



PAMAHALAANG BAYAN NG TAYTAY

TANGGAPAN NG SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION
OF THE SANGGUNIANG BAYAN, TAYTAY, RIZAL, HELD
ON NOVEMBER 18, 1999, AT THE SESSION HALL, OF
THE MUNICIPAL BUILDING, TAYTAY, RIZAL**

PRESENT:

Hon. Adelina T. Reyes	-	Vice Mayor/Presiding Officer
Hon. Fernando R. Cabitac, Jr	-	Councilor
Hon. Randy S. San Juan	-	"
Hon. Anastacio V. Alcantara	-	"
Hon. Carlito G. Gonzaga	-	"
Hon. Ceferino R. Resurreccion, Jr	-	"
Hon. Janet DL. Mercado	-	"
Hon. Aldin B. Gatapia	-	SK. President

ABSENT:

Hon. Noel Ireneo E. Reyes	-	Councilor (on leave)
Hon. Felimon M. Santos	-	" (O.B)
Hon. Andres C. Cruz, Jr.	-	ABC. President (O.B)

INTRODUCED BY: Coun. Ceferino R. Resurreccion, Jr.

ORDINANCE NO. 44

**"AN ORDINANCE FRANCHISING AND REGULATING
THE OPERATION OF MOTORIZED TRICYCLES IN THE
MUNICIPALITY OF TAYTAY, RIZAL TO BE KNOWN AS
THE "TAYTAY MUNICIPAL TRICYCLE ORDINANCE OF
1999"**

WHEREAS, tricycles are the primary mode of transport in many areas of the Municipality, servicing secondary roads and subdivisions and their operation greatly affect not only the mobility of the riding populace, but also the peace, order, safety and harmony of the various area wherein these tricycles operate;

WHEREAS, there exist a large number of unauthorized or "colorum" motorized tricycles plying the various routes in the Municipality

to the detriment of the authorized ones and compounding not only the transport problem but also the peace, order, harmony and safety in their areas of operations;

WHEREAS, there is a need to provide for general administration guidelines and procedure that will ensure the efficient regulation and monitoring of motorized tricycles operating in the Municipality;

WHEREAS, pursuant to the provision of SECTION 477, par.3 (vi), ARTICLE 3, Chapter 3, TITLE 2, Book III, Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the Sangguniang Bayan (SB) has now the authority to grant franchise to tricycles.

NOW, THEREFORE,

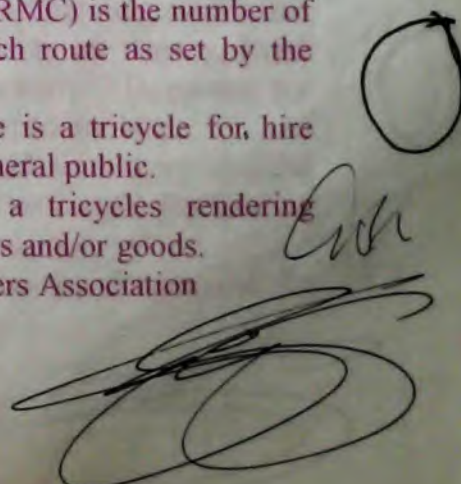
BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF TAYTAY, RIZAL IN SESSION ASSEMBLED:

SECTION 1. TITLE – The Ordinance shall be known as “**THE TAYTAY MUNICIPAL TRICYCLE ORDINANCE OF 1999**”.

SECTION 2. SCOPE AND APPLICATION – This Ordinance shall apply to all motorized tricycles operating within the territorial jurisdiction of the Municipality of Taytay, Rizal.

SECTION 3. DEFINITION OF TERMS

- (a) A TRICYCLE is a motor vehicles composed of a motorcycle fitted with a single wheel side car or motorcycle with two wheeled cab operated to render transport services to general public.
- (b) Motorized Tricycle Operator's Permit (MTOP) is the document granting franchise or license to operate issued to a person, natural or judicial allowing him to operate a tricycle over zones specified therein.
- (c) A ZONE is a contiguous land area or block, say a subdivision or a barangay, where tricycle-for-hire may operate without fixed origin and destination.
- (d) ROUTE MEASURED CAPACITY (RMC) is the number of tricycle-for-hire units allowed in each route as set by the Sangguniang Bayan.
- (e) A. Public motorized tricycle-for-hire is a tricycle for hire rendering transport services to the general public.
B. Utility motorized tricycle are a tricycles rendering transport services to specific passengers and/or goods.
- (f) TODA – Tricycle Operators and Drivers Association

A large, stylized handwritten signature is written over a circular stamp. The signature is in dark ink and appears to be a cursive representation of a name. The stamp is also in dark ink and is partially obscured by the signature.

