



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH CITY COUNCIL HELD AT THE SESSION HALL VIA ZOOM TELECONFERENCING ON DECEMBER 1, 2020.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

BACON DISTRICT

Hon. Jo Abegail C. Dioneda
Hon. Danilo A. Deladia

EAST DISTRICT

Hon. Ralph Walter R. Lubiano
Hon. Mary Ellen D. Jamisola
Hon. Franco Eric O. Ravanilla

WEST DISTRICT

Hon. Nestor J. Baldon
Hon. Erwin J. Duana
Hon. Fernando David H. Duran
Hon. Rebecca D. Aquino

EX-OFFICIO MEMBERS

Hon. Ma. Teresa D. Perdigon
Hon. Lorenz S. Abenion

ABSENT:

Hon. Melchor P. Atutubo
Hon. Hilario D. Dioneda
Hon. Joven G. Laura

Resolution No. 332, Series of 2020

(Author: Hon. Nestor J. Baldon)

RESOLUTION ENACTING THE SORSOGON CITY NEW TRICYCLE FRANCHISE CODE OF 2020

WHEREAS, Republic Act 9485 otherwise known as the Anti-Red Tape Law (ARTA) of 2007 mandates all government offices to simplify frontline service procedures, formulate service standards to observe in every transaction and make known these standards to their clients;

WHEREAS, the Sangguniang Panlungsod deemed it proper, just and necessary to define, distinguish or otherwise delineate with particularity the nature and character of tricycle franchise issued by the Sangguniang Panlungsod from the Motorized Tricycle Operation Permit (MTO) and the terms and conditions for the preservation and maintenance of the same;

WHEREAS, the Sangguniang Panlungsod, by virtue of provisions under RA 7160, otherwise known as the Local Government Code of 1991, subject to the guidelines prescribed by the Department of

Transportation and Communications has the power to regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the city. (RA 7160, Sec. 458 (3)(vi));

WHEREAS, every local government unit shall exercise the powers expressly granted. Those necessarily implied therefrom; as well as powers necessary, appropriate or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, improve public morals, enhance economic prosperity and social justice, maintain peace and order and preserve the comfort and convenience of their inhabitants;

NOW THEREFORE, on motion of **Hon. Nestor J. Baldon**, duly seconded by **Hon. Franco Eric O. Ravanilla**, resolved as it is hereby resolve to enact the Sorsogon City New Tricycle Franchise Code of 2020.

City Ordinance No. 22, Series of 2020

THE SORSOGON CITY NEW TRICYCLE FRANCHISE CODE OF 2020

Be it ordained by the Sangguniang Panlungsod in session, that:

CHAPTER I PRELIMINARY PROVISIONS

SECTION 1 TITLE

This ordinance shall be known as the **“Sorsogon City New Tricycle Franchise Code of 2020”**.

SECTION 2 SCOPE/COVERAGE

This ordinance shall cover the modifications and new provisions for tricycle franchise transactions. The code also covers impositions of terms and conditions for the preservation and maintenance of Tricycle Franchise and the Motorized Tricycle Operation Permit (MTOP).

This ordinance shall:

1. Apply to all motorized tricycles-for-hire and shall pertain to their use, operation, maintenance and the grant of Franchise and MTOP and other similar permits and certifications to operate within the territorial jurisdiction of the City;
2. Cover and fix the validity of regular and special franchise issued by the Sangguniang Panlungsod;
3. Recognizes the existing routes and/or zones of operation of Tricycles-for-Hire;
4. Cover the rules and regulations on the manufacturing or fabrication of tricycle sidecars in the City of Sorsogon.
5. Provides for the manner of accreditation of drivers operating within the territorial jurisdiction of Sorsogon City.

SECTION 3 OBJECTIVES

The following are the objectives of this ordinance:

1. Establish regulations on tricycle franchise and to update local ordinances related thereto;
2. Provide a systematic, speedy and transparent processing for the issuance and renewal of franchise and substitution of unit;
3. To ensure that every recognized routes has its suitable and proper route/road measure capacity to accommodate the riding public and qualified applicants for the issuance of tricycle franchise;

4. To ensure the rational proportion of tricycle units with valid franchise for each and every recognized tricycle transport association and the demand of tricycle transport service for each route;
5. To define, distinguish or otherwise delineate with particularity the nature and character of tricycle franchise issued by the Sangguniang Panlungsod from the Motorized Tricycle Operation Permit (MTOP) its preservation and maintenance of the same, thus, the code will serve as a guide for all procedures and processes with regard to franchise ownership, renewal and substitution of unit;
6. Obtain organized entries of franchise in the book/roll and provide a more systematic and transparent records thereof;
7. Provide terms and conditions to protect the inviolability nature of tricycle franchise and the Motorized Tricycle Operation Permit (MTOP);
8. Regulate the fabrication of tricycle sidecars within the territorial jurisdiction of Sorsogon City and monitor the production thereof;
9. Ensure comfort and convenience of the riding public by providing the prescribed structural design thereof, both for a tricycle for hire and for private use;
10. To preserve the integrity of the Sangguniang Panlungsod as an institution that issue the tricycle franchise and that the same is not a personal property of the operator/grantee that can be sold and the same shall be considered as a privilege that could be withdrawn or forfeited any time by the issuer when laws, terms, conditions, rules and regulation for the preservation and maintenance of the same is/are violated, disobeyed and transgressed; and
11. To exercise in effective and efficient manner the powers and duties of the Sangguniang Panlungsod and of the city government of Sorsogon as mandated by the Local Government Code of 1991 and all other pertinent laws on tricycle operation.

SECTION 4 DECLARATION OF POLICIES

Section 458 (a)(3)(vi) of the Local Government Code mandates the Sangguniang Panlungsod to regulate the operation of tricycles and grant franchise for the operation thereof.

It is therefore the policy of the City Government to ensure the comfort, safety and wellbeing of the general public using tricycles as mode of transportation and shall seek the highest transport safety standards that are reasonably practicable to:

- a. Improve the safety of tricycles as a mode of public transport;
- b. To provide the constituents with safe, roadworthy, recognized, environment friendly and convenient mode of transportation and ensure a free flow of traffic in the commercial district and its adjacent areas whose drivers and operators are responsible, disciplined and shall comply with the conditions for the grant thereof;
- c. Ensure, in collaboration with tricycle transport bodies and the riding public, that tricycle transport operates as part of an integrated transport system in the City which seeks to meet the needs of all public transport system users;
- d. To promulgate rules and regulations that shall govern the issuance of policies, procedures, and other regulatory measures as may be necessary in the effective administration, maintenance and operation of the tricycle for hire;
- e. Manage tricycle transport in a manner which supports sustainability by seeking to provide its share of public transport trips in proportion to all transport trips in the City;
- f. Improve the environmental performance of tricycle transport including minimization of its adverse environmental impacts;
- g. Promote economic prosperity through efficient and reliable movement of tricycle transport users;
- h. To codify the ordinances applicable to tricycle operating or plying within the city.

