

**MUNICIPAL ORDINANCE No. 2019-08**  
Series of 2019

**AN ORDINANCE PRESCRIBING THE GUIDELINES AND THE RULES AND REGULATIONS IN ACQUIRING TRICYCLE AND PEDICAB FRANCHISE**

**SPONSOR: HON. JAYSON M. BARCELONA**  
**SB Member/Chair, Transportation Committee**

**Co-sponsors: Hon. Alfonso A. Montalbo, Hon. Victoria Baes-Padullo,**  
**Hon. Evelyn B. Alea, Hon. Arnold R. Vargas and Hon. Jeremy I.**  
**Enriquez**

BE IT ORDAINED BY THE SANGGUNIANG BAYAN IN SESSION DULY  
ASSEMBLED THAT:

**ARTICLE I**  
**GENERAL PROVISIONS**

**SECTION 1. Title**

This Ordinance shall be known as the “Ordinance Prescribing the Guidelines and the Rules and Regulations in Acquiring Tricycle and Pedicab Franchise” and shall be referred to as the “Ordinance”.

**SECTION 2. Declaration of Policy.** -It is the policy of the State:

- (a) To nurture and protect the interests of the tricycle sector by providing them with adequate and timely social, economic and legal services, as well as mechanisms that shall protect their rights and promote benefits that ensure their dignified existence and economic advancement;
- (b) To recognize, promote, and protect the rights of every worker in the tricycle sector including the right to self-organization, the right to decent work, just and humane working conditions, access to social protection, and the right to represent their organizations in a continuing process of consultation and dialogue towards maximizing the provision of a comprehensive package of reforms, interventions, and services in accordance with their articulated needs and interests;
- (c) To promote gender equity and equality through elimination of gender stereotypes attached to this sector and redefining tricycle drivers as not merely males but also females;
- (d) To protect women workers in the tricycle sector against gender-based discrimination, exploitation, violence and abuse;
- (e) To progressively eliminate child labor in the tricycle sector through the creation of more quality jobs for adults, effective enforcement of laws against child labor, improved

access to universal education and elimination of cultural factors that tolerate child labor;  
and

(f) To develop the local economy through maximization of the potential and contribution of the tricycle sector

(g) To promote safety and protect the riding public

**SECTION 3. Definition of Terms.** - Pursuant to this Ordinance, the following terms shall mean:

(a) "Colorum" - a private tricycle/pedicab operated for public utility purposes without the benefit of a valid and existing special permit, or franchise;

(b) "Motorized Tricycle and Pedicab Operators Permit" (MTPOP) - the permit that authorizes the holder to operate a tricycle or pedicab for public transport;

(c) "Periodic maintenance" - the cleaning and replacing of parts that have been exhausted of their effective service life;

(d) "Preventive maintenance" - the regular cleaning of the engine and other related parts that affect its performance;

(e) "*Sanggunian*" - the *Sangguniang Pantungsod* or the *Sangguniang Bayan*, as the case may be;

(f) "Tricycle" - a motor vehicle propelled other than by muscular power, composed of a motorcycle fitted with a single-wheel sidecar, or a motorcycle with a two-wheel rear cab, the former having a total of three wheels and the latter having a total of four wheels, otherwise known as the *motorela*;

(g) "Tricycle Operators and Drivers' Association" or "TODA" - the organization of tricycle operators and drivers in a given local government unit.

(h) "Tricycle Sector" - the drivers and operators of tricycles in the Philippines for public transportation.

(i) "Zone" – a contiguous land area or block, say a subdivision or a barangay, where a tricycle-for-hire, pedicab or motorized vehicle may operate without a fixed origin and destination.

(j) "Pedicab" – a tricycle with a 2-seat passenger compartment covered by a usually folding top and a separate seat for a driver who pedals.

(k) "Tricycle-for-hire" – a vehicle composed of a motorcycle fitted with a side car used to render transport services to the general public for a fee.

