing in this section shall be construed to prohibit a driver overtaking or passing upon the right another vehicle which is making or about to make a left turn.

(d) The driver of a vehicle shall not overtake or pass, or attempt to pass, any other vehicle, proceeding in the same direction, between any points indicated by the placing of official temporary warning or caution signs indicating that men are working on the highway.

(e) The driver of a vehicle shall not overtake or pass, or attempt to overtake or pass, any other vehicle proceeding in the same direction in any “no-passing or overtaking zone.”

## ARTICLE III

## Right of Way and Signals

SECTION 42. Right of Way. – (a) When two vehicles approach or enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right, except as otherwise hereinafter provided. The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

(b) The driver of a vehicle approaching but not having entered an intersection, shall yield the right of way to a vehicle within such intersection or turning therein to the left across the line of travel of such first-mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required in this Act.

(c) The driver of any vehicle upon a highway within a business or residential district shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except at intersections where the movement of traffic is being regulated by a peace officer or by traffic signal. Every pedestrian crossing a highway within a business or residential district, at any point other than a crosswalk shall yield the right of way to vehicles upon the highway.

(d) The driver of a vehicle upon a highway shall bring to a full stop such vehicle before traversing any “through highway” or railroad crossing: Provided, That when it is apparent that no hazard exists, the vehicle may be slowed down to five miles per hour instead of bringing it to a full stop.

SECTION 43. Exception to the Right of Way Rule. – (a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway.

(b) The driver of a vehicle upon a highway shall yield the right of way to police or fire department vehicles and ambulances when such vehicles are operated on official business and the drivers thereof sound audible signal of their approach.

(c) The driver of a vehicle entering a “through highway” or a “stop intersection” shall yield the right of way to all vehicles approaching in either direction on such “through highway”: Provided, That nothing in this subsection shall be construed as relieving the driver of any vehicle being operated on a “through highway” from the duty of driving with due regard for the safety of vehicles entering such “through highway” nor as protecting the said driver from the consequence of an arbitrary exercise of such right of way.

SECTION 44. Signals on Starting, Stopping or Turning. –

(a) The driver of any vehicle upon a highway, before starting, stopping or turning from a direct line, shall first see that such movement can be made in safety, and if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle approaching or following may be affected by such movement, shall give a signal plainly visible to the driver of such other vehicles of the intention to make such movement.

(b) The signal herein required shall be given by means of extending the hand and arm beyond the left side of the vehicle, or by an approved mechanical or electrical signal device.

## ARTICLE IV

### Turning and Parking

SECTION 45. Turning at Intersections. – (a) The driver of a vehicle intending to run to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right-hand side of the highway and, in turning, shall keep as close as possible to the right-hand curb or edge of the highway.

(b) The driver of a vehicle intending to turn to the left shall approach such intersection in the lane for traffic to the right of and nearest to the center line of the highway, and, in turning, shall pass to

the left of the center of the intersection, except that, upon highways laned for traffic and upon one-way highways, a left turn shall be made from the left lane of traffic in the direction in which the vehicle is proceeding.

(c) For the purpose of this section, the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting one another, except when it is occupied by a monument, grass plot or any permanent structure, other than a traffic control device.

SECTION 46. Parking Prohibited in Specified Places. – No driver shall park a vehicle, or permit it to stand, whether attended or unattended, upon a highway in any of the following places:

(a) Within an intersection.

(b) On a crosswalk.

(c) Within six meters of the intersection of curb lines.

(d) Within four meters of the driveway entrance to and fire station.

(e) Within four meters of a fire hydrant.

(f) In front of a private driveway.

(g) On the roadway side of any vehicle stopped or parked at the curb or edge of the highway.

(h) At any place where official signs have been erected prohibiting parking.

SECTION 47. Parked Vehicle. – Whenever a motor vehicle is parked unattended on any highway, the driver thereof must turn off the ignition switch and stop the motor and notch effectively the hand brake.

## ARTICLE V

### Miscellaneous Traffic Rules

SECTION 48. Reckless Driving. – No person shall operate a motor vehicle on any highway recklessly or without reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and other conditions of the highway and the conditions of the atmosphere and weather, or so as to endanger the property or the safety or rights of any person or so as to cause excessive or unreasonable damage to the highway.

SECTION 49. Right of Way for Police and Other Emergency Vehicles. – Upon the approach of any police or fire department vehicle, or of an ambulance giving audible signal, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position, unless otherwise directed by a peace officer, until such vehicle shall have passed.

SECTION 50. Tampering with Vehicles. – No unauthorized person shall sound the horn, handle the levers or set in motion or in any way tamper with a damage or deface any motor vehicle.

SECTION 51. Hitching to a Vehicle. – No person shall hang on to, or ride on, the outside or the rear end of any vehicle, and no person on a bicycle, roller skate or other similar device, shall hold fast to or hitch on to any moving vehicle, and no driver shall knowingly permit any person to hang on to or ride, the outside or rear end of his vehicle or allow any person on a bicycle, roller skate or other similar device to hold fast or hitch to his vehicle.

