



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City
<http://www.dilg.gov.ph>



GUIDELINES IN THE IMPLEMENTATION OF POLICIES, RULES AND REGULATIONS ON MOTOR VEHICLE OVERLOADING AND SPEED LIMITS BY THE LOCAL GOVERNMENT UNITS (LGUs) AND DESIGNATION OF LGU LAW ENFORCEMENT OFFICERS (LEOs)
Memorandum Circular No. 2020-028

10 FEB 2020

1.0 Background

- 1.1 The value of traffic management laws is significant in the preservation of life and property. Evidently, the importance of traffic management is for the prevention, if not totally elimination of accidents in the use of land transportation.
- 1.2 In recognition of this country's constitutional principle for the protection and preservation of life and property, and the promotion of general welfare clause provided under the Local Government Code, there were policies that have been established laying down road safety standards road and safety strategies, requiring LGUs encouraging and enabling LGUs to set up relevant institutional structures in conformance with national road safety efforts.
- 1.3 On May 27, 2013, Republic Act No. 10586 or the *Anti-Drunk and Drugged Driving Act* was signed into law, mandating the deputation of *Law Enforcement Officers (LEOs) from the local government units*. The deputation of *LGU Law Enforcement Officers* is to complement the deputized enforcers from the Metro Manila Development Authority (MMDA) and the DOTr-Land Transportation Office occupying permanent position items and whose present work assignments are directly and actually related to traffic management and control.
- 1.4 Sections 32 and 51 of Republic Act (RA) 4136 or the Land Transportation and Traffic Code, provide it unlawful to allow passengers to board in cargo or freight provisions of a truck, including those of pickup vehicles, and discouraging further, the carrying of passengers and freight on top of vehicles, as well as, loading and riding on running boards, step board, or mudguard.
- 1.5 As deaths on road crashes increase resulting from over-speeding, overtaking, reckless driving, coupled with mechanical defects and loss of control of motor vehicles, the need for strong commitments of the LGUs in implementing and monitoring road safety laws, if only to bring their greater impacts as envisioned.

2.0 Purpose

The issuance of this Memorandum Circular is aimed to raise awareness and foster political commitment for an intensified implementation of road safety policies, regulations and standards, to address the increasing number of road accidents in the country.

3.0 Scope and Coverage

This applies to all Provincial Governors, City Mayors, Municipal Mayors, DILG Regional Directors, BARMM Minister of Local Government

4.0 Policy Content and Guidelines

4.1. Identification of LGU Law Enforcement Officers for Deputation by the Land Transportation Office

4.1.1 Cities and municipalities shall identify LGU prospective Law Enforcement Officers (LEOs) and submit a list to the Land Transportation Office, to contain the following documents of individual prospective LEO:

- Information sheet duly indorsed by the Local Chief Executive;
- Certified true copy of the Certificate of Employment;
- Certification as to no record of or pending administrative or criminal case;
- Two 2x2B photos on white background taken within six (6) months and signed at the back; and
- Valid drug test results taken within the past six (6) months prior to application/training

The recommended LEO shall preferably be a staff from the City/Municipal Traffic Management Office (TMO) available to participate to trainings, as a basic requirement for issuance of Deputation Order.

4.1.2 Submission of the list of prospective LEOs shall be: (a) to the LTO Central Office for NCR LGUs, and (b) to the concerned LTO Regional Office for LGUs outside Metro Manila areas.

4.1.3 LTO sponsored training seminar for LEOs consists of the following topics:

- Pertinent special laws: this Act, Republic Act No. 9165, Republic Act No. 4136;
- How to conduct field sobriety tests, ABA test, drug screening test and DRP;
- The impact of alcohol and dangerous drugs and other similar substances on driver's performance;
- Rules on citizen's arrest and inquest proceedings;

- Rules for public officers such as Republic Act No. 6713, Republic Act No. 3019, Republic Act No. 9485, and other applicable rules;
- Life saving techniques and administration of first aid;
- Conduct and procedures in the apprehension of traffic violators under the Act; and
- Filipino values and their impact on the responsibilities of LEOs.