**SECTION 4. Uniform Set of Requirements.** - The Municipal Government shall impose no other requirement, restriction, or condition for its operation except the following:

(a) For safety reasons, no tricycle should operate on national highways utilized by four (4) wheel vehicles greater than four (4) tons and where normal speed exceeds forty (40) kilometers per hour, except if there is no alternative route; however, the driver shall not use the main or innermost lane but should instead use the outermost lane or the road shoulder;

(b) Zones must be within the boundaries of the municipality. Existing zones within more than one municipality, however, shall be maintained; *Provided* that operators serving said zones shall secure MTPOPs from each of the municipalities or cities having jurisdiction over the areas covered by the zone.

(c) A common color for tricycles-for-hire operating in the same zone may be imposed. Each unit shall be assigned and bear an identification number, aside from its Land Transportation Office (LTO) license plate number.

(d) An operator wishing to stop service completely, or to suspend service for more than one month, should report in writing such termination or suspension to the *Sanggunian* which granted the MTPOP. Transfer to another zone may be permitted upon application.

(e) The MTPOP shall be valid for lifetime of franchise holder. Transfer to another zone, change of ownership of unit or transfer of MTPOP shall be construed as an amendment to an MTPOP and shall require appropriate approval of the *Sanggunian*.

(f) Operators shall employ only drivers duly licensed by the LTO for tricycles-for-hire.

(g) No tricycle-for-hire shall be allowed to carry more than passengers and/or goods than it is designed for. Maximum number of passengers is five (5).

(h) A tricycle-for-hire shall be allowed to operate like a taxi service where service is rendered upon demand and without a fixed route within a limited zone.

**SECTION 5. Zone/Route.**

The zone or route of each TODA shall be divided into areas as enumerated below:

| Name of TODA | Barangays Covered                                             | Color Code | Number of Units of Tricycle Franchise to be Allocated |
|--------------|---------------------------------------------------------------|------------|-------------------------------------------------------|
| BS TODA      | Sagana, Luna, Hagupit, San Juan, San Isidro, Orconuma, Anilao | Red        | 70                                                    |

|                                     |                                                              |        |     |
|-------------------------------------|--------------------------------------------------------------|--------|-----|
| BTODA/BM TODA/<br>SM TODA/BB I TODA | Ipil, Poblacion, BBI,<br>BBII, Aplaya,<br>Malitbog & Labasan | Blue   | 400 |
| BN TODA                             | Bukal, Formon,<br>Hagan, Lisap,<br>Morente                   | Green  | 70  |
| SICATS TODA                         | Sigange,<br>Carmundo, Tawas,<br>Sta. Cruz                    | Orange | 50  |
| LAB TODA                            | Poblacion-Labasan                                            | Yellow | 100 |
| LIBERTAD TODA                       |                                                              |        | 50  |

Only the Sangguniang Bayan shall have the authority to add tricycle franchise acquisition for each TODA through a Resolution.

### **SECTION 6. *Registration.***

(a) New. There shall be a simplified standard of registration system in accordance with the framework and principles of this Ordinance. The registration fee for the application for an MTPOP shall not exceed five thousand pesos (Php5,000.00) and it shall be for a lifetime. The said fee shall cover:

- i. The cost of the issuance of the license to operate;
- ii. The filing fee;
- iii. Franchise fee;
- iv. Inspection fee;
- v. Fare adjustment fee;
- vi. Amendment;
- vii. Regulatory, and all other fees.

No other fees shall be exacted from the tricycle sector business activities or enterprise other than the registration fee as mentioned above.

### **SECTION 7. *One-Stop Shop for the Tricycle Sector.***

The Local government of Bongabong shall establish a One-Stop Shop Center for the Tricycle Sector (the "Center") which shall handle all transactions and processing of the business permit applications. The Center shall ensure that the processing of the MTPOP of the members of the tricycle sector shall be done on the day of their application and the registration shall be released within thirty-six (36) hours upon submission of the complete requirements based on its checklist. To facilitate efficient and expeditious processing of MTPOP applications, the LGU shall formulate a uniform and simple checklist of requirements for registration such as valid proof of identity (barangay clearance, certificate of residency, etc.) and flowchart of the procedure of registration. The LGU shall be responsible in translating the checklist of requirements and flowchart of procedure of registration in their own local dialect. The LGU shall cause the posting of

the checklist and flowchart of procedure of registration in at least three (3) conspicuous areas, preferably public areas, in the community and cause the publication of the same in the local newspaper if there be any.