SECTION 5 GENERAL POLICIES IN THE GRANT OF TRICYCLE FRANCHISE

Tricycle Franchise shall be granted only to qualified applicants without the recommendation of or from anybody.

Franchise transactions shall be limited to:

1. Application for new tricycle franchise when declared open;
2. Renewal of franchise; and
3. Substitution of unit.

Violations of relevant local and national laws committed by the Driver shall be of the account of the Tricycle Franchise Grantee and shall be a ground for the revocation and cancellation of Tricycle Franchise granted after due process.

Violation of relevant local and national laws in relation to Tricycle Franchise validity shall be on the account of the Tricycle Franchise holder and shall be a ground for the revocation and cancellation of Tricycle Franchise granted after due process.

SECTION 6 DEFINITION OF TERMS

For purposes of this ordinance, the following words and/or phrases shall be construed and defined as follows:

- a. **CITY TRICYCLE FRANCHISING REGULATORY OFFICE (CTFRO)** – created by City Ordinance No. 18, Series of 2018.
- b. **COLOR CODING** refers to the assigned color to a particular group of tricycle operators that identifies their designated route and service area of operation;
- c. **COLORUM** refers to any tricycle operating without a valid franchise;
- d. **DROPPING** shall refer to the petition of franchise holder-applicant for withdrawal of Tricycle for Hire as public conveyance and be converted into Private use;
- e. **FRANCHISE** shall refer to the document issued by the Sangguniang Panlungsod in accordance with Section 458 (a) (3) (vi) of the Local Government Code allowing and/or permitting a qualified person, to operate a tricycle transport service within the territorial limits of the City;
- f. **FRANCHISE CERTIFICATE** a document issued by the Sangguniang Panlungsod through the Office of the City Vice Mayor supporting the City Council's Resolution and evidencing issuance of a franchise;
- g. **FRANCHISE RENEWAL** shall refer to the process by which a valid tricycle franchise is renewed based on the period prescribed under existing laws, rules and regulations by the grantee thereof or his representative;
- h. **MOTORIZED TRICYCLE (MTC) FOR HIRE** shall mean any motorcycle fitted or attached with a single-wheeled side-car or any three-wheeled motorized vehicle used to convey or transport passengers at a fixed rate or fare to their places of destination. All other conveyances powered by motorcycles shall be deemed private motorized tricycles.
- i. **MOTORIZED TRICYCLE OPERATOR'S PERMIT(MTOP)** a permit or license granted to a person, natural or juridical issued by the Office of the City Mayor to operators who are actual residents of Sorsogon City with a valid franchise to operate a tricycle for hire. MTOP shall be considered as the Mayor's Permit or Business Permit which shall be renewed annually while the Tricycle Franchise is valid;
- j. **NIGHTTIME SHIFT** means to drive a tricycle for hire from 6 o'clock in the evening to 6 o'clock in the morning;
- k. **PERMANENT FRANCHISE PLATE NUMBER** the 4-character-alpha-numeric code which shall be posted in the tricycle for hire, and must be highly visible to the passenger and the public;
- l. **PRIVATE TRICYCLE (NOT FOR HIRE)** is a motor vehicle fitted with a single-wheeled sidecar or a two-wheeled cab operated for family use or as a service vehicle in a business or other related enterprise.
- m. **REGULAR FRANCHISE** shall refer to tricycle franchise issued for the operation of tricycle-for-hire within the commercial district. For purposes of this ordinance commercial district shall extend up to Barangay Pangpang in West and up to Sea Breeze Homes and City Hall of Barangay Cabid-an in the East District, as well as Barangay Bibinchahan, San Juan and Macabog.
- n. **RENEWAL OF FRANCHISE** shall refer to the process by which a valid tricycle franchise is renewed based on the period prescribed under existing laws, rules and regulations by the grantee thereof or his representative;

- o. **RESIDENCY** the state of having a permanent address in the City of Sorsogon for a period of no less than One (1) year and existing at the time of the application for the issuance of Tricycle Franchise;
- p. **ROUTES** is a point of origin and destination points connected by a chain of roads or streets over which the tricycle is authorized to operate;
- q. **SPECIAL FRANCHISE** shall refer to tricycle franchise issued for the operation of tricycle-for-hire outside the commercial district.
- r. **SUBSTITUTION OF UNIT** shall refer to process wherein the operator replaces wholly or partly the tricycle covered by a valid franchise;
- s. **SURRENDER OF FRANCHISE** – this is a process wherein franchise holders/operators voluntarily surrender a valid franchise to the City and by express admission that they are no longer willing or interested to operate the unit for public conveyance;
- t. **TRICYCLE BODY NUMBER** is that number assigned to a motorized tricycle and indicated in the franchise issued by the Sangguniang Panlungsod, which number is reflected on the front and rear portions of the vehicle, and painted within the side car;
- u. **TRICYCLE** – any three wheeled motor vehicles with body configuration commonly used by the public, powered by any type of fuel fed engine with a seating capacity of one (1) to four (4) passenger;
- v. **TRICYCLE FRANCHISE** a grant of privilege to a person, natural or juridical, for the right to operate tricycle for public conveyance, extended by the Sangguniang Panlungsod to qualified applicants, thus, the Sangguniang Panlungsod has the exclusive power to issue, amend, revise, renew, suspend or cancel the franchise and prescribed the appropriate terms and conditions therefore, determine, fix, prescribed or periodically adjust fares or rates for the service provided in a zone after public hearing; prescribe and regulate zones of service, 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 establish and prescribe the conditions and qualifications of service.
- w. **TRICYCLE DRIVER** shall refer to any person duly licensed by the Land Transportation Office (LTO) to drive and operate a motorcycle or a tricycle and who actually drives and controls a motorized tricycle while in operation in public streets and highways and duly accredited by the Office of the City Vice Mayor.
- x. **TRICYCLE FOR HIRE** – a three wheeled motor vehicle with a valid franchise to render transport service to the general public for a fee. Tricycle Operator shall refer to the registered owner of a motorized tricycle as appearing on the Certificate of Registration issued by the Land Transportation Office.
- y. **ZONES** contiguous land area or block, subdivision or barangay, where a tricycle may operate with or without a fixed origin.