4.1.4 The trainee-LEO shall pass the written and other examinations to be administered by the LTO for subsequent issuance of Deputation Order. It shall be valid for six (6) months, renewable and revocable on valid causes to constitute sufficient grounds for such revocation provided under the Act.

4.2 Installation of Traffic Lights and Roads Signs, Implementation of Motor Vehicle Speed Limits, and Monitoring and Submission of Reports on Road Crash Data

4.2.1 Pursuant to DOTr, DPWH, DILG Joint Memorandum Circular No. 2018-001 dated January 17, 2018 (Guidelines and Standards for the Classification of Roads, Setting of Speed Limits Under Republic Act No. 4136, and Collection of Road Crash Data), cities and municipalities are mandated to: (a) cause the installation of traffic and other road safety signs; (b) ensure the implementation of speed limit of motor vehicles passing through their jurisdictions, to include motorcycles; and (c) allocate funds for the purchase of *speed guns*.

4.2.2 Cities and municipalities shall review and facilitate the adoption of the model *Ordinance* providing for the speed limits for all kinds of motor vehicles within the territorial jurisdictions of the city/municipality, and collections of road crash data for submission to the DTOr-Office of the Undersecretary for Road Transport and Infrastructure.

4.3 Implementation of Overloading Policy and Imposition of Sanctions Regarding Violations on Weights and Limits

4.3.1 Cities and municipalities shall strictly implement the prohibition on the operation of motor vehicles exceeding the registered passenger capacity and on passengers riding outside of the vehicle, such as in "habal-habal" at the space intended for cargo and freight.

4.3.2 Ensure the operation of motor vehicle within the total weight of cargo carrying device or passenger truck, prescribed under Section 9 of Republic Act 4136 (Land Transportation and Traffic Code).

4.3.3 Ensure the securing of *Special Permit* or other special authority from the DPWH and from its deputized agencies, for motor vehicles with wheel, axle or axle group loads in excess of the limits in Sec. 9 of R.A. 4136, and not in any considered permissible dimensions and trailer outfit.

5.0 DILG' Responsibility in the Implementation of the Act

In line with the DILG's assistory function in the exercise of general supervision over local governments provided under the Local Government Code of 1991 and its implementing rules and regulations, DILG shall undertake the following functions in the implementation of the Act:

- 5.1. The DILG Regional Offices shall monitor compliance by LGU's of this Memorandum Circular, with initial report to reach the Office of the Undersecretary for Peace and Order on or before March 31, 2020, *through the Bureau of Local Government Supervision*, and a quarterly report thereafter, due every *last Friday of the quarter*.
- 5.2 All DILG Regional Directors and the BARMM Regional Local Government are hereby directed to cause the immediate and widest dissemination of this Memorandum Circular to all local government units within their respective regions.

6.0 Penal Provisions

Non-compliance with this Memorandum Circular is tantamount to dereliction of duty and shall be dealt with in accordance with pertinent laws, rules and regulations.

7.0 Reference

- Republic Act No. 10586 (An Act Penalizing Persons Driving Under the Influence of Alcohol, Dangerous Drugs and Similar Substances, and for Other Purposes, Otherwise known as Anti-Drunk and Drugged Driving Act of 2013);
- DOTr, DPWH, DILG Joint Memorandum Circular No. 2018-001 dated January 17, 2018 (Guidelines and Standards for the Classification of Roads, Setting of Speed Limits Under Republic Act No. 4136, and Collection of Road Crash Data)
- Republic Act No. 4136 (Land Transportation and Traffic Code); and
- Republic Act No. 7160 (The Local Government Code of 1991 and its IRR)

8.0 Effectively

This Memorandum Circular shall take effect immediately.

9.0 Approving Authority


EDUARDO M. AÑO
Secretary

10.0 Feedback

Related inquiries may be directed to the DILG-Bureau of Local Government Supervision, Local Governance Performance Management Division (LGPM) at Telephone No. 8876-3454 Local 4208 or 4209, or email at tsg_blg@yahoo.com.



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