**SECTION 8. *Rights and benefits of workers in the Tricycle Sector.*** - The members of the Tricycle Sector shall have the following rights:

(a) Self-organization to collectively negotiate with government and other entities in the promotion of their welfare and advancement of their interests free from any political interference or favor;

(b) Informed participation in decision-making processes relevant to the concerns of their sector through their legitimate organizations. Towards this end, they shall be represented in all public hearings for laws, ordinances, or regulations that will affect their sector;

(c) Safe working conditions with access to medical care services. Every tricycle driver/operator shall be provided with a blue card which will give them access to free or discounted medical services at RUR Hospital;

(d) Freedom from any form of discrimination, violence, exploitation, or harassment;

(e) Freedom from deprivation of property without valid cause and due process of law;

(f) All concerned national government agencies, government financial institutions, and local government units shall include in their plans, programs, projects and activities efforts that are supportive of the concerns of the tricycle sector;

(g) The LGU shall create a grievance mechanism to deal with the concerns of the members of the tricycle sector and commuters;

(h) The Social Security System and the Philippine Health Insurance Corporation shall, within ninety (90) days from the effectivity of this Act, promulgate guidelines for the mechanism of collecting premiums from members of the tricycle sector. The Social Security System shall also inform its members from the tricycle sector of loans that they can avail of;

(i) Any driver shall not be engaged to work in any hazardous work, activity or undertaking, and neither shall he/she be exposed to hazardous working conditions;

(j) All persons whether from the private or public sectors are prohibited from committing acts of interference or coercion against a member of the tricycle sector in exercising his or her rights as provided for in this section.

**SECTION 9. *Strengthening the Role of Tricycle Operators and Drivers Associations (TODA).*** In order to effectively implement this IRR, there is a need to strengthen the role

of TODA operating within the municipality in the management of traffic that concerns their sectors, as such:

(a) They shall be given authority to maintain and manage their individual loading zones/areas to ensure an orderly dispatch of tricycles. However, all loading/unloading zones/areas located near road intersection shall be operated in a safe manner by limiting the number of tricycle-for-hire loading/unloading on those zones/areas and observing enough distance from intersections so as to avoid the occurrence of any accidents.

(b) They shall be given authority to implement their internal rules and policies that will prevent any colorum tricycles from operating in any route within the municipality by actively policing their ranks which will eventually benefit the majority of the members of TODA.

**SECTION 10. Role of the Local Government Unit.** - LGUs shall have the following responsibilities:

(a) The Municipality, after consultation with the small transport groups, the affected community, and other sectors or groups, shall identify and designate viable routes and terminal of tricycle within the municipality or city. Viable terminals shall be in proximity to public buildings, public markets, private markets, commercial districts, or commercial establishments and other places which the public frequently visits.

(b) The *Sanggunian* shall, within 90 days after the survey and/or consultation in the preceding paragraph, pass an ordinance designating the viable terminals of tricycles as specified in this Act. No designation of terminal, however, shall be conducted without prior consultation with the tricycle sector, the affected inhabitants and other sectors. LGUs that have already established or designated routes and terminals of tricycles prior to this Act are deemed to have complied with this provision of the Act, *provided that* the aforesaid establishment or designation of terminals have been undertaken after consultation with the relevant parties.

(c) The LGU shall also lead a tricycle maintenance program. This shall be done by teaching the existing TODAs on preventive and periodic maintenance. Technical and administrative capability shall be sourced through partnerships with private institutions and through the Department of Science and Technology at least twice a year.

(d) Vocational education on auto-mechanics and related courses like engine repair and maintenance shall also be developed by the LGUs in cooperation with the Department of Labor and Employment and the Technical Education and Skills Development Authority.

(e) There shall be a mandatory orientation on traffic management and rules at the LGU level. The LGU shall require all tricycle drivers to undergo this orientation as pre-requisite for the issuance of their respective MTPOPS. After the complete orientation of all drivers, a pilot run shall be made to assess the traffic situation.