SECTION 52. Driving or Parking on Sidewalk. – No person shall drive or park a motor vehicle upon or along any sidewalk, path or alley not intended for vehicular traffic or parking.

SECTION 53. Driving While Under the Influence of Liquor or Narcotic Drug. – No person shall drive a motor vehicle while under the influence of liquor or narcotic drug. Endoiw

SECTION 54. Obstruction of Traffic. – No person shall drive his motor vehicle in such a manner as to obstruct or impede the passage of any vehicle, nor, while discharging or taking on passengers or loading or unloading freight, obstruct the free passage of other vehicles on the highway.

SECTION 55. Duty of Driver in Case of Accident. – In the event that any accident should occur as a result of the operation of a motor vehicle upon a highway, the driver present, shall show his driver's license, give his true name and address and also the true name and address of the owner of the motor vehicle.

No driver of a motor vehicle concerned in a vehicular accident shall leave the scene of the accident without aiding the victim, except under any of the following circumstances:

1. If he is in imminent danger of being seriously harmed by any person or persons by reason of the accident;
2. If he reports the accident to the nearest officer of the law; or
3. If he has to summon a physician or nurse to aid the victim.

## CHAPTER V

### Penal and Other Provisions

#### ARTICLE I

##### Penalties

SECTION 56. Penalty for Violation. – The following penalties shall be imposed for violations of this Act:

(a) For registering later than seven days after acquiring title to an unregistered motor vehicle or after conversion of a registered motor vehicle requiring larger registration fee than for which it was originally registered, or for a renewal of a delinquent registration, the penalty shall be a fine of fifty per cent of the registration fees corresponding to the portion of the year for which the vehicle is registered for use.

(b) For failure to sign driver's license or to carry same while driving, one hundred pesos fine.

(c) Driving a vehicle with a delinquent or invalid driver's license, two hundred pesos fine or imprisonment not exceeding ten days, at the discretion of the court.

(d) Driving a motor vehicle with delinquent, suspended or invalid registration, or without registration or without the proper license plate for the current year, three hundred pesos fine or imprisonment not exceeding fifteen days, at the discretion of the court.

(e) Driving a motor vehicle without first securing a driver's license, five hundred pesos fine and imprisonment of not exceeding fifteen days.

(f) Driving a motor vehicle while under the influence of liquor or narcotic drug, a fine of not less than one thousand pesos or imprisonment of not less than three nor more than six months, or both, at the discretion of the court.

(g) Violation of Sections thirty-two, thirty-four (a), (b), and (b-1), thirty-five and forty-six, a fine not exceeding one hundred pesos: Provided, however, That in the case of violation of Section thirty-four (b) the vehicle or vehicles affected may not be allowed to operate, unless the requirement provided in this section are complied with.

(h) Violations of Sections forty-nine, fifty-one, and fifty-two, a fine of not less than twenty-five pesos nor more than fifty pesos.

(i) For using or attempting to use a driver's license, identification card, certificate of registration, number plate, tag or permit in similitude of those issued under this Act, or falsely or fraudulently representing as valid and in force any driver's license under this Act which is delinquent or which has been suspended or revoked, a fine of not less than one thousand nor more than three thousand pesos or imprisonment of not more than six months, or both, at the discretion of the court.

For making, manufacturing, distributing or selling a driver's license, identification card, certificate of registration, number plate, tag or permit in imitation or similitude of those issued under this Act, the penalties under the provisions of the Revised Penal Code.

If the violation is committed by a public officer or employee, the offender shall furthermore suffer perpetual absolute disqualification.

(j) For using private passenger automobiles, private trucks, private motorcycles, and motor wheel attachments for hire, in violation of Section seven, subsections (a), (b), and (c), of this Act, a fine of two hundred pesos and suspension of driver's license for a period of three months for the first conviction; a fine of three hundred pesos and six months imprisonment of one year and permanent revocation of the driver's license for the third conviction.

(k) For permitting, allowing, consenting to, or tolerating the use of privately-owned motor vehicles for hire in violation of Section seven, subsections (a), (b), and (c), of this Act, there shall be imposed upon the owner of the vehicle as fine of five hundred pesos and the certificate of registration shall be suspended for a period of three months for the first conviction, and an increase of one hundred pesos in the fine and one month's suspension of the registration for each subsequent conviction.

(l) For violation of any provisions of this Act or regulations promulgated pursuant hereto, not hereinbefore specifically punished, a fine of not less than one hundred nor more than five hundred pesos shall be imposed.

(m) In the event an offender cannot pay any fine imposed pursuant to the provisions of this Act, he shall be made to undergo subsidiary imprisonment as provided for in the Revised Penal Code.

(n) If, as the result of negligence or reckless or unreasonable fast driving, any accident occurs resulting in death or injury of any person, the motor vehicle operator at fault shall, upon conviction, be punished under the provisions of the Revised Penal Code.

