



NO-CONTACT APPREHENSION POLICY: OVERCOMING ITS CURRENT IMPASSE

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Notwithstanding the establishment of a notable road safety strategy, the implementation of other traffic-related policies in the Philippines remains a problematic issue. In response to the increasing incidence of traffic-related problems, a select number of local government units – most were city governments – implemented the No-Contact Apprehension Policy in major thoroughfares and crossings of the National Capital Region. The implementation of the No-Contact Apprehension Policy initially went well until it was questioned by a lawyer and several transportation groups before the Supreme Court. The basic contention of the petition that was filed before the Supreme Court was that the No-Contact Apprehension Policy violated the rights of those who were caught and penalized. To date, the Supreme Court has yet to decide on the fate of the No-Contact Apprehension Policy, as the general public patiently awaits its landmark decision. This policy paper aims to examine the No-Contact Apprehension Policy through the important observations made by various stakeholders during its implementation stage. Similarly, this paper aimed to analyze which among the identified alternatives gave the government institutions concerned the most feasible solution to break or overcome their current impasse. Based on the analysis and comparison of the three alternatives, the modified version of the policy appears to be the most feasible among them.

Keywords: No-Contact Apprehension Policy, Policy Alternatives, Policy Problem, Policy Recommendations, Evaluation Criteria

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BACKGROUND OF THE PROBLEM

The Philippines is one of the countries in Asia that has enacted a number of wide-ranging policies related to the promotion of road safety strategies in the region. In fact, the ASEAN Secretariat (2016) articulated that the country was able to demonstrate an impressive performance in the areas of road safety management and safer roads and mobility. The country likewise posted the same kind of performance in the other areas of safer vehicles, safer road users, and post-crash response. The World Health Organization (2018) echoed such performance and pointed out how the country fared in the evaluation of its road safety strategy, two years immediately after the adoption of the ASEAN Regional Road Safety Strategy by its member countries. As described by the World Health Organization in its Global Status Report on Road Safety 2018, the country was able to satisfy the area on road safety management by putting up a lead agency and investing in the national road safety strategy. In the area of safer roads and mobility, the country spent a large chunk of its resources on upgrading its roads, public transportations, and the safety of pedestrians. The country similarly was able to satisfy the area of safer road users by completing the registration of all types of vehicles plying on its major road networks. Finally, the country was able to establish a national emergency care access number and trauma registry, further solidifying its crucial post-care response to several types of traffic accidents. All of these, according to the World Health Organization, brought the road safety strategy of the country to a different level that is comparable with its neighboring countries.

While it can be said that the country was able to establish its own road safety strategy, the implementation of other traffic-related policies remains problematic. This was confirmed by

the World Health Organization (2018), which said that the implementation of the speed limit law, mobile phone use while driving law, drunk driving law, motorcycle helmet law, children restraint law, and seat belt law in the country was found to be below the average level. This means that the implementation of the said policies may have been middling or mediocre throughout the country. On the other hand, the World Health Organization also asserted that the manner in which the violators of the said policies were apprehended made use of the conventional or manual process. The use of this physical or manual process may have contributed to the failure to identify the commission of other forms of deliberate violations. Until the present time, the violations of traffic-related policies in the country continue to swell, and no streets are said to be exempt from them. In the National Capital Region alone, the number of traffic violations in 2023 increased to about 159,665 according to the Metropolitan Manila Development Authority (2023). This number is evidently higher than the previous year, which totaled about 97,312 traffic violations. These numbers of traffic violations are clearly staggering and are expected to increase if left unchecked by the government, both the national and local governments. As projected by the Metropolitan Manila Development Authority, the number of traffic violations will continue to increase by the end of December 2023.