(f) The LGU shall also eliminate illegal or colorum tricycle units.

(g) The LGU shall provide for alternative livelihood and skills-training programs to allow tricycle drivers to explore more economically rewarding sources of income.

(h) Finally, the LGU shall pursue and implement a comprehensive, rights-based, participatory and gender responsive framework for workers in the tricycle sector that includes but is not limited to:

(1) Putting in place policies and programs that will bring members of the tricycle sector to the economic and social mainstream;

(2) Pursuing structural reforms in all relevant levels of LGU by creating committees, special offices for development and protection of workers in the tricycle sector and supporting their representational rights through their organizations;

(3) Extending coverage of accessible and affordable social security and health care benefits to workers in the tricycle sector such as free or discounted medical services in RUR Hospital; and

(4) Exacting responsibility on the part of the tricycle sector workers provided that the state shall recognize their rights and put in place responsive, transparent and accountable mechanisms to ensure the protection, promotion and realization of those rights.

#### **SECTION 11. *Policy on the Impounding of Vehicle and Imposable Penalties.***

Tricycles shall not be impounded, confiscated or destroyed for mere violation of license or registration or traffic rules and regulations unless the said vehicle was utilized in the conduct of criminal activity/ies. In case of mere violation of traffic rules and regulations, a traffic violation ticket shall be issued to the erring driver without impounding the said vehicle. The responsible person or officer who violated this Section shall be administratively liable under this Act. Nothing herein shall prohibit the aggrieved member of the tricycle sector from initiating a criminal or civil action against the responsible person or officer for violating this provision, whenever such action is applicable.

The imposable penalties for tricycle drivers who are found to violate traffic rules or regulations shall be limited to fifty percent of the fine or penalty that can be imposed on drivers of four-wheeled vehicles.

#### **SECTION 12. *Database System Development.***

The Local Government of Bongabong thru Municipal Tricycle and Pedicab Regulatory Unit shall develop a Database System for Tricycle and Pedicab operation. All information of tricycle-for-hire units (e.g. plate number, franchise number and name of drivers) will be encoded in this database. This will serve as the recording instrument in tricycle operation.

### **ARTICLE II**

## GRANTING OF FRANCHISES TO TRICYCLES/PEDICAB

The LGUs are empowered to grant franchises for the operation of tricycles. However, it is the Land Transportation Office (LTO) that has the sole power to register all motor vehicles including tricycles and the licensing of drivers thereof. Likewise, only the LTO and its deputized agents shall implement the franchising conditions including those on tricycles and impose sanctions/penalties for violations thereof.

Tricycles may operate only along municipal streets, not along national roads. Moreover, their operation is limited only to routes not traversed by higher modes of public transport. However, the Sangguniang Bayan may provide for exceptions taking into consideration public safety.

The ratio of the number of tricycles to population must be in accordance with the guidelines to be set by the DOTr. In the meantime, the LGUs may opt to adopt any of the following options or combinations hereof to address the unabated increase in the number of tricycles:

1. Color/Number coding scheme;
2. Moratorium in the grant of new tricycle franchise, the duration of which shall be determined by the municipality;
3. 50-50 Scheme with livelihood component; and
4. Non-renewable franchise.

**SECTION 13. *The Municipal Tricycle and Pedicab Franchising and Regulatory Committee (MTPFRC).*** There is hereby created a Municipal Tricycle and Pedicab Franchising and Regulatory Committee to be composed of the following:

|                                                                             |                    |
|-----------------------------------------------------------------------------|--------------------|
| Municipal Mayor                                                             | -Chairperson       |
| Sangguniang Bayan Transportation and Communication Committee Representative | - Co-Chairperson   |
| Sangguniang Bayan Finance Committee Representative                          | - Vice Chairperson |
| Municipal Engineer                                                          | - Member           |
| Municipal Planning and Development Coordinator                              | - Member           |
| MPTFOM Head                                                                 | - Member           |
| Federation President, TODA                                                  | - Member           |
| Municipal Treasurer                                                         | - Member           |
| President, Liga ng mga Barangay                                             | - Member           |
| Chief of Police, PNP                                                        | - Member           |
| Secretary to the Sangguniang Bayan                                          | - Member           |
| TMO Head                                                                    |                    |

