



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

RESOLUTION NO. 05- 065

A RESOLUTION EXPRESSING OPPOSITION TO THE "WET RAG" POLICY OF MMDA CHAIRMAN BAYANI FERNANDO AND INSTEAD STRICTLY ENFORCE EXISTING LAWS FOR TRAFFIC VIOLATION.

Sponsored by: *Hon. Coun. Kevin B. Delgado*
Hon. Artemio A. Simundac
Hon. Allen F. Ampaya
Hon. Allan Rey A. Camilon
Hon. Ma. Luisa Babaran-Echavez, M.D.
Hon. Melchor R. Teves
Hon. Atty. Icasiano M. dela Rea
Hon. Francis Ian T. Bagatsing
Hon. Marissa Cole-Rongavilla
Hon. Joselito V. Arevalo
Hon. Mario E. Bulay, Jr.
Hon. Christian Glenn D. Lorica

WHEREAS, traffic in Metro Manila is indeed chaotic and need to be addressed. Large volume of motor vehicles continue to proliferate, aggravated by undisciplined drivers and commuters. What makes matters worse is that these commuters wait for rides in sidewalks, oftentimes up to the middle of the street, for them to be board first in coming jeepneys or buses. Thus, they limit the space for vehicles, creating traffic jams;

WHEREAS, to somewhat solve this traffic problem, MMDA Chairman Fernando thought of another peculiar antic of getting pedestrians off the streets, the not so famous "*wet rag policy*";

WHEREAS, this scheme is not so sympathetically accepted by the pedestrians and some Metro Manila Mayors openly opposed said idea;

WHEREAS, any act, no matter how noble must be defeated if it runs counter with existing laws, if it does not adhere to the supremacy of reason and if does not obey to the dictates of justice;

WHEREAS, there exist an applicable law penalizing jaywalking, i.e. MMDA Ordinance 95-001, why not just arrest the pedestrians for violation of such law/ordinance?;

WHEREAS, no less than the Chairperson of the Commission on Human Rights, Madame Purificacion Valera-Quisumbing, declared in an interview by media that such an act of using "*wet rag*" to pedestrians to keep them off the streets is clearly a violation of human rights;



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WHEREAS, Article III, Section 19 (1) of the 1987 Philippine Constitution provides that " *Excessive fines shall not be imposed, nor cruel, degrading or inhuman punishment be inflicted* ";

WHEREAS, there is now a new Traffic Code in the City of Muntinlupa which mandates local traffic enforcers and the police to implement the local Traffic Code to the exclusion of other implementing agencies, including MMDA;

WHEREAS, any MMDA traffic enforcement personnel and vehicles caught in carrying out the "wet rag" policy shall be arrested and the vehicles used to administer the said "wet rag" contraption shall be impounded;

SO NOW, THEREFORE, RESOLVED, expressing opposition to the "wet rag" policy of MMDA Chairman Bayani Fernando and instead strictly enforce existing laws for traffic violation.

RESOLVED FURTHER, that copies of this Resolution be furnished MMDA Chairman Bayani Fernando, the Commission on Human Rights and the Office of the President.

APPROVED, by the *Fourth (4th) Sangguniang Panlungsod of Muntinlupa* this 20th day of *January 2005*, on its 22nd Regular Session.

CONCURRED:


ALLAN REY A. CAMILON
Councilor



FRANCIS IAN T. BAGATSING
Councilor


MA. LUISA BABARAN-ECHAVEZ, M.D.
Councilor


MARISSA COLE-RONGAVILLA
Councilor


MELCHOR R. TEVES
Councilor

JOSELITO V. AREVALO
Councilor


ALLEN F. AMPAYA
Councilor


MARIO E. BULAY, JR.
Councilor

KEVIN B. DELGADO
Councilor



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ATTY. ICASIANO M. DELA REA
Councilor

CHRISTIAN GLENN D. LORICA
Sectoral Representative
President, Federation of
Sangguniang Kabataan

ARTEMIO A. SIMUNDAC
Sectoral Representative
President, Association of
Barangay Captains

ABSENT:

BAL NIEFES
Councilor

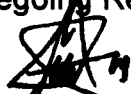
RENE CARL S. CAYETANO
Councilor

ELMER S. ESPELETA
Councilor

LUCIO B. CONSTANTINO
Councilor

MAMERTO T. SEVILLA, JR.
Councilor

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.


CECILIA C. LAZARTE
Secretary
Sangguniang Panlungsod

ATTESTED:


ATTY. RAUL R. CORRO
Acting Vice Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor
Date: 2/1/05


PBS, JR.