The objective of the Metropolitan Manila Development Authority to curb the cases of traffic violations and instill discipline among the different motorists in the National Capital Region inspired the institution to create and implement the No-Contact Apprehension Policy in 1995. Unfortunately, the policy remained dormant for a number of years but was eventually brought back in 2016 during the administration of former President Rodrigo



Duterte (Bollo, 2022). The City Government of Paranaque followed a few years later and came up with its own version of the No-Contact Apprehension Policy in December 2020. The City Government of Valenzuela, on the other hand, started to implement an equivalent version of the policy around September 2019 and immediately earned instant popularity among the city motorists. The City Government of Manila developed its own counterpart of the policy and implemented it in December 2020. The City Government of San Juan and Quezon City also developed their own versions of the policy in July 2022 and posted stunning headways in the process of implementing them. As the Metropolitan Manila Development Authority and its five partner city governments went through the complex process of implementing the No-Contact Apprehension Policy, they steadily earned considerable gains as the number of traffic violators in their respective cities started to decrease in comparison with the previous years. The local chief executives of these city governments estimated that traffic violations in their own busy streets were reduced by about 25 percent following the implementation of the policy.

Currently, the implementation of the No-Contact Apprehension Policy is suspended after the Supreme Court issued a Temporary Restraining Order (TRO) in response to the two petitions filed by a lawyer and a number of transportation groups. The former contended that his right to due process was violated, as well as the right to privacy of other individuals, with the implementation of the No-Contact Apprehension Policy. On the other hand, the latter complained that motorists are always at risk of arbitrary apprehension and that the penalty of the No-Contact Apprehension Policy is unreasonable. These petitions eventually were given due course by the Supreme Court,

which ordered the prompt suspension of the implementation of the No-Contact Policy until an oral argument is held and a decision is promulgated by the highest court. In the recent consolidated comments released by the Supreme Court (2024), the summary of all the arguments of both petitioners and respondents was incorporated, and the recorded traffic violations before and after the suspension of the No-Contact Apprehension Policy were also acknowledged. As reflected, the implementation of the No-Contact Apprehension Policy proved to be useful on the part of selected city governments as well as other stakeholders who support a secure and orderly road. It is not surprising to know, however, that immediately after the suspension of the No-Contact Apprehension Policy, the incidence of traffic violations, including road accidents, increased unabatedly. This trend will continue to increase in the succeeding years unless the No-Contact Apprehension Policy is brought back by the government.

Pending the decision of the Supreme Court on the reimplementing of the No-Contact Apprehension Policy, this paper provides all the stakeholders concerned with an opportunity to examine the viability of the policy. The absence of the No-Contact Apprehension Policy – since the issuance of the Temporary Restraining Order by the Supreme Court – offers a considerable period to check whether or not the policy deserves a second chance of getting recalibrated and reimplemented. This paper intends to examine the implementation of the No-Contact Apprehension Policy from the time it started capturing violations on the major thoroughfares of selected city governments until its suspension by the Supreme Court. This period lends the researchers with sufficient time to analyze, through interviews and available documents, how the No-Contact Apprehension Policy was



implemented by selected city governments. After analyzing its implementation, this paper seeks to identify and evaluate the most feasible alternative to assist the stakeholders concerned in deciding about the fate of the No-Contact Apprehension Policy. The identification of the possible alternatives will be aided by the analysis of the available documents and papers, and the interview conducted by the researchers with the selected city government. Once all the possible alternatives are identified, their analysis will follow using the evaluation criteria of Eugene Bardach and Eric Patshnik (2019). The evaluation criteria of Bardach and Patshnik offer the most practical and sensible measures of weighing which among the identified alternatives offer the best way of proceeding with the No-Contact Apprehension Policy.

PROBLEM STATEMENT

The No-Contact Apprehension Policy is one of the notable initiatives pioneered by the Metropolitan Manila Development Authority and duplicated by a select number of city governments through the enactment of their respective city ordinances. The policy, according to Jairo Bolledo (2022), uses closed-circuit televisions, digital cameras, and other modern technologies to capture real videos and images that amount to traffic violations. Furthermore, the policy intends to minimize or eliminate the aspect of human intervention in the enforcement of traffic policies where digital cameras and other advanced technologies are installed. The policy, in addition, aims to stop graft and corruption that normally occur in situations where traffic enforcers come face-to-face with the traffic violators. The policy ultimately aspires to develop a culture of discipline - among the different public motorists - that is not possible to attain through the usual physical apprehension

of the traffic violators. Compared to other traffic policies, the current policy works or functions through the participation of a number of stakeholders. Other than the Metropolitan Manila Development Authority and the five city governments, the Land Transportation Office also participates by blocking the tagged vehicles - with traffic violations - from getting registered. QPAX Traffic Systems Incorporation is another important stakeholder that also participates in the implementation of the policy. The company, however, is marred by questions about the sharing of revenues that it signed with the Metropolitan Manila Development Authority and the five city governments (Requejo, 2023).