**SECTION 14. *Powers, Duties and Functions of the Municipal Tricycle and Pedicab Franchising and Regulatory Committee.*** The Municipal Tricycle and Pedicab Franchising and Regulatory Committee shall perform the following:

1. Accept and process application for tricycle franchise;
2. Issue or grant the "Motorized Tricycle/Pedicab Operator's Permit (MTPOP) to qualified applicant, subject to the rules and regulations and existing ordinances on that matter;
3. Recommend to the Sangguniang Bayan the amount of fares or adjusted fare increases periodically, to be imposed in a particular zone or fixed route;
4. Recommend to the Sangguniang Bayan other reasonable fees and related charges in the regulation of tricycle-for-hire, after conducting a public hearing for that purpose;
5. Promulgate rules and regulations for the proper implementation of this Article which shall continue to be in full force and effect until revoked or modified by the Sangguniang Bayan; and
6. Perform such other duties, powers and functions as may hereafter be authorized by the Sangguniang Bayan.

#### **SECTION 15. *Rules and Regulation***

1. Only Filipino citizens and partnership or corporation with sixty percent (60%) Filipino equity shall be granted the MTPOP. No MTPOP shall be granted by the municipality unless the applicant is in possession of units with valid registration papers from the Land Transportation Office (LTO), Mayor's Permit and Certificate of Residency from the concerned Barangay Captain;
2. The guarantee of the MTPOP shall carry common carriers sufficient to answer for any liability it may incur to passengers and third parties in case of accidents;
3. Operators of tricycle-for-hire shall employ drivers duly licensed by LTO for tricycle-for-hire;
4. Operators who intend to stop service completely, or suspend service for more than one (1) month shall report in writing such termination or suspension to the Sangguniang Bayan;
5. Tricycle operators are prohibited to operate on national highways utilized by wheel vehicles greater than four (4) tons and where normal speed exceed forty (40) kph;
6. Until such time that necessary zones are fixed, tricycle-for-hire shall be allowed to operate like taxi service, i.e. service is rendered upon demand and without a fixed route;
7. The Sangguniang Bayan may impose a common color for tricycle-for-hire in the same zone or barangay. Each tricycle unit shall be assigned and bear an identification number, aside from its LTO license plate numbers;
8. The official fare to be initially adopted shall be P10.00 pesos for the first four (4) kilometers and a minimum fee of P1.00 per kilometer in excess of four (4) kilometer distance pending enactment of the prescribed fare for the zone by the Sangguniang Bayan; and

9. Operators of tricycle-for-hire are required to post in a conspicuous but appropriate part of the tricycle and schedule fares
10. Minimum standard size of tricycle shall be in accordance with the size prescribed in the Sangguniang Panlalawigan of Oriental Mindoro Resolution Number 1983-2013 as stated below:

- a) Height from sidecar's flooring to roof: 46 inches;
- b) Height from passengers' seat to roof: 37 inches;
- c) Height from passengers' seat to the flooring: 9 inches;
- d) Length from backseat to front panel: 47 inches;
- e) Length from seat side panel to front panel: 32 inches;
- f) Length of passenger's seat (two passengers): 30 inches;
- g) Width of passengers' seat: 15 inches; and
- h) Height clearance from ground to flooring: 9 inches

11. Existing tricycles which do not conform with the minimum standard shall be given five (5) years to modify/comply with the design standard as prescribed in this ordinance.

**SECTION 16. Imposition of Fees.** There shall be collected an annual registration fee in the amount of four hundred sixty (P460.00) per unit. Other fees on tricycle operators are as follows:

| LIST OF FEES   | AMOUNT          |               |
|----------------|-----------------|---------------|
|                | New             | Renew         |
| Mayor's Permit | 110.00          | 110.00        |
| Filing Fee     | 200.00          | 200.00        |
| Medical Fee    | 100.00          | 100.00        |
| Plate          | 350.00          | 50.00         |
| Sticker        | 50.00           | -             |
| ID             | 100.00          | -             |
| Vest           | 200.00          | -             |
| Franchise Fee  | 5,000.00        | -             |
| <b>Total</b>   | <b>6,110.00</b> | <b>460.00</b> |