CHAPTER II TRICYCLE FRANCHISE

SECTION 7 ONE (1) HOLDER/ONE HEAD OF FAMILY - ONE (1) TRICYCLE FRANCHISE POLICY

No individual applicant shall be awarded with more than one (1) Tricycle Franchise. For those who have been awarded with more than one (1) tricycle franchise under the old and previous ordinances, shall be required to surrender the same before the Sangguniang Panlungsod. The surrendered franchise may be awarded to his/her children who is/are already head of the family or to his/her declared official driver/s as the priority applicants thereof.

SECTION 8 GENERAL QUALIFICATION OF APPLICANTS

The following are the prescribed minimum qualification and requirements for all interested applicants for the issuance of Tricycle Franchise; to wit:

1. Only Filipino citizens are qualified to be tricycle operators and drivers;
2. Must be a bonafide resident of Sorsogon City;
3. Must be in possession of a motorized tricycle unit with valid registration papers evidencing ownership by the Land Transportation Officer (LTO) and supported by a common carrier

- insurance policy for the protection of passengers and third parties in case of an accident, and a tricycle side car;
4. Resident ID or Barangay Clearance for operators and drivers;
 5. Police Clearance for operators and drivers;
 6. All applicants shall personally appear before the Office of the Sangguniang Panlungsod/ Tricycle Franchising Regulatory Office.

No certification of member of good standing in tricycle association shall be required for any tricycle franchise transactions, except when the Sangguniang Panlungsod declares the opening of new franchise, wherein the applicant shall be required to secure a Certificate of Membership from the association as predetermined by the Sangguniang Panlungsod through its Committee on Franchise. The purpose of which is to ensure that every recognized routes has its suitable and proper route/road measure capacity to accommodate the riding public and to ensure the rational proportion of tricycle units with valid franchise for each and every recognized tricycle transport association and the demand of tricycle transport service for each route.

SECTION 9 GENERAL DISQUALIFICATION OF APPLICANTS

The following are the general disqualification for the issuance of Tricycle Franchise, to wit:
That the applicant has been previously granted with a franchise.
Non – residents of Sorsogon City.

SECTION 10 DISTRIBUTION OF FRANCHISE

The total number of valid tricycle franchise shall correspond to the tricycle unit legally operating within the territorial jurisdiction of Sorsogon City. The Sangguniang Panlungsod through its Committee on Tricycle Franchise and City Tricycle Franchise Regulatory Office shall ensure that every recognized routes has its suitable and proper route/road measure capacity to accommodate the riding public and to ensure the rational proportion of tricycle units with valid franchise for each and every recognized tricycle transport association and the demand of tricycle transport service for each route;

SECTION 11 AWARDING OF NEW ADDITIONAL FRANCHISE

In compliance with the provisions of the Local Government Code, it shall be the function of the Sangguniang Panlungsod to grant herein privilege subject to the conditions herein imposed and compliance with existing laws, rules and regulations for the purpose.

SECTION 12 OPENING AND CLOSING OF THE GRANT OF TRICYCLE FRANCHISE

For purposes of this code, the opening and closing of the grant of tricycle franchise are hereby authorized through the passage of a resolution.

SECTION 13 VALIDITY OF FRANCHISE

Any franchise shall remain valid for a period three (3) years from the date of its issuance and shall be renewed on its anniversary date. If the anniversary date falls on a Saturday, Sunday or holiday or on the occasion of declared calamity the renewal shall be on the next working day immediately after.

The inaction of the grantee for a period of six (6) months after the expiration of tricycle franchise shall cause an automatic revocation of the privilege granted after 2 (two) notices. In no case shall an expired franchise be allowed to operate.

Within six (6) months from the death of the franchise holder, the Certificate of Franchise shall be surrendered to the Sangguniang Panlungsod through City Tricycle Franchise Regulatory Office. The surviving spouse or any of his/her children shall be the priority applicant for the said recalled franchise. Failure to report and surrender the said franchise within the prescribed period shall be forfeited in favor of the city government and may be awarded to qualified waiting applicant.

SECTION 14 ISSUANCE/GRANT OF FRANCHISE BY THE SANGGUNIANG PANLUNGSOD

The Sangguniang Panlungsod shall issue/grant franchise to operate a motorized tricycle for hire.

The franchise is a privilege granted to qualified persons who desire to provide transport service to the general public by means of a motorized tricycle for monetary consideration. Being a privilege, it can be revoked, cancelled or withdrawn unilaterally at any time upon reasonable grounds.

SECTION 15 DOCUMENTARY AND OTHER REQUIREMENTS

The following are the documentary and other requirements for the issuance of Tricycle Franchise:

1. Letter of Intent addressed to the City Vice Mayor thru the Chairman of the Committee on Tricycle Franchise of the Sangguniang Panlungsod stating the intent of the applicant to avail a new tricycle franchise;
2. Photo copy of LTO Official Receipt and /Certificate of Registration,
3. Physical presentation of motorcycle with sidecar;
4. Barangay Clearance;
5. Certificate of Roadworthiness;
6. Resident ID issued by the city government;
7. Valid ID and 2x2 ID pictures;
8. Police Clearance.

SECTION 16 SUBSTITUTION OF UNIT

The operator who wishes or required to replace wholly or partly the tricycle especially its motor unit, covered by a valid franchise, shall submit in three (3) sets the following documentary requirements:

- a. Letter of Intent addressed to the City Vice Mayor thru the Chairman of the Committee on Tricycle Franchise of the Sangguniang Panlungsod stating thereof the intent of the Tricycle Franchise Grantee for Substitution of Unit;
- b. Photo copy of LTO Official Receipt of the old motorcycle;
- c. Photo Copy of LTO Official Receipt of the new motorcycle;
- d. Barangay Clearance;
- e. Resident ID issued by the city government;
- f. Certificate of Roadworthiness;
- g. Physical presentation of motorcycle with sidecar.

SECTION 17 RENEWAL OF FRANCHISE

The franchise shall be renewed on or before the 3rd anniversary date of its issuance. If the last date for renewal falls on a Saturday, Sunday or holiday or on the occasion of a declared calamity the deadline for renewal shall be on the next working day immediately after.

The applicant shall submit in three (3) sets the following documentary requirements:

1. Certificate of Tricycle Franchise previously issued;
2. Photo copy of LTO Registration/Certificate of Registration;
3. Barangay Clearance;
4. Resident ID issued by the city government;
5. Certificate of Roadworthiness;
6. Physical presentation of motorcycle with sidecar.

SECTION 18 LATE RENEWAL OF FRANCHISE

For late renewal of the franchise, a penalty fee shall be imposed which shall be dependent on the date of renewal and subject to revocation/cancellation after the reglamentary period as herein prescribed.