**SECTION 57. Punishment for Other Offenses.** – The conviction of any person for any offense under this Act shall not bar his prosecution for any other offense which may have been committed by such person concurrently with the commission of the offense of which he was convicted or in doing the act or series of acts which constituted the offense of which he was convicted.

**SECTION 58. Duty of Clerks of Court.** – It is hereby made the duty of clerks of the Court of First Instance, the City Court of Municipal Court trying traffic violation cases to certify to the Commission the result of any case, whether criminal or civil, involving violations of any provision of this Act or of other laws and ordinances relating to motor vehicles. Said certificate shall specifically contain the name of the driver or owner of the vehicle involved, his address, the number of his license and/or of the certificate or registration of his vehicle, and the date thereof, and the offense of which he was convicted or acquitted.

## **ARTICLE II**

### **Collection of Fees, Taxes and Fines, Liens, Allotment of Funds**

**SECTION 59. (a) Collection of Fees; National and Local Taxes; Toll Fees.** – The collection of all fees, taxes, and fines, under the provisions of this Act shall be made in accordance with regulations to be prescribed by the Commissioner and approved jointly by the Auditor General.

(b) No taxes or fees other than those prescribed in this Act shall be imposed for the registration or operation or on the ownership of any motor vehicle, or for the exercise of the profession of chauffeur, by any municipal corporation, the provisions of any city charter to the contrary notwithstanding: Provided, however, That any provincial board, city or municipal council or board or other competent authority may enact and collect such reasonable and equitable toll fees for the use of such bridges and ferries, within their respective jurisdiction, as may be authorized and approved by the Secretary of Public Works and Communications, and also for the use of such public roads, as may be authorized by the President of the Philippines upon recommendation of the Secretary of Public Works and Communications, but in none of these cases shall any toll fees

be charged or collected until and unless the approved schedule of tolls has been posted legibly in a conspicuous place at such toll station.

SECTION 60. The Lien Upon Motor Vehicles. – Any balance of fees for registration, re-registration or delinquent registration of a motor vehicle, remaining unpaid and all fines imposed upon any vehicle owner, shall constitute a first lien upon the motor vehicle concerned.

The Commission is hereby vested with authority to issue a warrant of constructive or actual distraint or and levy to any owner of motor vehicle who has any balance of fees for registration, re-registration or delinquent registration of a motor vehicle remaining unpaid, which upon demand by the Director of the Bureau of Land Transportation or any of his deputies executing such warrant, the owner of the said vehicle shall surrender same at the time demanded, except when the attachment or execution is under any judicial process. Any owner who fails or refuses to surrender any of such property or vehicle not so surrendered shall be punished by a fine not exceeding the amount of the fees (including penalties and interests, if any) for the collection of which such warrant has been issued, together with the costs and interests, if any, from the time of such surrender. In addition, such owner shall be punished by a fine of not more than three hundred pesos or an imprisonment not more than six months, or both.

SECTION 61. Disposal of Monies Collected. – Monies collected under the provisions of this Act shall be deposited in a special trust account in the National Treasury to constitute the Highway Special Fund, which shall be apportioned and expended in accordance with the provisions of the “Philippine Highway Act of 1953”; Provided, however, That the amount necessary to maintain and equip the Bureau of Land Transportation but not to exceed twenty per cent of the total collecting during any one year, shall be set aside for the purpose.

### ARTICLE III

#### Final Provisions

SECTION 62. No provincial board, city or municipal board or council shall enact or enforce any ordinance or resolution in conflict with the provisions of this Act, or prohibiting any deputy or agent of the Commission to enforce this Act within their respective territorial jurisdiction and the provisions of any charter to the contrary notwithstanding.

SECTION 63. Repeal of Laws and Ordinances. – Act Numbered Thirty-nine hundred ninety-two, as amended, and all laws, executive orders, ordinances, resolutions, regulations, or parts thereof in conflict with the provisions of this Act are repealed: Provided, however, That nothing contained in this Act shall be construed as limiting or superseding any provisions of the Public Service Act, as amended, with respect to the control by the Public Service Commission of motor vehicles operating as public service, nor shall any provision of this Act be construed as limiting or abridging the powers conferred upon and exercised by the Public Service Commission with regards to the control and supervision of the operation of such motor vehicles as public service.

SECTION 64. Appropriation. – To carry out effectively the provisions of this Act, the amount of two hundred fifty thousand pesos is hereby appropriated out of the fees collected under this Act, in addition to the appropriations provided in the General Appropriations Act, for the expense of this Commission for the fiscal year beginning July first, nineteen hundred and sixty-four, to June thirtieth, nineteen hundred and sixty-five: Provided, however, That any savings in the appropriations of the Motor Vehicles Office for the fiscal year beginning July first, nineteen hundred and sixty-three, to June thirtieth, nineteen hundred and sixty-four shall likewise be available for this purpose.

SECTION 65. Separability. – If any provisions of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SECTION 66. Effectivity. – This Act shall take effect upon its approval.

Approved: June 20, 1964