**SECTION 17. Time of Payment**

- a) The annual registration fee shall be paid to the Municipal Treasurer upon application for registration which shall be on or before the 20<sup>th</sup> of January. Late registration shall have an increase of 25% of the total annual registration fee which will serve as the penalty.
- b) The filing fee shall be paid upon application for a MTPOP based on the number of units

- c) Fare Adjustment Fee for Fare Increase shall be paid upon approval of fare increase and to be collected together with the annual registration fee.
- d) Filing fee for amendment of MTPOP shall be paid UPON application for transfer to another zone, change of ownership of units or transfer of MTPOP.

### **SECTION 18. *Other Requirements in Granting of Franchise***

Prior to the issuance of Franchise, the applicants shall conform to the following requirements:

- a) Application
- b) Clearance from Tricycle Regulatory Unit which indicates that the unit had passed noise pollution testing and complied the standard size
- c) Barangay Clearance
- d) Certification of Good Standing from TODA
- e) Updated OR/CR
- f) Payment

**SECTION 19. *Record Keeping.*** All franchise granted by MTPFRC shall have a complete record to be kept by the Business License and Permit Division, who shall furnish a copy of the same to the Sangguniang Bayan.

### **SECTION 20. *Tricycle/Pedicab Fares***

The fares shall be established at a level that will provide the operator a reasonable return of profit, and still be affordable to the general public. The fare structure may either be flat (single fare regardless of distance) or a minimum amount plus a basic rate per kilometer.

Any fare increase should be made through the enactment of an ordinance. The Sangguniang Bayan shall prescribe the minimum fare and may increase or decrease the same from time to time. Operators may propose fare increase subject to the approval of Sanggunians concerned.

The table of approved fares should be posted prominently at the tricycle terminal and in conspicuous part of the vehicle.

## **ARTICLE III Local Tricycle and Pedicab Regulatory Unit**

**SECTION 21. *The Composition of Local Tricycle Regulatory Unit.*** There shall be Local Tricycle Regulatory Unit who will supervise the entire operation of tricycle in the municipality.

### **SECTION 22. *Duties and Functions***

1. General Supervision in the:

- (i) Processing of applications for tricycle franchise forwarded or endorsed to the Municipal Tricycle and Pedicab Franchising and Regulatory Committee (MTPFRC) for its recommendation and subject for approval by the Sangguniang Bayan;
  - (ii) Issuance of Motorized Tricycle and Pedicab Operator's Permit (MTPOP) and Non-motorized Tricycle and Pedicab Operator's Permit (NTPOP); and
  - (iii) Annual renewal of MTPOP/NTPOP thereafter.
2. Prepare inventory lists of all motorized and non-motorized tricycles-for-hire operating within the municipality.
  3. Study, develop and recommend Tricycle Zones or Routes, Route Measured Capacity (RMC); designation of Color Scheme, Body Number and Tricycle Terminal.
  4. Apprehend unauthorized tricycle operating for hire within the municipality and confiscate his franchise.
  5. Investigate and hear public complaints as well as the institution of remedial measures to the said complaints with regard to public tricycle operations within the municipality.
  6. Prepare regular and special reports on the operations and supervision of public tricycle every month as well as the accomplishment report of the office (TRU) every quarter. The TRU shall finish a copy of the said reports to the Sangguniang Bayan, Office of the Municipal Mayor, MTPFRC, and public tricycle Federation.
  7. In special or exceptional cases, the Municipal Mayor, thru the recommendation of the TRU, may deputize members of the Philippine National Police or traffic enforcers or barangay officials, who shall apprehend erring tricycle drivers, confiscate driver's license, issue Citation Tickets such as Ordinance Infraction Receipt or Ordinance Traffic Violation Receipt, and impound public tricycle.
  8. Among other things, the TRU may impound public tricycle, and seize or confiscate license plate of public tricycle.
  9. Implement color or number coding schemes or such other schemes intended to reduce the number of tricycles operating each day in each particular TODA/COOP Transport or franchise zones/route.
  10. Give recommendations to the local TODA/COOP Transport of their findings and observations on traffic problems and compel the organization to regulate their transport rules on operation by the use of innovative ideas to reduce traffic impacts on public transport in their area of operation.
  11. Observe and certify election of officers of TODA/Tricycle Service Cooperative (TSC) and Federation of TODA/TSC.
  12. Require TODA/Tricycle Service Cooperative to submit list of its members or franchise holders every quarter.