SECTION 19 NON-RENEWAL OF FRANCHISE

Non-renewal of Franchise within six (6) months from the date of expiration thereof after due notice to the owner, shall result in automatic revocation of the franchise and cancellation of the MTOP without further notice. Franchise that have not applied for MTOP for one (1) year shall likewise undergo the process of revocation.

SECTION 20 GROUND FOR CANCELLATION AND REVOCATION OF FRANCHISE

The following are grounds for the cancellation and revocation of Tricycle Franchise:
Violation of any provision herein and of the terms and conditions in the franchise;

- a. Violation of related laws and ordinances;
- b. Any motor vehicle involved in the commission of crimes other than those defined by the Revised Penal Code (RPC) as reckless imprudence shall be a cause for an automatic revocation of franchise and be permanently banned from being a franchise holder, unless the franchise grantee can submit the lower court's findings of non-culpability;
- c. Any motor vehicle who is involved in vehicular accidents or those defined by the RPC as crimes due to reckless imprudence shall undergo a process of revocation if it cannot present certificate of settlement issued by PNP or MTC/RTC Clearance as the case may be;
- d. Tricycle is not registered with LTO;
- e. Nonpayment of regulatory fees;
- f. Expired franchises not renewed in the reglamentary period;
- g. Non-application for MTOP within one (1) year.

SECTION 21 MANNER OF CANCELLATION AND REVOCATION OF FRANCHISE

The cancellation and/or revocation of a valid franchise may be done by declaring the same in a session of the Sangguniang Panlungsod, after due notice to the holder thereof. The cancellation and revocation of the franchise shall not be a bar to the prosecution of any other action that might be appropriate according to law.

SECTION 22 SURRENDER OF FRANCHISE

Any franchise holder or franchisee may terminate his/her franchise at any time by dropping or surrendering the franchise to the Sangguniang Panlungsod for recording and cancellation purposes.

SECTION 23 OPERATING CONDITIONS FOR TRICYCLE FOR HIRE

The following operating conditions, rules and regulations for tricycle for hire, are hereby prescribed:

1. Designated permanent franchise plate number shall be attached conspicuously at the back and front portion of the tricycle sidecar inclusive of the name of the operator and contact numbers;
2. A photo copy of the MTOP and the Certificate of Franchise shall be visibly displayed inside the tricycle unit and shall have an interior lighting for night trip;
3. All tricycle drivers shall observe the Drivers Code of Ethics of Sorsogon City which shall be prominently displayed inside their unit;
4. All tricycles plying within the main thoroughfares of Sorsogon City shall maintain a maximum speed limit of not more than 40 km/hour and 60 km/hour to other road network that are not highly populated and tricycles maybe allowed to traverse the national road in the absence of an alternative route; however, in traversing the national road Tricycle unit shall use the outermost lane portion;
5. The driver and operator of a motorized tricycle shall at all times operate and maintain a roadworthy, dependable and highly reliable tricycle unit in such a way as to insure the

- Passengers' safe arrival at their destinations. As well, it shall ensure the comfort of the*
passengers such that the floor to roof height shall be 1.10 meters for new side cars;
6. Each tricycle unit shall carry an assigned franchise number and should be conspicuously posted on the front and rear portions, and within the side car;
 7. The city plate correspond the grantee's permanent franchise plate number shall be in chronological order (e. g. 0001 which shall follow in that order until the last number of franchisee) and shall be permanent. Special franchise shall have a different franchise plate to distinguish the same from that of the regular franchise.
 8. For purposes of renewal thereof, a sticker shall be issued by the City Government, which shall be posted conspicuously on the city plate;
 9. No franchise shall be granted to new operator applicants with motorbike unit having two – stroke engine. This is pursuant to existing law to eliminate pollution, which is hazardous to health and safety of the general populace, and to make Sorsogon City environmentally friendly.
 10. The body number at the rear portion of the side car shall be properly illumined or lighted by two small lights for easy identification.
 11. Stickers or paintings of any kind on the windshield that obstruct vision shall not be allowed except the sticker issued by the City;
 12. Every tricycle unit shall have a trash can;
 13. Durable transparent plastic or any similar contrivance must be used as a sidecar windshield and must be free from unauthorized stickers and paintings that will obstruct the outside view of the passenger;
 14. The maximum capacity limit for tricycles shall be four (4) passengers only. In cases where the adult is accompanied by children who are three (3) feet and below, only the adult-passengers will pay. If the fare is equivalent to four (4) passengers, the tricycle driver will no longer be allowed to pick up a back rider; However, rules and regulation issued by the national government or its duly created taskforce to combat a pandemic or other similar health and non-health national emergency affecting the capacity limit for tricycle shall be respected until the same is officially lifted.
 15. No overloading of passengers shall be allowed for public safety and convenience;
 16. Backriding for tricycles shall be allowed with the following conditions:
 - there should only be one (1) backrider.
 - a backrest, handrail, safety belt and footrest, should be installed and shall follow specifications prescribed in the design devised.
 - backriding passenger must not be a minor aged twelve (12) and below, a senior citizen nor a person with disability.
 - backrider must not be under the influence of liquor.
 17. Carriers for baggages and other cargoes shall be placed on top of the side car.
 18. Any tricycle driver or operator who does not wish to convey passengers at any given period during the day for reasons known only to him must place on the front windshield of his sidecar the sign: ON SERVICE' or 'ON CALL', for the information of the general public;
 19. Tricycles for Hire may travel outside its specific area of operation or zones, under the following circumstances, to wit:
 - When they have been rented or 'na-arkila'; however, in going back they are prohibited to pick-up passengers for a fee;
 - When attending a funeral cortege;
 - When bringing an emergency patient to clinic or hospitals;
 - When reporting a crime or vehicular accident and fire; and
 - When attending solemnization or marriage.
 - In case of fortuitous events when tricycle services are immediately needed.
 20. Tricycles whose services are engage to transport passengers and commodities starting 8: 00 o'clock in the evening outside their specific routes or beyond are required to register at the nearest Police Precinct for purposes of monitoring stating therein the franchise plate, complete name of the driver or operator, passengers and the destination;
 21. No special trips, whether on daytime or night time outside the City shall be made without due notification to the nearest Police Station;
 22. Vehicles under litigation shall not be processed until their cases are resolved by the Courts with finality;

23. No Tricycle shall be allowed to engage in the business of public conveyance without a valid franchise;
24. Service Tricycle (Not for Hire) shall have a sticker that it is for private use only and the owner-operator shall secure the necessary permits for the purpose;
25. Tricycle for hire shall be used exclusively for public conveyance and shall not be used to transport livestock. Anyone caught in violation hereof shall be a ground for the cancellation of the franchise.
26. Operators shall employ drivers licensed by the LTO for a tricycle-for-hire.
27. No tricycle-for-hire shall be allowed to load passengers or goods than what is allowed under existing rules, laws and regulations.

