

[MMDA RESOLUTION NO. 10-20, December 14, 2010]

RE-IMPLEMENTING THE NO PHYSICAL CONTACT POLICY OF THE MMDA IN APPREHENDING TRAFFIC VIOLATORS THRU THE USE OF DIGITAL CAMERA AND/OR NEW TECHNOLOGIES USED IN CAPTURING IMAGES FOR A PERIOD OF SIX (6) MONTHS

WHEREAS, MMDA Resolution No. 09-02 prescribes guidelines on the apprehension of traffic violations in Metro Manila using digital cameras and/or other new technologies on a trial basis for a period of ninety (90) days;

WHEREAS, the No-Physical Contact Policy aims to minimize the occurrence of physical apprehension in order to prevent traffic build-up thus improving the flow of traffic along Metro Manila's major thoroughfares;

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

WHEREAS, Section 5 (e) of RA 7924 mandates the MMDA to set policies concerning traffic in Metro Manila, coordinates and regulates the implementation of all programs and projects concerning traffic management specifically pertaining to enforcement, engineering and education.

WHEREAS, the Metro Manila Council (Council) recognizes that the No Physical Contact Policy is an invaluable tool in enforcing traffic rules and maintaining order on the roads to ensure safe and convenient movement of people and goods in Metro Manila.

NOW, THEREFORE, be it resolved as it is hereby resolved, pursuant to Section 6 of Republic Act No. 7924, that the Council hereby re-implements the No Physical Contact Policy of the MMDA in Apprehending Traffic Violators Thru the Use of Digital Camera and/or New Technologies Used in Capturing Images, for a period of six (6) months.

RESOLVED FINALLY, that the guidelines prescribed in MMDA Resolution No. 09-02 which are restated herein shall be strictly followed in implementing the No Physical Contact Policy, for a period of six (6) months.

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 cameras 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 protest and its decision shall be deemed final and executory.

- 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 prescriptive 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.