



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the special session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on December 20, 2022 at Lingayen, Pangasinan, the following provincial ordinance was approved:

Authored by SP Member Vici M. Ventanilla and co-authored by all Members of the Sangguniang Panlalawigan

PROVINCIAL ORDINANCE NO. 291-2022

AN ORDINANCE REGULATING THE HAULING AND TRANSPORTING OF SAND, GRAVEL, AND OTHER QUARRY MATERIALS WITHIN THE PROVINCE OF PANGASINAN

Section 1. Declaration of Policy. It is hereby declared the policy of the Province of Pangasinan to regulate the hauling and transporting of sand, gravel and other quarry materials within its territorial jurisdiction to any point within or outside of its territory through any motor vehicle. This policy shall also be directed towards regulating the volume and ensuring no dripping and spillage from the loads of the said vehicles, in order to prevent the destruction of roads, bridges and expressways and to prevent the recurrence of vehicular accidents resulting in the loss of lives and properties.

Section 2. Creation of an Accreditation Committee. Any and all motor vehicles to be used for the hauling and transporting of sand, gravel and other quarry materials from the Province of Pangasinan shall be subject to accreditation by the Provincial Government of Pangasinan. For this purpose, an Accreditation Committee shall be created and constituted through an Executive Order by the Provincial Governor.

It shall be convened immediately upon the issuance of the Executive Order and shall be composed preferably, but not limited to the following:

- 1) The Provincial Administrator;
- 2) Chairman, SP Committee on Environment, Natural Resources and Energy;
- 3) Provincial Environment and Natural Resources Officer;
- 4) President or Representative of the League of Municipalities of Pangasinan;
- 5) Provincial Engineer;
- 6) Representative from the Provincial Mining and Regulatory Board;
- 7) Representative from the Small Scale Quarry Operators;
- 8) Representative from the Large Scale Quarry Operators;
- 9) Representative from the Land Transportation Office;
- 10) Others, as may be determined by the Governor.



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Section 3. Powers, Duties and Responsibilities of the Accreditation Committee. It shall perform the following functions:

- 3.1 Formulate the guidelines, criteria and mechanics for the accreditation of motor vehicles to be used for hauling and transporting of sand, gravel and other quarry materials from within the territorial jurisdiction of the Province of Pangasinan and deliveries/transporting to other points outside of the province; Provided, that the criteria shall include, among others, the road-worthiness and load capacity of said vehicles taking into consideration the pertinent provisions of Republic Act No. 8794, otherwise known as “An act imposing a Motor Vehicles User’s Charge on Owners of all types of motor vehicles and for other purposes” and its implementing Rules and Regulations; Provided further, that the Accreditation Committee shall finalize the criteria and mechanics for the accreditation of motor vehicles within thirty (30) days from its initial convening;
- 3.2 Approve the accreditation of motor vehicles after conducting thorough inspection of such vehicles found to have fully passed the criteria and strictly complied with the mechanics formulated for such purpose;
- 3.3 Approve the revocation and accreditation of motor vehicles violating the provisions of the Revenue Code which impose the penalty of revocation of permits for the purpose of hauling and transporting sand, gravel and other quarry materials in the Province of Pangasinan;
- 3.4 Conduct meetings among offices and/or members of provincial truckers associations and quarry operators associations as may be necessary to ensure their compliance with ordinances and other issuances pertinent to Republic Act No. 8794 and its implementing Rules and Regulations;
- 3.5. Perform such other functions as may be specified by the Executive Order creating and constituting the Accreditation Committee.

In the performance of their duties, the members of the Accreditation Committee shall not receive any additional compensation from the Province of Pangasinan.

Section 4. Secretariat. The Provincial Environment and Natural Resources Office shall be the secretariat of the Accreditation Committee. It shall prepare the agenda and minutes of meetings and all such other documents as may be requested by the Committee. It shall be responsible for the documentation and safekeeping of all records in connection with the performance of the duties of the Committee.



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Section 5. Responsibility of Accredited Motor Vehicles Owners.

Section 5.1. Owner of accredited motor vehicle duly approved by the Province of Pangasinan shall pay the fixed tax as required under Section 43 (c) of Provincial Tax Ordinance No. 1, S-2022, and are required to haul and transport only the authorized volume of sand, gravel and other quarry materials from permitted quarry sites within the territorial jurisdiction of the Province of Pangasinan.