CHAPTER III
MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOPI)

SECTION 24 MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOPI)

No tricycle unit shall operate for hire within the territorial jurisdiction of Sorsogon City without securing the permit to operate.

Such permit-MTOPI, shall be issued upon compliance with all the requirements and upon payment of the required fees.

SECTION 25 ISSUANCE AND REQUIREMENTS

Tricycle operators with a valid franchise granted/issued by the Sangguniang Panlungsod shall apply for a Motorized Tricycle Operator's Permit which serves as a Business Permit/Mayor's Permit and a license to operate a motorized tricycle for hire within the territorial jurisdiction of Sorsogon City, to be issued by the City Mayor with the following documentary requirements, to wit:

- a. Certificate of Roadworthiness;
- b. Certificate of Franchise;
- c. Previous Motorized Tricycle Operator's Permit (MTOPI).

SECTION 26 VALIDITY OF MTOPI

Motorized Tricycle Operator's Permit issued by the City Mayor is valid for one (1) year and renewable in the same period thereafter.

If the last date for renewal falls on a Saturday, Sunday or holiday or on the occasion of a declared calamity the deadline for renewal shall be on the next working day immediately after.

SECTION 27 REVOCAION/INVALIDITY OF MTOPI

The MTOPI shall be invalid when:

1. The owner/operator voluntarily surrenders his MTOPI for reason of transfer of residence to another municipality or locality;
2. The owner/operator wishes to convert his unit to NOT FOR HIRE;
3. The unit is declared no longer roadworthy by the Land Transportation Office (LTO) or by the Sangguniang Panlungsod;
4. The tricycle operator committed a violation/s of the terms and condition stated in this Ordinance;
5. The operator/driver violated in any provisions of the Sorsogon Traffic Code and failure of payment of corresponding penalties stated thereto.

SECTION 28 OPERATING CONDITIONS

Motorized Tricycle Operator's Permit holder, (operator and driver) shall comply with the following terms and conditions upon operation as public conveyance:

1. Tricycle operator shall register the herein authorized unit/under MCH denominations with the Land Transportation Office Sorsogon Agency within thirty (30) days from receipt thereof. The said agency shall cause the inspection of the same and shall accept it for registration only if found fit and roadworthy for operation as a public utility vehicle;
2. Tricycle operator shall renew the MTOP every year upon its expiration.
3. The corresponding Sticker in the Franchise Plate Number for the corresponding year and all documents required by the LTO from the City necessary for the registration of tricycles shall be issued;
4. Tricycle operator/driver shall display a photocopy of MTOP, Certificate of Franchise, fare and matrix;

Tricycle operator shall strictly observe and comply with the conditions, rules and regulations of the City Council of Sorsogon City, existing traffic rules and regulations, this ordinance and other relevant laws of the Philippines applicable thereto.

Violation of the above-stated terms and condition shall be a ground for the revocation of MTOP and grounds for the cancellation of tricycle franchise.

SECTION 29 CERTIFICATE OF GOOD STANDING

Tricycle operators shall secure a Certificate of Good Standing from MTOP Division prior to the renewal of the franchise. Said certificate will certify that the tricycle operator is free from any obligation, such as payment of fees and other liabilities and compliant with the terms and conditions stipulated in the MTOP and other existing laws and regulations.

**CHAPTER IV
TRICYCLE SIDE CAR**

SECTION 30 ACCREDITATION OF TRICYCLE SIDECAR MANUFACTURERS

Tricycle sidecar manufacturers in the City of Sorsogon shall be required to accredit and/or register before the City Permits and Licensing Section. The said office is further tasked to send notices to all licensed manufacturers in the City of Sorsogon ensure there compliance herewith.

Accreditation and/or registration shall be renewable every year for a fee amounting to Two Hundred (₱ 200.00) Pesos. Manufacturers are mandated to submit the list or inventory of their works, which shall then be a pre-requisite for renewal of business permit. The pro-forma report list shall be prepared by the City Permits and License Section.

SECTION 31 TRICYCLE SIDECAR FOR-HIRE-BUILT FEATURES DESIGN

The existing and common design of tricycle sidecars, which are predominantly used by the majority of the tricycle operators/drivers within the territorial jurisdiction of the Sorsogon City, shall be recognized as the structural-featured design of tricycle sidecar-for-hire that shall be allowed by the City Government of Sorsogon.

Existing tricycle-for-hire that needs to be repaired in order to secure its roadworthiness and for renewal of its franchise shall be repaired in an approved built feature design and in a manner prescribed herewith.

SECTION 32 PRIVATE TRICYCLE SIDECAR-BUILT FEATURES DESIGN

The Service tricycle or those for private use shall have its own structural features design to manifestly distinguish it from that of a tricycle for-hire unit. The common feature of Service Tricycle is

that all shall have a door at the sidecar. The manufacture of the sidecar unit for service tricycle shall have the responsibility that the feature design for a tricycle-for-hire shall not be copied for the purpose.

Existing private tricycle that need repair shall follow the built feature design for the purpose and in a manner prescribed herewith.

SECTION 33 FABRICATION PERMIT FOR TRICYCLE SIDECAR

Any person, whether natural or juridical operating business in the city of Sorsogon shall secure a copy of the fabrication permit issued by the City Permits and Licensing Section. Fabrication permit issued by Permit and Licenses Section shall be in two (2) copies. One (1) for the owner who is required to pay the fabrication permit of Php100 and one (1) for the manufacturer.

The MTOP/City Permits and Licensing Section shall keep an inventory of all the applicants taking into account their registered name in the LTO Certificate of Registration, the motor make, color, chassis and motor serial numbers of the unit, its address and the declaration of the used of the same.

SECTION 34 PERMIT TO EXEMPT FROM COVERAGE

Non-residents of Sorsogon City, who shall contract the fabrication of tricycle sidecar manufacturer in the City of Sorsogon for a single unit of sidecar for private use, intended for-hire outside the city jurisdiction or for business use only, shall secure Permit to exempt from coverage of this ordinance from the MTOP Division in the amount of One Hundred (₱ 100.00) Pesos. The applicant herein described may select or make her/his own personal design of the sidecar.

SECTION 35 RECORDING AND RECOGNITION OF SIDECARS

Only those tricycle sidecars manufactured or fabricated as prescribed herein shall be recognized and be given preferential rights in the awarding of franchise in case the same is declared open for application.