Table 1: Relevant Stakeholders

Policy Stakeholders	Position	Interest
Metropolitan Development Authority	In Favor	Continue the Implementation
City Governments	In Favor	Continue the Implementation
Selected Congressmen	In Favor	Modify and Continue the Implementation
Land Transportation Office	In Favor	Modify and Continue the Implementation
QPAX Traffic System Incorporation	In Favor	Continue the Implementation
Transport Groups	Not In Favor	Discontinue the Implementation

Amidst the steady implementation of the No-Contact Apprehension Policy throughout the thriving streets of the National Capital Region, the Metropolitan Manila Development Authority, together with its partner city governments, encountered a growing number of questions about the policy. These questions, according to Mike Navallo (2022), range from the issue of excessive fines, delayed notice of violations, automatic penalty to the owners of vehicles, and violation of the right to privacy. Apparently, these questions were raised by several concerned motorists, transport groups, selected lawmakers, and even the Land Transportation



Office. On the other hand, the Chairman of the Metropolitan Manila Development Authority, together with the local chief executives of the five city governments, maintained that the implementation of the policy is beneficial to all motorists as it has convincingly reduced the number of traffic violations in the past two years. Furthermore, the policy, according to Susan De Leon (2022), is a proactive program that supports the digitalization plan of the national government and employs internationally proven technologies adopted in different countries such as the United States of America, South Korea, Singapore, Malaysia, and Indonesia. In spite of the prodding of the Chairman of the Metropolitan Manila Development Authority and that of the five local chief executives, the implementation of the policy was eventually stopped with the issuance of a Temporary Restraining Order coming from the Supreme Court. At the moment, the Supreme Court is in the process of hearing the arguments of the different groups that raised the question of the constitutionality of the policy.

This paper intends to examine the No-Contact Apprehension Policy through the observations made by the different stakeholders during its implementation stage. Similarly, this paper aims to determine which among the identified alternatives will provide the concerned government institutions with the best possible solution to break their current impasse. Analyzing the implementation of the policy through the essential observations obtained by its key stakeholders is an important precondition to understanding its inherent flaws. Given the years of its continuous implementation, all key stakeholders are presumed to have already seen the crucial aspects of the policy. From the time when the policy was developed to the period when it passed through its implementation stage, these key stakeholders have practically witnessed

its ups and downs. In addition to this, knowing the observations of the key stakeholders will also help to facilitate the process of identifying the different alternatives. The observations of these key stakeholders were replete with relevant information that included not only their positive or negative comments but also their concrete and practical suggestions, material to the development of the needed alternatives. In evaluating the different alternatives, the paper will use the commonly employed criteria developed by the revered scholars of public policy, such as David Sawicki, Carl Patton, William Dunn, and Eugene Bardach (Patton and Sawicki, 2016). Some of the common evaluation criteria employed by these scholars include legality, technical feasibility, political acceptability, and administrative operability.

POLICY ALTERNATIVES

A careful analysis of the literature surrounding the implementation of the No-Contact Apprehension Policy in the National Capital Region reveals that a number of acceptable alternatives can be identified in order to overcome its current impasse. By alternative – also known as “policy alternative” - Eugene Bardach and Eric Patshnik (2019) referred to this concept as the “alternative courses of action or alternative strategies of intervention to solve or mitigate the existing policy problem” (p. 15). Reflecting on the apparent impasse of the policy, the paper was able to identify three possible alternatives that can address the critical questions amplified earlier by its concerned stakeholders. These alternatives include maintenance of the status quo, discontinuation of the policy, and a modified version of the policy. Maintenance of the status quo is actually the same policy whose implementation was recently stopped by the Supreme Court. As can be deduced, it is not the





primary choice, but it can serve as a baseline for comparison of the other alternatives. The other alternative is the discontinuation of the policy that appears to espouse the recent decision of the Supreme Court. Discontinuation of the policy for others seems to be a dead-end, as it does not provide any positive contribution to a select number of stakeholders related to the issue. However, a more thorough analysis of the current impasse will reveal that this is what the majority of the stakeholders would want to happen. The discontinuation of the policy and reverting to the physical apprehension of traffic violators is evidently more appealing to them. The modified version of the policy offers the possibility of incorporating the concerns of the different stakeholders. It provides the opportunity to enhance the existing policy and align the partially inconsistent perspectives of the different stakeholders.