#### **ARTICLE IV VALUES OF TRICYCLE DRIVERS**

**SECTION 23. *Values of Tricycle Drivers and Operators.*** Tricycle drivers and operators shall be humble and respectful; shall be just and fair towards their passengers and co-

drivers; and most of all, shall be obedient and dutiful in abiding with the ordinances all the time

Tricycle drivers and operators who are proven to have committed misconduct during operation shall be penalized. If worst incident occurs, they shall be subjected to disciplinary action.

**SECTION 24. *Proper Apparel.*** A proper attire shall be observed during operation hours. Tricycle drivers and operators should look presentable and respectable on their apparel. Every tricycle driver/operator is directed to wear jacket or polo shirt, pants and shoes during operation.

Tricycle drivers and operators who are found to violate proper attire shall be penalized.

## **ARTICLE V ADMINISTRATIVE PROVISIONS**

**SECTION 25. *The Administrative Provisions.***

- a) Each tricycle unit shall be assigned and bore an identification number through valid stickers, aside from LTO license plate number. Employed drivers should have professional driver's license from the LTO.
- b) Tricycle may route all provincial, municipal and barangay roads and streets.
- c) No franchise shall be granted unless the applicant is a Filipino citizen, a bona fide resident of Bongabong to be certified by respective Barangay Captains and has a valid registration paper with LTO.
- d) The maximum passenger it shall carry is limited to five (5) excluding the driver.
- e) All franchises, which are not renewed in accordance with the immediately preceding sub-section shall be deemed abandoned and forfeited and shall be awarded to other qualified applicants in accordance with a resolution issued by MTPFRC.
- f) Except in cases of hereditary succession, any sale, donation, waiver of rights in favor of another, and other modes of transaction transferring the franchise to another person shall not be allowed. The franchise subject of any sale, donation, waiver, or transfer shall be automatically cancelled by the MTPFRC and shall be awarded in the same procedure.
- g) An operator who wants to suspend its operation for more than one (1) month should report in writing such termination or suspension to MTPFRC. Transfer of ownership shall be permitted upon application for the same procedure.

**SECTION 26. *Penalty.*** There is hereby imposed a penalty for violation of the Administrative Provision based on the following schedule:

- a) First Offense - 200.00
- b) Second Offense - 300.00
- c) Third Offense - 500.00

For those operating as a tricycle/pedicabs for hire without valid franchise, the penalty is P2,500.00 for every offense.

For non-wearing of proper uniform, the penalty is P500.00 per offense.

**SECTION 27. *Reservation.*** Nothing in this Article shall be construed to diminish the authority of the Sangguniang Bayan to issue, amend, revise, renew, suspend or cancel MTPOP and prescribe the appropriate terms and conditions therefor; determine, fix prescribe or periodically adjust fares or rates for the service provided in a zone after public hearing; prescribe and regulate zones of service in coordination with the barangay; fix, impose and collect, and periodically review and adjust but not oftener than once every three (3) years, reasonable fees and other related charges in the regulation of tricycle-for-hire; and established and prescribed the conditions and qualifications of service.

**SECTION 28. *Separability Clause.*** - If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SECTION 29. *Repealing Clause.*** - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, ordinance, or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

**SECTION 30. *Effectivity Clause.*** - This Act shall take effect thirty (30) days after its approval.

Certified true:

Atty. EDUARDO M. MAGSINO, REB, EnP  
Secretary to the Sanggunian

Attested:

Hon. RICHARD S. CANDELARIO  
Vice-mayor/Presiding Officer

Approved:

Hon. ELEGIO A. MALALUAN, O.D.  
Municipal Mayor

Date: \_\_\_\_\_