

Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag

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OFFICE OF THE SB SECRETARY

EXCERPT FROM THE MINUTES OF THE 7th REGULAR SESSION OF THE
4th SANGGUNANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR
HELD AT THE MUNICIPAL SESSION HALL ON August 27, 2001.

OFFICERS/MEMBERS	POSITION	PRESENT	ABSENT	OB
Hon. Nacianceno M. Pacalioga, Jr.	Vice Mayor	/	—	—
Hon. Teofilo O. Oclaret	SB Member	/	—	—
Hon. Corazon G. Tangalin	SB Member	/	—	—
Hon. Jeremias Y. Lim	SB Member	—	/	—
Hon. Roger M. Pacalioga	SB Member	/	—	—
Hon. Bernard R. Lambatan	SB Member	/	—	—
Hon. Inocentes D. Ylanan, Jr.	SB Member	/	—	—
Hon. James D. Gandeza	SB Member	/	—	—
Hon. Pastora E. Buendia	SB Member	/	—	—
Hon. Nita T. dela Torre	Ex-Officio Member	/	—	—
Hon. Libertine R. Mantos	Ex-Officio Member	/	—	—
Hon. Alejandro R. Estillore	SB Secretary	/	—	—

Ordinance No. 19, s. 2001

AN ORDINANCE MANDATING PUBLIC UTILITY OPERATORS/OWNERS TO DESIGNATE SEATS FOR DISABLED PERSONS AND IDENTIFY THEM BY DISPLAYING POSTERS/STICKERS OF THE INTERNATIONAL SYMBOL OF ACCESS AND PROVIDING PENALTY FOR VIOLATION THEREOF.

WHEREAS, the enactment of Batas Pambansa Blg. 344, popularly known as the Accessibility Law of 1983 has indeed served its purpose of enhancing the mobility of persons with disabilities;

WHEREAS, RA 7277, otherwise known as the Magna Carta for Disabled Persons was passed by both House and Senate and was signed into law by President Corazon C. Aquino on March 24, 1992 adopting the Accessibility Law as Amended;

WHEREAS, the amended implementing rules and regulations of B.P. No 344 includes the expansion of requirements for Public Transportation i.e., reserved seats in buses, jeepneys and other stopping vessels;

WHEREAS, as stipulated in RA 7277 violators of this act are criminally liable; and

WHEREAS, there is indispensability of adopting this act due to its significance in giving the respect and priority to disabled persons in their mobility needs;

Now, therefore, Be it ordained by the Sangguniang Bayan, Dumingag, Zamboanga del Sur in session assembled that:

Section 1. *Title.* This ordinance shall be called "An Ordinance Mandating Public Vehicle Operators/Owners to Designate Seats for Disabled Persons and Identify Them by Displaying Posters/Stickers of the International Symbol of Access and Providing Penalty for Violation Thereof."

Section 2. *Definition of Terms.* For the purpose of a clear understanding of this ordinance, the following terms are hereby defined;

1. *Accessibility/accessible* - In the ordinance, it refers to features that enable disabled persons to make use of the primary functions to which the transport vehicle is built.
2. *Disabled persons* - those suffering from restriction or lack of ability to perform an activity in the manner or within the range considered normal for a human being as a result of a mental, physical, or sensory impairment.

Section 3. *Purpose.* This ordinance aims to:

- 3.1 . Promote the realization of the rights of disabled persons to have an enjoyment of the opportunities available to other citizens
- 3.2 . To provide and reserve suitable space/s in the public utility vehicles for the use of disabled persons
- 3.3 To generate public awareness of the rights of the disabled and foster understanding of their special needs.
- 3.4 To prevent discrimination against disabled persons in the carriage or transportation of passengers.

Section 4. *Categories of Disabled Persons.*

- 4.1. Impairments requiring confinement to wheel-chairs; or
- 4.2. Impairments causing difficulty or insecurity of walking or climbing stairs or requiring the use of braces, crutches, or other artificial supports; or impairments caused by amputation, arthritis, spastic conditions or pulmonary, cardiac or other ills rendering individuals semi-ambulatory; or
- 4.3. Total or impartial impairments of hearing or sight causing insecurity or likelihood of exposure to danger in public places; or
- 4.4. Impairments due to conditions of aging and incoordination; or
- 4.5. Mental impairments whether acquired or congenital in nature.

Section 5. *General Provisions.* For the purpose of this ordinance, the following regulations are provided:

- 5.1. Buses shall have at least five (5) designated seats for disabled persons near exit/entrance doors. The designated seats for disabled persons may be occupied by others passengers only if no disabled persons shall occupy these seats at the start of the trip.
- 5.2. Jeepneys shall have at least two (2) seats preferably the front seats as designated seats for disabled persons. Other passengers may use these designated seats if not occupied and yield them to incoming disabled passengers only if the yielding passenger can still be accommodated at the back.
- 5.3. The designated seats in buses and jeepneys shall be identified by the International Symbol of Access. (For reference, see annex C-5 of the Implementing Rules and Regulation of the amended Accessibility Law)

Section 6. *Responsibility for Administration and Enforcement.* The administration and enforcement of the provisions of this ordinance shall be vested on the following in

accordance with the functions and jurisdiction of their respective office/department as provided for by law:

6.1. Office of the Municipal Mayor in coordination with:

6.1.1. Municipal Social Welfare and Development

6.1.2. Traffic Police Officer

6.1.3. Salug Valley Jeepneys & Buses Operators Association, Inc. (SVIBOA)

Section 7. Penal Provisions. Any person/owner/operator who violates any provision of this ordinance shall suffer the following penalties:

7.1. Any passenger/conductor/conductress/dispatcher/owner/operator who abuses the privileges of the disabled persons granted herein shall be fined one hundred pesos (P100.00) for every offense committed

7.2. Any person/owner/operator who fails to designate required number of seats and to display the International Symbol of Access to identify the designated seats for the disabled passengers shall be meted the following penalties

7.2.1. For the first offense, a fine of two hundred pesos (P200.00) and, for any subsequent violation a fine of five hundred pesos (P500.00) or suspension or revocation of permit to operate within the jurisdiction of Dumingag or both at the discretion of the court

Section 8. Separability Clause. If any provision of this ordinance may be declared invalid or unconstitutional, the remaining portion not affected by such declaration shall remain to be in full force and effect.

Section 9. Effectivity Clause. This Ordinance shall take effect upon approval.

Enacted: September 10, 2001

ATTESTED :

CERTIFIED CORRECT :


A. R. ESTILLORE
SB Secretary


NACIANCENO M. PACALIOGA, JR.
Municipal Vice Mayor
Presiding Officer

APPROVED:


EDGARDO C. IAMERO
Municipal Mayor
Sept. 27, 2001