Maintaining the status quo, according to Kimberly Martin, Keith Lee, and John Hall (2015), is undoubtedly an important alternative that must be considered in any policy analysis endeavor. The reason for considering it - the status quo - as a mandatory or given alternative is that it provides a baseline for comparing what it is like to work on something as opposed to doing the same thing. Bringing this idea within the context of the No-Contact Apprehension Policy affords us an opportunity to understand whether or not there is a need to alter the existing condition. Maintaining the status quo changes nothing but a continuation of the existing policy of the different city governments in the National Capital Region. Continuing this obviously will let the city governments employ traffic enforcement cameras and other similar technologies on selected crossings and streets. Similarly, these city governments will continue to issue the Notice of Violations to traffic violators and allow them to contest these

violations before a Traffic Adjudication Board. Fines will likewise continue to be imposed, including surcharges for failure to settle them within the prescribed period. Other concerns will also be channeled and facilitated through appropriate offices, including the issues related to driving in emergency situations, stolen vehicles, and vehicles driven by other persons (Quezon City Government, 2023, July 24). Given all of these, maintaining the status quo will employ the same system and alter nothing but preserve the existing condition. Unfortunately, questions will continue to pile up and invite legal actions, such as raising the constitutionality of the current policy before the Supreme Court.

Discontinuation of the policy is another alternative that allows the different stakeholders to see the situation beyond the implementation of the No-Contact Apprehension Policy. While this alternative seems more like a dead-end to a number of policy analysts, it actually provides the avenue to understand the perspectives of selected stakeholders and the possibility of the Supreme Court declaring the policy unconstitutional in the next few months. The discontinuation of the policy is certainly what the other stakeholders would want to see, as it does not promote their interests and even curtails some of their rights. For them, the fines for the violation of the policy are excessive, notice of violations is normally delayed, erring drivers are not penalized at times, and the privacy of the motorists is repeatedly violated. On the other hand, the discontinuation of the policy complements the scenario of the Supreme Court declaring the policy as unconstitutional and is not in any way directed to promoting the interest of the public. The ruling of the Supreme Court - assuming that it is unconstitutional - will result in the actual stoppage of the policy and will instruct the concerned city governments to discontinue its implementation. Such a scenario, however,





should be seen by these city governments as an opportunity to learn, as there will be a lot of important points to capture on the eventual decision of the Supreme Court. Furthermore, the discontinuation of the policy will not be much of an issue, as the policy will simply transition to the conventional means or method of apprehending traffic violators. In the present time, the single ticketing system is in effect, and this started on May 2023 after the suspension of the implementation of the policy.

Table 2: Relevant Stakeholders

Policy Alternatives	Description
Maintaining the Status Quo	This alternative provides an opportunity to understand whether or not there is a need to alter the existing condition. It changes nothing but a continuation of the existing policy of the different city governments in the National Capital Region.
Discontinuation of the Policy	This alternative allows the different stakeholders to see the situation beyond the implementation of the No-Contact Apprehension Policy. While this alternative seems more like a dead-end, it actually provides an avenue to understand the perspectives of selected stakeholders.
Modified Version of the Policy	This alternative presents a more appropriate policy choice to all of the concerned stakeholders. Specifically, it will be suitable to the interest of the Metropolitan Manila Development Authority and the five city governments that approved and implemented the policy.

