



Republic of the Philippines  
Province of Ilocos Norte  
**MUNICIPALITY OF SAN NICOLAS**

**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPTS FROM THE MINUTES OF THE SECOND REGULAR SESSION OF THE 9<sup>TH</sup> SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 12<sup>TH</sup> DAY OF JANUARY, 2014 AT 10:30 O'CLOCK IN THE MORNING.

PRESENT:

- |                                |  |
|--------------------------------|--|
| Hon. Alfredo P. Valdez, Jr.,   | Vice-Mayor/Presiding Officer;          |
| Hon. Aladine T. Santos,        | Member;                                |
| Hon. Norberto S. Dadiz, Jr.,   | Member;                                |
| Hon. Domingo C. Ambrocio, Jr., | Member;                                |
| Hon. Ariel B. Villa,           | Member;                                |
| Hon. Orlando B. Badua,         | Member.                                |
| Hon. Oscar V. Domingo,         | Member;                                |
| Hon. Reynaldo A. Corpuz,       | Member;                                |
| Hon. Efren C. Butay,           | Member;                                |
| Hon. Linda E. Badua,           | Member/Liga ng mga Barangay President. |

ABSENT:

None.

**“RESOLUTION NO. 2015-05**

**A RESOLUTION PRESCRIBING GUIDELINES IN THE FILING OF CASES FOR VIOLATION OF TRAFFIC RULES AND ORDINANCES OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE.**

**WHEREAS**, it has been observed that there are substantial case filings that reached the Municipal Trial Court of San Nicolas in relation to traffic violations or citations, which fines had already been settled and paid even prior to its filing;

**WHEREAS**, this somehow created a duplicitous process and put to naught previous time and efforts of both the law enforcers as well as the court personnel coupled with the substantial waste of expenses in sending summons and other costs of filing;

**WHEREAS**, to abbreviate such administrative processes as well as its concomitant costs in court filings, there is a need to adopt an effective mechanism that will guide the traffic enforcers, police officers and the Treasurer’s Office in the exaction of fines and penalties to traffic violators or offenders, bearing in mind the declared policies and provisions spelled-out under Municipal Ordinance No. 14, Series of 2005 otherwise known as the “Traffic and Order Code of San Nicolas”;

**WHEREFORE**, on motion of Hon. Atty. Reynaldo A. Corpuz and Hon. Efren C. Butay, be it resolved as it is hereby **RESOLVED** the following:

1. Consistent with Section 29 of Republic Act 4136 which reads:

*Sec. 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 of any regulations issued pursuant thereto, or of local traffic rules and regulations not contrary to any provision 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 (15) days from the date of apprehension will be a ground for the suspension and/or revocation of his license”.*

The Chief of Police or Chief of the Traffic Division of PNP San Nicolas, shall coordinate with the Land Transportation Office (LTO) on how to fully implement the aforesaid provision on the confiscation of drivers license as a necessary incident in the apprehension of traffic violators. In the meantime, the details of the offender as shown in his/her driver's license shall be taken by the apprehending traffic enforcers for purposes of seeking such suspension or cancellation of driver's license in case of non-settlement of his case within fifteen (15) days from the date of apprehension.

2. All apprehensions for traffic violations or citations shall be reported to the Municipal Treasurer's Office who shall forthwith issue a notice for the concerned person to pay the corresponding fine of liabilities at the said Office within a non-extendible period of fifteen (15) days from date of apprehension. Whenever practicable, similar advise or notice shall be included in the citation ticket to be given by the apprehending officer;

3. All traffic violations or citations which were not paid or settled despite issuance of said notice shall be endorsed to the Chief of Police of the San Nicolas Police Station for appropriate filing of pertinent case to the Municipal Trial Court. For this purpose, the Municipal Treasurer shall issue a "certification of non-payment of fine/non-settlement" which shall be a pre-requisite in the filing of a case against the concerned violator. Without such certification, a case shall not be filed in court.

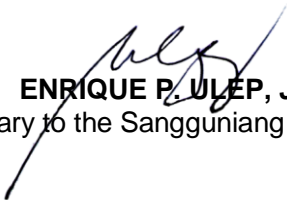
4. Prior to filing of cases in court in relation thereto, a close coordination shall be undertaken by the PNP Office and the Treasurer's Office. Violations or citations that have been settled no longer need to be filed in court.

**UNANIMOUSLY APPROVED.**


Voting on the foregoing resolution was as follows:

- AYES : Members Santos, Dadiz, Jr., Ambrocio, Jr., Badua, O, Villa, Domingo, Corpuz, Butay, & Badua, L.
- NAYS : None.
- ABSTAINED : None.

I hereby certify to the correctness of the foregoing resolution.

  
**ENRIQUE P. ULEP, JR.**  
 Secretary to the Sangguniang Bayan I

**ATTESTED:**

  
**ALFREDO P. VALDEZ, JR., M.D.**  
 Vice-Mayor/Presiding Officer

**APPROVED:**

  
**MELANIE GRACE P. VALDEZ, M.D.**  
 Mayor

Approved on: January 12, 2015