Tricycle sidecars that are manufactured for private use shall be automatically recorded as such in the roll of private tricycle units in the City Permits and Licensing Section and the MTOP Division.

The accredited tricycle sidecar manufacturer shall, after its completion, paste or post permanent adhesive sticker displaying or bearing the word "PRIVATE" in the front passenger windshield of the sidecar. The sticker shall be supplied by the MTOP Division for a fee.

SECTION 36 SIDECAR SPECIFICATION

No Franchise and/or MTOP/Mayor's Permit shall be issued to tricycle operator/s unless the sidecar of the said unit which he/she operates complies with the following specifications, to wit:

- a. Roof over the driver's seat or any other kinds of shield that could protect the driver from sun exposure and the rain;
- b. Rain cover or such that could protect the passengers from getting wet during rainy days;
- c. Light Bulb – sufficient brightness must be installed inside the passenger's sidecar cabin and the same shall be illuminated at all times during night time operations;
- d. Provision of trash can inside and back portion of duly painted and in good condition tricycle unit;
- e. Mudguard – shall be painted with Sorsogon City's landmark or tourist spots.

**CHAPTER V
TRICYCLE DRIVERS**

SECTION 37 ACCREDITATION OF TRICYCLE DRIVERS

All Tricycle Drivers shall be accredited for the following objectives; to wit:

1. To be able to keep track and have a database of all tricycle drivers operating within the territorial jurisdiction of Sorsogon City;
2. To be able to equip tricycle drivers as tourism-friendly drivers;
3. To ensure direct benefits and preferential privilege from the City Government, other government agencies and tricycle operators to legitimate and accredited tricycle drivers operating within the territorial jurisdiction of Sorsogon City.
4. To be able to develop a harmonious partnership and/or relationship between tricycle drivers and the City Government.

SECTION 38 REQUIREMENTS FOR ACCREDITATION

Only drivers duly accredited by the City through CTFRO, shall be allowed to convey a motorized tricycle for hire. The following are the requirements for accreditation of the regular and associate Tricycle Driver:

1. Duly Accomplished Application Form
2. Resident ID or Voter's ID issued by the Commission on Elections
3. Health Card from the City Health Office
4. Photocopy of driver's valid license
5. Police clearance

SECTION 39 MANDATORY TRAINING

Tricycle-driver applicants must undergo a training. Concerned agencies such as but not limited to City Tourism Office, LTO, PNP, TMG, SSS shall be invited during the mandatory training.

SECTION 40 VALIDITY OF ACCREDITATION

Accreditation shall be valid upon its issuance and three (3) years thereafter, unless earlier revoked for any grounds as stated herein.

SECTION 41 ISSUANCE AND LOSS OF PREVIOUSLY ISSUED ID

Upon compliance of all documentary requirements and payment of the proper fees and charges, applicant-driver will be issued two (2) Authorized Tricycle Driver's Identification Card (ATD ID) to be carried/wear at all times by the driver and the other one shall be posted in a conspicuous place inside the tricycle for ready identification by the passengers.

If the previously issued ATD ID shall be lost, the same shall be replaced at the expense of the applicant-driver upon presentation of an affidavit of loss at the expense of the driver-applicant.

SECTION 42 CODE OF ETHICS

Tricycle drivers shall adhere to the following code of ethics:

1. Na ako mamaneho na malinis asin presentable;
2. Na susunodon ko an regulasyon manungod sa tama na pagbado; na dae ako mamaneho na nakasando, naka shorts asin nakatisenelas;
3. Sesegurohon ko an kaligtasan kan mga pasahero asin kan publiko sa paagi nin pagsunod kan mandato kan leyes asin mga ordinansa;
4. Na sesegurohon ko na maatendiran an sakuyang mga pasahero sa oras nin aksidente;
5. Na ako mabugtak kan sakuyang ATD ID sa sakuyang behikulo asin permi ko susul-oton ini mientras na nagpapasada;
6. Na an sakuyang behikulo na sa maray na kondisyon;
7. Na ako pisikal na preparado na magmaneho sa gabos na oras;

8. Na dae ako mamaneho kan sakuyang behikulo na nakainom ki anuman na alak o nasa impluwensya kan ipinagbabawal na droga asin dae ako magsisigarilyo mantang nagmamaneho;
9. Na ako dae masingil ki lampas sa tarifa segun sa ley;
10. Na seseguraduhon ko na ligtas an gabos na gamit kan sakuyang mga pasahero asin kun ini mawalat sa sakuyang behikulo, dadarahon ko ini sa maninigong awtoridad tanganing masusog o mabawi an saiyang gamit;
11. Na dai ako malagpas asin masobra sa kapasidad kan sakuyang behikulo asin sesegurohon na komportable asin kombeniyente an sakuyang mga pasahero;
12. Na ako magiging magalang sa gabos na oras, na ako mapahiling ki tama, disente asin matuninong na pag-uugali;
13. Na sakuyang poproteksyunan an lado asin ngaran kan transportasyon;
14. Na ako dae mapili ki pasaherong isasakay, mapa aki man, estudyante o mga senyor citizen;
15. Ini guiguibuhon ko kay ako may pagkatakot sa Diyos.

Herein indicated Code of Ethics shall be printed in the back portion of the ATD ID.

SECTION 43 BENEFITS OF ACCREDITATION

Duly accredited regular tricycle driver shall enjoy the following benefits:

- a. One-time payment in SSS;
- b. Issuance of a valid Authorized Tricycle Driver's Identification Card;
- c. Blood typing;
- d. Franchise grantee are advised to secure the services of tricycle drivers within the pool of accredited drivers;
- e. Incentives in a form of certificate and money rewards shall be awarded to tricycle drivers who shall return lost things;
- f. Preference in some benefits from the City Government.

SECTION 44 RENEWAL OF ACCREDITATION

It shall be on the anniversary date of accreditation. Accredited drivers who incur three (3) violations in any given time shall apply for a new accreditation pending attendance to a training program by the Land Transportation Office (LTO) at the expense of the driver. A Certification from the LTO shall be submitted by the driver when re-applying for accreditation.

SECTION 45 REFERRAL OF ACCREDITED LIST

The list shall be referred to the Tourism Office and other possible agencies which requires the services of tricycle drivers.

SECTION 46 REVOCAION OF ACCREDITATION

Previous accreditation may be revoked, due to the following grounds:

1. Non-display of ID;
2. Violation of any traffic rules and regulations;
3. Violation of any provision of this ordinance;
4. Non-adherence to the Code of Ethics.