The modified version of the No-Contact Apprehension Policy presents a more appropriate alternative to all of the concerned stakeholders. For one, it will still be acceptable to the Metropolitan Manila Development Authority and the five city governments, which approved and implemented the policy. The size and scope of the changes envisioned in this alternative will be more than enough to complement the objective of the Metropolitan Manila Development Authority and the five city governments to instill road discipline through the use of traffic enforcement cameras. The modified version of the policy likewise will accommodate the concerns of the other stakeholders who raised

a number of critical questions in the course of implementing the policy. Questions about excessive fines, delayed notice of violations, automatic penalty to the owners of vehicles, and violation of the right to privacy are expected to be covered by the modified version of the policy. Moreover, the modified version of the policy, as reflected in the number of bills filed in the House of Representatives, is supported by several lawmakers who intend to introduce notable changes in the policy. These proposed changes range from calibrating the fines for violators, lengthening the days for complying with the notice of violations, and devising ways to penalize the drivers and not the owners of vehicles. The modified version of the policy, in a way, can also be a calibrated response to the impending decision of the Supreme Court. It is assumed that the Supreme Court will not declare the policy as unconstitutional; instead, it will only direct the modification of the policy to address the questions raised by the other stakeholders.

POLICY ANALYSIS

The process of choosing which among the three alternatives is the most feasible in overcoming the current impasse of the No-Contact Apprehension Policy is guided by the evaluation criteria that were identified in the previous discussion. These evaluation criteria, as mentioned earlier, include legality, technical feasibility, political acceptability, and administrative operability. Legality as a criterion, according to Eugene Bardach (2012), refers to the quality or state of being of a policy in conformity with the existing constitution or statute. This means that any policy is legal as long as it does not violate the provisions of a constitution or statute enacted by a specific government. The criterion on technical feasibility, on the other hand, is described by



Carl Patton and David Sawicki (2016) as that aspect of a policy that focuses on whether it can produce or deliver its intended effect. This criterion, as can be seen, focuses on the possible effectiveness of the policy as it zeroes in on the degree of its accomplishment. The criterion on political acceptability, unlike the other criteria on legality and technical feasibility, is dependent on the support of the important stakeholders who hold sizable stakes in the success of a particular policy. For a policy to be politically acceptable, it must not have too much opposition and too little support, according to Bardach. The criterion on administrative operability, according to Patton and Sawicki, refers to the availability of an administrative system that allows any institution to deliver or implement the policy. No matter how perfect a policy is, it will still fail if there is no sufficient administrative talent and system.

The first alternative, maintenance of the status quo, is nothing more than the extension of the current policy, whose implementation has been stuffed by contestations, which led to the question of its constitutionality in the Supreme Court. As an alternative, it offers no additional development but only the continuation of its existing system and its contentious implementation among the streets of selected city governments. In terms of legality, it can be seen immediately that this alternative remains questionable in the opinion of a number of stakeholders. This policy, according to some transport groups, private motorists, and other policymakers, is oblivious to their rights to due process and privacy, hence the question of constitutionality. As to technical feasibility, this alternative can still deliver on its promises, as has been reflected in its previous implementation before the issuance of the Temporary Restraining Order by the Supreme Court. As described in the Annual Reports of the city governments that adopted this policy, there were fewer traffic violations compared to the period during

its suspension. Similar to legality, political acceptability remains a considerable hurdle to this alternative. During its implementation, a number of stakeholders elected to question the constitutionality of this alternative, which also encouraged other stakeholders to oppose it. In terms of administrative operability, this alternative can also live up to its promises and implement the policy with much success in reducing the number of traffic violations. Based on its actual implementation, the policy was carried out round the clock with less intervention.

Table 3: Analysis of Policy Alternatives

Policy Alternatives	Evaluation Criteria			
	Legality	Technical Feasibility	Political Acceptability	Administrative Operability
Maintaining the Status Quo	Negative	Positive	Negative	Positive
Discontinuation of the Policy	Positive	Negative	Negative	Negative
Modified Version of the Policy	Positive	Positive	Positive	Positive

