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STRICTLY IMPLEMENTING THE “CLOSED DOOR POLICY” BY IMPOSING STIFFER PENALTIES FOR VIOLATION THEREOF AMENDING FOR THIS PURPOSE CERTAIN PROVISIONS OF MMA ORDINANCE NO. 18, SERIES O...

PPKM MMDA REGULATION NO. 04-003, March 04, 2004

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WHEREAS, RA 7924 empowers the Metropolitan Manila Development Authority to set policies concerning traffic in Metro Manila and coordinate and regulate the implementation of all programs and projects concerning traffic management;

WHEREAS, in 1991, the Metro Manila Council enacted MMA Ordinance No. 18, Series of 1991 to regulate the use of selected bus stops along EDSA and other major bus routes in Metro Manila;

WHEREAS, the same Ordinance provides that "doors of moving buses shall remain closed in between designated stops to avoid loading and unloading of passengers";

WHEREAS, it has been observed that due to the small amount of fines imposed in the said Ordinance, most of the drivers blatantly violate the same thus impeding the smooth flow of traffic and sometimes causing road accidents;

WHEREAS, there is a need to increase the fines imposed on the violators of the said ordinance in order to ensure compliance therewith, improve traffic flow in Metro Manila and prevent the occurrence of traffic-related accidents.

NOW, THEREFORE, pursuant to Section 6 of RA 7924, this Regulation is hereby adopted and promulgated by the Metro Manila Council, that:

> SECTION 1. Section 1 paragraph 4 of MMA Ordinance No. 18, series of 1991 is hereby amended to read as follows:
>
> "SECTION 1. "Doors of Moving Buses" - must at all times be properly maintained and in good physical condition. For buses with only one (1) door which are mechanically and electrically operated, the driver must see to it that it is kept closed except in specified loading and unloading zones. For buses with two (2) doors, the front door must be controlled/operated by the driver and the back door must be controlled by the conductor to ensure that these are kept closed in between designated bus stops. Owners of buses with physical defects will be penalized."

SECTION 2. Section 2 of MMA Ordinance No. 18, Series of 1991 is hereby amended to include the following in the definition of terms:

> a. Defective Doors - shall mean doors of vehicles that cannot be closed properly even with the aid of human hands. It shall also refer to broken and dilapidated doors.
>
> b. Physical Defects - shall mean defects on the body of the vehicle that are not covered by or classified as mechanical defects. Examples of these include defective doors, defective windows, broken windshield, defective/broken suspension, broken and defective center bolts and worn-out tires and such other defects

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analogous to the foregoing.

SECTION 3. Section 3 of the said Ordinance is hereby amended to read as follows:

"Section 3. Fines and Penalties.

a. Loading and Unloading in Areas not Specified as Loading and Unloading Zones. P500.00

b. P1,000.00 for failure to keep the door/s closed in between designated stops.

Persons Liable:

b.1 For Buses with Only One Door - the driver will pay the fines imposed.

b.2 For Buses with Two Doors:

Front Door - the driver will pay the corresponding fine.

Back Door - the conductor will pay the corresponding fine.

c. for buses with physical defects, the following fines and penalties shall be imposed upon the owner/operator:

c.1 ONE THOUSAND PESOS (P1,000.00) (which shall be issued thru order of payment) for defective non-operable doors; defective/broken center bolt; misaligned body; broken wind shield, damaged windows; damaged windshield; broken suspension and such other defects analogous to the foregoing.

The vehicle shall be impounded if the owner/operator fails to pay the corresponding fine within seven (7) days upon receipt of notice thereof.

If upon redemption, the vehicle still continue to operate along major thoroughfares without rectifying the physical defect identified, the same shall again be impounded and a fine of FIVE THOUSAND PESOS (P5,000.00) shall be imposed plus charges for impounding fees.

c.2 P250.00 - for worn-out tires. However, if this is the immediate cause of road accident, the amount of FIVE THOUSAND PESOS (P5,000.00) shall be imposed upon the operator and oblige the operator to replace the same otherwise the vehicle will be impounded.

SECTION 4. Should unavoidable physical defect occur en route, e.g. broken center bolt, broken/defective suspension, inoperable door, the fares of the passengers shall be returned before asking them to disembark to avoid penalty en route to the garage.

SECTION 5. Effectivity. This Regulation shall take effect fifteen (15) days after publication in two (2) newspapers of general circulation in Metro Manila.

Adopted: 04 March 2004

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