**CHAPTER VI
ROUTE MEASURE CAPACITY AND TRAFFIC DECONGESTION SCHEMES**

SECTION 47 ROAD/ROUTE MEASURE CAPACITY FOR TRICYCLE UNITS

The Sangguniang Panlungsod in coordination with the City Zoning Administration Office, the City Engineering Office, Department of Public Works and Highways, Land Transportation, and all other concerned agencies shall determine the road/route measure capacity of tricycle units in each legislative

district in the City of Sorsogon and each zones of operation, which shall include the actual and existing number of tricycle units both private and for-hire.

SECTION 48 RATIONAL PROPORTION OF TRICYCLE UNIT PER ZONES OF OPERATION

The Sangguniang Panlungsod has the authority, by way of a resolution to determine and declare road/route measure capacity. In determining road/route measure capacity the Sangguniang Panlungsod shall consider the rational proportion of tricycle units with valid franchise for each and every recognized tricycle transport association and the demand of tricycle transport service for each route.

SECTION 49 THE OFFICIAL TRICYCLE TRANSPORT ROUTES/ASSOCIATIONS

The following shall be the tricycle transport official and recognized routes/associations or services in the city of Sorsogon:

A. EAST DISTRICT

1. BATASS – Sorsogon City Tricycle Terminal (SCTT) to Balogo, Urban Poor-City Hall Site, and Balogo Grand Terminal
2. BBTODA – Abuyog to Marinas, Km. 12, Buhatan, vice versa
3. BUHATODA - SCTT to Buhatan-Centro, Marcos, Binisitahan, Macapagal and San Vicente
4. CASHTRIODA - SCTT to Cabid-an, Urban Poor-City Hall Site, BNCC, El Retiro, BFAR Office, Camella Subd., Dairy Farm, NFA Relocation Site, City Employees' Village, Diversion Rd./Tower
5. CCSHOCTODA - SCTT to City Hall Complex, Seabreeze Homes Cabid-an, Urban Poor Site
6. SJEDTODA – SCTT to San Juan (Roro)
7. SLGBCVTODA - Poblacion to San Lorenzo, Gabao, Baribag, City Village, Sn Lorenzo-Relocation Site
8. SORBITODA - SCTT to Roseville Bibincahan, Ideal Homes, Sorsogon City Cockpit, Muslim Community, Sirangan, Belmore, Home of the Clergy
9. STDOVA - SCTT to OLV Bibincahan, OLPS, Baptist Church, St. Vincnet, Suarez Cmpd., Sto. Niño, Cattleya 1 & 2
10. PTOODA - Poblacion Sorsogon City
11. SCIKWA - Poblacion Sorsogon City
12. SOTRIDA - Poblacion Sorsogon City
13. SUBTRODADA - SCTT to SPPVS Bibincahan, Slaughterhouse, Tower

B. WEST DISTRICT

1. GSTODA - Poblacion to Barayong and Gimaloto
2. CAMTUTODA - Poblacion to Cambulaga
3. GUINPABTODA - Poblacion/SCTT to Guinlajon and Basud
4. MATRIODAS - SCTT to Macabog, Springville Subd., Solomon Subd., Bliss, Provincial Hospital
5. PAMPTODA - Poblacion to Pamurayan
6. PVTAS - SCTT to OLV Pangpang, SorDoc, Imperial Homes, Sn Raphael
7. RTBSSPPCTODA - Rizal, Sitio Tublijon, Bulabog, Bucalbucalan, Sn Isidro, Buenavista, Capuy, Sitio Pocdol, Panlayaan-suhi and Salvacion

C. BACON DISTRICT

1. PJBTODA - Bacon Public Market to Rawis, Del Rosario, Sto. Domingo, Sn Juan-Barrio Site and Lebanon, Buhawi, Tiris and Look (Gajo) and Sta. Cruz
2. BPCBSTODA – Bacon Poblacion, Caricaran, Bogna, Sugod, Malabog, Salvacion, San Ramon, Danao, Sta. Lucia and vice versa
3. OTPTODA - Pongco to Rawis, Del Rosario, Sto. Domingo, Sn Juan, Sta. Cruz, Buhawi, Barrio Site, Liday, Tiris, Look, Gajo and Osiao
4. SSBSTODA - San Pascual, San Isidro, San Ramon, Batuhan to SCTT
5. CABATODA - Poblacion to Balete Crossing to Cabarbuhan and vice versa
6. SJRSCTODA – San Jose, San Roque, Gabao Area/Taas, Pabrika and vice versa

SECTION 50 THREE (3)- STRIKE RULE/POLICY FOR VIOLATION OF FRANCHISE CONDITIONS AND TRAFFIC RULES AND REGULATIONS

A tricycle unit or its driver with valid franchise after committing a three (3) violations of any franchise conditions and/or traffic rules and regulations within a year shall be automatically forfeited in favor of the city government. Such rule shall not be affected by payment of fines or penalties due to such violation.

Revocation or forfeiture of tricycle franchise shall be without prejudice for the operator to apply for a new franchise if open.

SECTION 51 COLOR CODING

A color coding for tricycles-for-hire operating in each and every zone of operation may be authorized, in which case, the side cars shall be painted with the prescribed color assigned to every TODA.

The color coding scheme operation of tricycles may be observed to decongest traffic and for the purpose of easy recognition of tricycles, route operation and to eradicate colorum operation within the City.

SECTION 52 DISPLAY OF NAME OF TRANSPORT ASSOCIATION AND ROUTE/ZONE OF OPERATION

Name of Transport Association and the corresponding route/zone of operation shall be clearly displayed at the tricycle sidecar. Failure of the operator to display the same shall be a violation hereof.

SECTION 53 INVENTORY OF TRICYCLE UNITS

The Sangguniang Panlungsod through its Committee on Franchise shall conduct an inventory of all tricycle unit with the valid franchise. Failure of the operator to present their tricycle unit embodied or particularly described in its franchise document shall be considered expired, without prejudice to its renewal upon presentation of the said unit after the period of inventory and within the reglamentary period the Committee on Franchise may set for the purpose.

SECTION 54 RECORDING AND DATA BASE

Tricycle units with the proper franchise documents gathered during the inventory shall be recorded in a data base installed and connected for the purpose. Such tricycle units shall form part of the initial validated tricycle franchise bearing its corresponding tricycle franchise number. Subsequent application for new franchise and renewal of franchise shall be recorded and validated in the data base accordingly following the same procedure.

The data base shall contain all pertinent records of tricycle units such as name of operator, address, franchise number, motorcycle engine and body number, name of the route/association, date of issuance and expiration of franchise, violations committed and all such other pertinent and necessary information.