Reflecting on the discussion of the first alternative opposite the four evaluation criteria, it appears that there are more disadvantages than advantages in maintaining the status quo. One of its advantages, as can be gleaned, is the application of sophisticated technologies that reduce human intervention in the course of apprehending the traffic violators. Another advantage of this alternative is that it has the support of the Metropolitan Manila Development Authority, the five city governments that adopted the policy, the Office of the Solicitor General, and the other motorists who want to instill road discipline by employing this kind of policy. The availability of administrative machinery is another advantage of this alternative that facilitated the initial success in the implementation of the policy. More than these advantages, this alternative is also replete with a number of disadvantages that



led to the policy becoming unpopular throughout the middle part of its implementation. One of these disadvantages is that the policy produced several dissatisfied and frustrated stakeholders who raised some unavoidable questions related to its implementation. Similarly, this alternative proceeded by imposing higher fines and additional charges that also irritated not just the traffic violators but also the other public motorists. This alternative likewise failed to see the possible problems that it may encounter in sending the Notice of Violations to the different traffic violators. The application of new technologies like adaptive traffic lights and traffic enforcement cameras also became a source of irritation among the public motorists. Finally, this alternative also gained several detractors in penalizing the owners, not the actual drivers, who use the vehicles. The owners of the public utility vehicles were the ones affected by this.

The second alternative, discontinuation of the policy, corresponds to ending the full implementation of the policy and reverting to the traditional means of apprehending the different traffic violators. This alternative supplements the objective of a number of stakeholders who recently questioned the constitutionality of the policy before the Supreme Court. Discontinuing the implementation of the policy raises no significant issue about its legality, as the previous means or approach of apprehending the traffic violators will take over. In fact, an alternative way – Single Ticketing System - of apprehending these traffic violators has already been approved and is currently being implemented in selected cities and streets of the National Capital Region. As to its technical feasibility, this alternative will not in any way attain something significant, as the policy will be cut to naught. In short, this alternative cannot speak of any achievement as its objective is to withdraw the implementation of the policy. The political acceptability of

this alternative, on the contrary, will definitely be difficult for other stakeholders, specifically to those who created and implemented the policy. For these stakeholders, the policy is the way forward, and that in this age of modern technology, there is no substitute for the contactless means of apprehending the different traffic violators. The administrative acceptability of this alternative – similar to the criterion of legality - does not raise any significant issue to the discontinuation of the existing policy. Since it speaks about the notion of concluding the implementation of a policy, the requirement for an administrative machinery relevant to the application of modern technologies also ceases to exist. However, the situation will eventually become different when the apprehension of the traffic violators shifts to the traditional means.

Based on the discussion of the second alternative together with the four evaluation criteria, the decision to withdraw from the implementation of the policy offers no significant advantages to some of the stakeholders concerned. If ever there are any advantages, they will only serve the interests of the stakeholders who want to see the policy scrapped in its entirety. One obvious advantage of this alternative is that it will only enhance the position of the stakeholders who raised the questions about fines and surcharges, delays in the delivery of the notice of violations, and the violation of their right to due process and right to privacy. Moreover, this alternative will also support the decision of the Supreme Court, assuming that it decides to completely stop the implementation of the policy. The disadvantages of this alternative, in contrast, go beyond the obvious advantages that other stakeholders may enjoy. One of these disadvantages is that the discontinuation of the policy will prevent the opportunity of exploiting the existing technologies in apprehending the potential traffic violators. Similarly, the idea of



discontinuing the policy will be more expensive as the demand for the number of traffic enforcers will increase in the process. Another disadvantage of this alternative is that the incidence of traffic violations will also intensify as public motorists will not show reluctance to break any of the existing traffic rules. Furthermore, this alternative will simply dump the investment that has already been made by the Metropolitan Manila Development Authority and the five city governments. Discontinuing the investment that these public institutions have made is not a good idea and is a non-starter.

The third alternative, a modified version of the policy, is the most feasible option available. Compared with the other alternatives, the modified version of the policy will be able to incorporate the interests of the different stakeholders whose ideas were not accommodated in the original policy. On the issue of legality, the modified version of the policy will not be hard-pressed to reflect all the legal questions that were raised by the concerned stakeholders during the implementation of the original policy. Questions about the right to due process and right to privacy will undoubtedly be tackled once the modification of the policy starts. Furthermore, the modified version of the policy will be able to accommodate the impending decision that the Supreme Court will release in the coming months. As to technical feasibility, the modified version of the policy is also expected to effectively address the number of traffic violations in the National Capital Region. Joviland Rita (2023) confirmed this by saying that the monthly average traffic violation after the suspension of the policy has multiplied from 9,500 to 22,000 apprehensions. On the issue of political acceptability, the modified version of the policy is expected to accommodate the interests of all the concerned stakeholders that were identified earlier. Finally, the modified version of

the policy is also expected to be compliant with the requirements of administrative operability. The changes that will be introduced through this alternative will include whether the existing administrative system is capable of delivering the policy once it gets into the implementation stage.