Section 5.2. Only vehicles which are officially marked with hauling stickers shall be allowed to haul and transport sand, gravel and other quarry materials. Hauling stickers shall be issued by the provincial government upon accreditation and after payment of the corresponding sticker fee as prescribed in the Revenue Code of Pangasinan. Any vehicle caught hauling and transporting sand, gravel, and other quarry materials without the official hauling stickers pasted in said vehicle shall be impounded and the loaded quarry materials confiscated in favor of the province. No hauling sticker shall be issued to, nor any payment therefore accepted from, haulers and truckers unless the motor vehicles utilized for hauling and transporting of sand, gravel and other quarry materials are duly accredited by the Accreditation Committee.

Section 5.3. Motor vehicles used for hauling, transporting and delivery of quarry resources shall be securely covered with tarpaulin or canvass materials to avoid spillage which could harm and cause accidents.

Section 5.4. Motor vehicles owners shall ensure that no water or any liquid shall drip from the load of the vehicle in the course of transport.

Non-compliance with the responsibilities as contemplated in this section shall be imposed the following penalties:

- | | |
|------------------|----------------------------------------------------------------------------------------------------------|
| First Offense – | Fine in the amount of five thousand pesos (PhP 5,000.00), and one (1) week suspension of accreditation; |
| Second Offense – | Fine in the amount of five thousand pesos (PhP 5,000.00), and One (1) month suspension of accreditation; |
| Third Offense - | Fine in the amount of five thousand pesos (PhP 5,000.00), and revocation of accreditation. |

Section 6. Responsibility of Quarry Operators. Authorized small-scale and large-scale quarry operators in the Province of Pangasinan shall abide by the terms and conditions embodied in their permits and allow the loading of quarry materials as allowed in the permit issued and only on motor vehicles duly accredited by the Province of Pangasinan and shall see to it that only the authorized volume of quarry materials are loaded to said vehicles. Failure to comply with this Section, or the provisions of the Revenue Code of Pangasinan, or the terms and conditions set forth in the Permit shall be subject to penalties as contemplated herein or in the Revenue Code of Pangasinan.



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Any violation of this section shall be meted the following penalties:

- First Offense – Fine in the amount of five thousand pesos (PhP 5,000.00), and one (1) week suspension of permit;
- Second Offense – Fine in the amount of five thousand pesos (PhP 5,000.00), and One (1) month suspension of permit;
- Third Offense - Fine in the amount of five thousand pesos (PhP 5,000.00), and revocation of accreditation.

Section 7. Maximum Allowable Load Capacity Per Type of Truck. To ensure compliance with the maximum allowable load capacity consistent with the Department of Public Works and Highways (DPWH) and Republic Act 8794 and its Implementing Rules and Regulations, the following matrix is hereby formulated for strict compliance:

TYPE OF TRUCK	NO. OF WHEELS	MAXIMUM LOAD (CUBIC METERS)
Elf Truck	6	3
Dump Truck	10	14
Cargo Truck	10	14
Cargo Truck	14	15
Cargo Truck	16	15
Trailer Truck	18	16
Trailer Truck	22	18

Double I-Beam Trucks shall not be allowed to haul quarry materials.

Section 8. Monitoring. The Philippine National Police (PNP), authorized personnel of the Land Transportation Office (LTO), barangay tanods, quarry checkers of the Provincial Government of Pangasinan, quarry permittees and accredited truckers/haulers in the Province of Pangasinan shall assist in monitoring the compliance by truckers of this Ordinance and all other related laws.

SECTION 9. No Contest Provision. Any person apprehended for violation of this Ordinance who does not wish to contest the violation and is willing to pay voluntarily the penalty imposed upon him/her prior to the filing of formal complaint shall be allowed to pay said fine with the Treasurer's Office to avoid being prosecuted.

The violator shall be given seven (7) calendar days from issuance of the Ordinance Violation Receipt within which to pay the fine/penalty, otherwise, a case shall be filed against the violator.

Section 10. Repealing Clause. All previous ordinances, memoranda, order and issuances by the Province inconsistent with the provisions herein are hereby repealed and/or modified accordingly.



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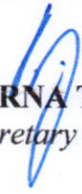
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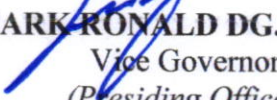
Section 11. Separability Clause. If, for any reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other part or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 12. Effectivity Clause. This Ordinance shall take effect after its publication in a newspaper of general circulation in the Province of Pangasinan.

CERTIFIED BY:


VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


MARK RONALD DG. LAMBINO
Vice Governor
(Presiding Officer)

APPROVED:


RAMON V. GUICO III
Governor