Special Franchise shall have a separate recording and data base from the regular franchise.

SECTION 55 REPLATING

Tricycle-for-hire under regular franchise which are duly verified and passed the inventory procedure shall be given a new franchise plate bearing their corresponding old/original franchise plate.

Special tricycle franchise shall have different color, size and features so as to distinguish them from the regular franchise.

The City Tricycle Franchising Regulatory Office shall have the authority to pull out, recall or otherwise require grantees of special franchise that were issued franchise plate intended for regular franchise to surrender the same. Such franchise plate shall be replaced with franchise plate intended for special franchise.

Tricycle Operators and Drivers Association (TODA) may produce and issue to their respective members their corresponding association stickers.

SECTION 56 NUMBER CODING

A number coding scheme for units of regular franchise may be authorized at any time after approval of this ordinance, through or by Executive Order issued by the City Mayor.

SECTION 57 PERMANENT FRANCHISE PLATE NUMBER (PFPN)

The Office of the Sangguniang Panlungsod shall cause the production and printing of PFPN made of tin. It shall ensure that the material shall be durable enough so as to withstand the changing weather of the area.

Permanent Franchise Plate Number for Special Franchise shall have a different design, color and features as to distinguish the same from the regular franchise.

For easier identification, such tin plate should be replaced every three years based on the actual production cost. Every PFPN issued shall be permanent in character and cannot be transferred to others.

**CHAPTER VII
FEES AND OTHER IMPOSITIONS**

SECTION 58 IMPOSITION OF FEES AND CHARGES

The fees herein prescribed shall be collected by the City Treasurer.

| PARTICULARS | AMOUNT |
|---|-------------------------------|
| ISSUANCE/GRANT OF NEW FRANCHISE | |
| Documentary Stamp | 30.00 |
| Certification Fee | 37.50 |
| Roadworthy Fee | 25.00 |
| Franchise Fee | 500.00 |
| Filing Fee | 100.00 |
| Environmental Fee | 50.00 |
| Permanent City Permanent Franchise PN | Actual cost |
| APPLICATION FOR SUBSTITUTION OF UNIT | |
| Documentary Stamp | 30.00 |
| Certification Fee | 37.50 |
| Roadworthy Fee | 25.00 |
| Filing Fee | 100.00 |
| Dropping Fee | 200.00 |
| APPLICATION FOR RENEWAL OF FRANCHISE | |
| Documentary Stamp | 30.00 |
| Certification Fee | 37.50 |
| Roadworthy Fee | 25.00 |
| Filing Fee | 100.00 |
| Renewal Fee on the anniversary date | 300.00 |
| Penalty for Late Renewal | 500 per month of late renewal |
| MTOP | |
| Mayor's Permit/Unit | 200.00 per year |
| MTOP filing fee | 120.00 |

| | | | |
|--|--------|--|--|
| Roadworthy Fee | 25.00 | | |
| Sticker fee | 40.00 | | |
| Sup. & Reg. Fee | 75.00 | | |
| REGULATORY FEE FOR PRIVATE TRICYCLES | | | |
| Documentary Stamp | 30.00 | | |
| Certification Fee | 37.50 | | |
| Roadworthy Fee | 25.00 | | |
| Registration Fee | 500.00 | | |
| ACCREDITATION FEES FOR TRICYCLE DRIVERS | | | |
| Accreditation of New Regular tricycle drivers | 200.00 | | |
| Accreditation of New Associate tricycle drivers | 350.00 | | |
| Renewal of Accreditation of Regular tricycle drivers | 150.00 | | |
| Renewal of Accreditation of Associate tricycle drivers | 250.00 | | |

SECTION 59 DATE OF PAYMENTS

If the last date for payment falls on a Saturday, Sunday or holiday, the deadline of payment shall be on the next working day immediately after.

**CHAPTER VIII
PENAL AND FINAL PROVISIONS**

SECTION 60 VIOLATIONS IN CONNECTION WITH MTOP AND FRANCHISE

The following acts shall be illegal:

1. Operating with No or fake Franchise
2. Unauthorized transfer of Franchise
3. Allowing drivers to drive without the necessary accreditation or with an expired accreditation registered/improperly registered/delinquent or invalid registration.
4. Certificate of registration and official receipt and Franchise not carried (original or photocopies)
5. Operating/allowing the operation of a motor vehicle with a suspended/revoked certificate of registration

The operator, in violation of any of the aforesaid acts shall be penalized, as follows:

- 1st Offense : Fine of ₱ 500.00
- 2nd Offense : Fine of ₱ 1, 000.00
- 3rd Offense : Fine of ₱ 1,500.00, impoundment of the unit, revocation of franchise and perpetual disqualification for the application and issuance of franchise.

SECTION 61 OUT OF LINE OPERATIONS

Any person, tricycle driver, tricycle operator who willfully and intentionally flies or traverse not within their respective routes or zones of operation and pick up passengers thereto or allow the same shall be penalized, as follows:

- 1st Offense : Fine of ₱ 700.00
- 2nd Offense : Fine of ₱ 1, 000.00
- 3rd Offense : Fine of ₱ 1,500.00, impoundment of the unit, revocation of franchise and perpetual disqualification for the application and issuance of franchise.

SECTION 62 VIOLATION ON SIDECAR SPECIFICATION

Violations of the provisions under Chapter IV of this ordinance shall subject the Tricycle Sidecar Manufacturer and the declared owner thereof, the penalty as herein prescribed, to wit:

- 1st Offense : Fine of ₱ 3, 000.00
- 2nd Offense : Fine of ₱ 3, 5000.00
- 3rd Offense : Fine of ₱ 5000.00, revocation of business permit and closure of the business establishment/enterprise for the manufacturer.

SECTION 63 REFUSAL TO PAY FINE

Failure/Refusal to pay any fine shall cause immediate cancellation/revocation of the franchise.

SECTION 64 REPEALING CLAUSE

All ordinances, resolutions and regulations, or any part(s) thereof which are inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

City Ordinance No. 023, Series of 2018, otherwise known as the Tricycle Franchise Code of 2018 is hereby expressly repealed.

SECTION 65 SEPARABILITY CLAUSE

If for any reason or reasons, any part of provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 66 EFFECTIVITY

This ordinance shall take effect immediately upon its approval by the Sangguninag Panlungsod and after compliance with the law on public dissemination and publication.

DATE APPROVED: December 1, 2020

I HEREBY CERTIFY to the correctness of the foregoing resolution and ordinance.


ROYAN E. DOMASIAN
Acting Secretary to the Sangguniang Panlungsod

Attested:

MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

Approved:

MA. ESTER E. HAMOR
City Mayor