



## METRO MANILA COUNCIL

MMDA Resolution No. 09-02  
Series of 2009

### **PRESCRIBING THE NO PHYSICAL CONTACT POLICY OF METROPOLITAN MANILA DEVELOPMENT AUTHORITY (MMDA) IN APPREHENDING TRAFFIC VIOLATORS IN METRO MANILA THRU THE USE AND RECORDING OF DIGITAL CAMERA AND/OR NEW TECHNOLOGIES USED IN CAPTURING IMAGES ON A TRIAL BASIS FOR A PERIOD OF NINETY DAYS**

**WHEREAS**, the present system of apprehending traffic violators sometimes causes traffic build up thereby aggravating the traffic problem in Metro Manila;

**WHEREAS**, to provide better services to the motorists and the riding public, there is a need to introduce some technologies to further improve and strengthen traffic management and operations in Metro Manila;

**WHEREAS**, Republic Act No. 7924 empowers the MMDA to formulate, coordinate and monitor policies, standards and programs relating to traffic and transport management to rationalize the existing transport operations and to administer and implement all traffic enforcement operations, traffic engineering services, traffic education programs including the institution of a single ticketing system in Metro Manila;

**WHEREAS**, Republic Act No. 7160 as amended as well as the City Charters of the LGUs in Metro Manila empowers the LGUs to regulate traffic and the use of all streets including the establishment of vehicle stops and terminals as well as the regulations of its use including garages and operation of conveyances for hire in their jurisdiction;

**WHEREAS**, the Metro Manila Council (MMC) as the policy making body of the MMDA recognizes the need to improve the system of apprehending traffic violators by way of prescribing the "No Physical Contact Policy" in apprehending traffic violators thru the use of digital camera and/or new technologies used in capturing images;

**WHEREAS**, the use of digital camera and/or new technologies in apprehending traffic violators will ensure efficiency in traffic enforcement and avoid traffic build up in areas where violations are committed.

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**NOW, THEREFORE**, be it resolved as it is hereby resolved, pursuant to Section 6 of RA 7924, that the Council hereby prescribes the "No Physical Contact Policy" in apprehending traffic violators in Metro Manila thru the use of digital camera and/or new technologies used in capturing images on a trial basis for a period of ninety (90) days:

**Section 1. COVERAGE**

This Resolution shall cover the apprehensions or citations made by traffic operatives deployed by the Metropolitan Manila Development Authority (MMDA) in Metro Manila.

**Section 2. REGULATIONS**

The following regulations must be observed when implementing the "No Physical Contact Policy":

- 2.1 The image of the vehicle violating traffic laws, rules and regulations shall be recorded or captured thru the use of digital cameras and/or other technologies. This shall be applied to all motorists/drivers of vehicles.
- 2.2 First Notice signed by the TOC Executive Director and the cameraman who took/shot the pictures thru the use of digital camera and/or new technologies shall be issued to the Traffic Violator/Owner/Operator of the vehicle.

The first notice shall indicate the date, time, location, traffic violation(s)/infractions committed, the assessed fines/penalties therefore and a photo-clip of apprehended vehicle.

The notices shall likewise contain a statement that the traffic violator shall have the right to file a protest before the Traffic Adjudication Board (TAB) within seven (7) days from receipt thereof and that failure to file the same within the prescribed period shall be deemed a waiver of such right and shall be construed as an admission of the traffic violation(s) cited therein. The TAB shall resolve the case within seven (7) days from receipt of the contest and its decision shall be deemed final and executory.

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- 2.3 Payment of fines/penalties shall be made within seven (7) days upon receipt of the first notice, unless a protest was filed by the traffic violator as provided for in the preceding paragraph.
- 2.4 Assessed fines/penalties and all charges indicated in the first notice shall be paid at any branch of METROBANK unless a protest is filed before the MMDA Traffic Adjudication Board, in which case, the fines as finally adjudicated, shall be paid at the Central Office, Collection Division of the MMDA located at the MMDA Bldg., EDSA cor. Orense St., Guadalupe, Makati City.
- 2.5 After the lapse of the 7-day prescription period, there being no protest filed and the fines/penalties remain unpaid, a final notice to pay/settle the same shall be issued. If the traffic violator/owner/operator failed to settle/pay the assessed fines/penalties from receipt of the final notice, the Driver's license number or vehicle license plate number shall be included in the Alarm list and be reported to the LTO with the request that the registration of the same shall not be renewed until the penalties or fines are fully settled.
- 2.6 Notices shall be sent thru registered mail or courier service either by government or private service provider.
- 2.7 Traffic violators/owners/operators who refuse to receive/accept without any valid reason the notice issued to them shall be deemed to have received the same, hence, shall comply with the above provisions of pars. 2.3 and 2.5.

**Section 3. SEPARABILITY CLAUSE**

If any provision of this Resolution is declared unconstitutional or invalid for any reason, the same shall not affect the validity of the other provisions.

**Section 4. REPEALING CLAUSE**

All other issuances contrary or inconsistent hereof are hereby repealed, amended or modified accordingly.

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**Section 5. EFFECTIVITY**


This Resolution shall take effect fifteen (15) days upon its publication in two (2) newspapers of general circulation.

**APPROVED** this 21<sup>st</sup> day of January 2009, in Makati City, Metropolitan Manila, Philippines.

  
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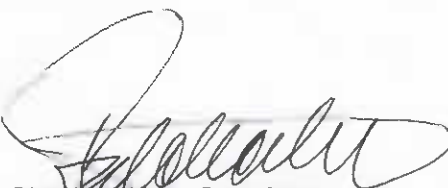
  
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Mayor, Pasig City

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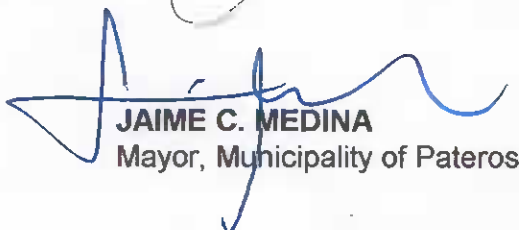
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Mayor, Municipality of Pateros

  
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Mayor, Malabon City

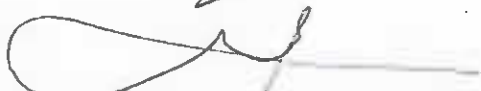
  
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