A closer analysis of the discussion of the third alternative vis-à-vis the four evaluation criteria reveals that the modified version of the policy affords more advantages than disadvantages in overcoming the impasse of the current policy. Other than exploiting new technologies, one notable advantage of this alternative is its ability to continue working on its primary objective of instilling road discipline among the public motorists. This alternative will likewise be able to accommodate the questions posted by the dissatisfied stakeholders during the implementation of the policy. Aside from focusing on the critical issues raised by the dissatisfied stakeholders, this alternative will also provide the opportunity to process the flaws or shortcomings observed by the Metropolitan Manila Development Authority and the five governments. This was literally emphasized by Mary Laurence Mendoza, Officer-in-Charge of the Quezon City Traffic Adjudication Board, in the recent interview that the authors of this paper conducted. This alternative will also complement the improvements that the Supreme Court will suggest after hearing the oral arguments from the concerned stakeholders. It is presumed that the Supreme Court will decide favorably on the part of the policy and will issue the essential mandate to proceed with its implementation. This alternative will also encourage other local government units to adopt the same policy and make use of the available technologies to apprehend traffic violators in their respective areas. Recently, some local officials from the City of Baguio, according to Mendoza, visited



their office and inquired about their contactless apprehension system.

POLICY RECOMMENDATION

Based on the analysis and comparison of the three alternatives, the modified version of the policy appears to be the most feasible among them. Unlike the maintenance of the status quo and discontinuation of the policy, the modified version of the policy has fulfilled all the requirements of the criteria of legality, technical feasibility, political acceptability, and administrative operability. The modified version of the policy has the opportunity to consider whatever legal questions were hurled against the previous policy and incorporate them in the process. Similarly, the modified version of the policy is technically feasible as it is anticipated to reduce the number of traffic violations, making it an effective tool compared to physical apprehension. The modified version of the policy is likewise politically acceptable as it will be a product of the agreement that will be reached by the different stakeholders. Lastly, the modified version of the policy has the time to develop the capability of the government institution that will handle the implementation of the policy. With a firm grip on the compliance of the modified version of the policy with the four evaluation criteria, there is no doubt that the third alternative will be able to perform well and reduce the traffic violations in the National Capital Region. It will be able to instill the necessary discipline among the motorists and establish a better and safer road for everyone. In consideration of the foregoing, the modified version of the policy is, therefore, recommended for adoption and implementation.

As opposed to the modified version of the policy, it appears that the two other alternatives – maintaining the status quo and discontinuation of the policy – are constrained by a number of weaknesses. Maintaining the status quo, for example, is already problematic as there will not be any question of constitutionality if not for its inherent weaknesses. It failed to overcome the question of legality as the petitioners assailed to the teeth its failure to consider the due process of law, as well as the right to privacy of the motorists when it comes to their motor vehicles. This alternative, however, succeeded in passing the requirement for technical feasibility and administrative operability but was not enough to surpass the modified version of the policy alternative. The discontinuation of the policy is more problematic than the other alternative of maintaining the status quo, as it did not meet the technical feasibility, political acceptability, and administrative operability criteria used in this analysis. This alternative is not technically feasible as it cannot speak of any achievement since it will proceed with the discontinuation of the No-Contact Apprehension Policy. Likewise, it is not even politically acceptable, as there will not be any policy to discuss with the rest of the concerned stakeholders. Moreover, this alternative need not comply with administrative operability since it proposes to discontinue the operation of the No-Contact Apprehension Policy. The only positive part or side that can be observed in this alternative is legality, which is not much of a problem since it will not provide for any policy. With all of these weaknesses or shortcomings, it appears that the modified version of the policy is the most feasible given the criteria that were identified earlier.





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