SECTION 4. ORGANIZATION FOR IMPLEMENTATION-

The Tricycle Franchising Unit (TFU) under the office of the Mayor is hereby tasked to implement the provision relative to the issuance of tricycle franchise and for other purposes specified in this Ordinance.

SECTION 5. TAYTAY MUNICIPAL TRICYCLE REGULATORY BOARD (TMTRB). The Taytay Municipal Tricycle Regulatory Board is hereby created for the purpose of implementing all regulations of tricycles and adjudicating all complaints relative to tricycle operations and shall be composed of the following.

1. Local Chief Executive -- as Chairman
2. Two Members of the SB -- as Members
3. The President of the duly accredited federation of TODA and/or representative of the concerned Tricycle Operators and Drivers Association -- as member
4. The Chief of the Tricycle Franchising Unit (TFU) -- as member
5. A representative from PNP -- as member

SECTION 6. SELF REGULATION OF(T.O.D.A)FEDERATION.

The duly accredited federation of all TODA in the Municipality of Taytay is hereby empowered to self-regulate their officers and members, provided; that the power to self-regulate are limited to the following;

- (a) Issuance of certificate/clearance for creation or formation of a new TODA, except for those who had already been accredited by the Sangguniang Bayan before the enactment of this Ordinance,
- (b) Adjudication of disputes and/or complaints between or against tricycle drivers; and disputes and/or complaints between or against TODA ; whose decisions are subject for review of the TMTRB.

Those TODA w/c are not members for the duly accredited TODA Federation shall file complaints directly to the TMTRB.

SECTION 7. REGISTRATION OF TRICYCLE

- (a) all public motorized tricycles for hire operating within the territorial jurisdiction of the Municipality of Taytay, Rizal shall register and apply for a franchise with TFU, created for the purpose, to operate motorized tricycles for hire.
- (b) All Utility motorized tricycles utilized to convey specific passenger and/or goods shall register and apply for specific franchise with TFU, created for this purpose.
- (c) All applicants for a tricycle franchise should present the following documents;



- (1) Certification of the Barangay council that the applicant is a bonafide resident of the barangay to which he seeks to operate. ✓
- (2) Land Transportation Office (LTO) Certificate of Registration (CR) and latest Official receipt of Registration payment (OR) issued in the name of the applicant, *and certificate from the barangay association* ✓
- (3) Certification from (TODA) where he seek to be a member.
- (4) Insurance coverage for any liability it may incur to passengers and third parties in case of accidents.

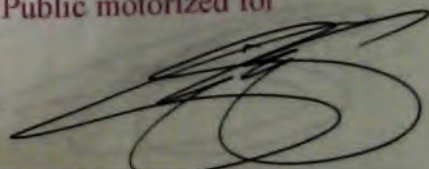
SECTION 8. DURATION OF FRANCHISE – Franchise for motorized tricycles for hire is valid for (1) year, renewable for the same period.

SECTION 9. FEES- All applicants under this Ordinance shall pay the following fees:

- (a) Franchise Fee (Mayor's Permit) – P 50.00 for every unit payable once a year on/or before the anniversary date of the MTOP.
- (b) Filling Fee – P90.00 for every unit payable upon application for an MTOP.
- (c) Supervision Fee – P 20.00 per unit payable on/or before the anniversary date of franchise.
- (d) Legal and Research – P 10.00 per unit payable on/or before the anniversary date of franchise.
- (e) Franchise Sticker – P _____ per unit payable on/or before the anniversary date.
- (f) Annual Safety inspection Certificate fee – P10.00 per unit payable on/or before the anniversary date.
- (g) Filing fee for Amendments of MTOP – P 20.00 to be collected upon application.
- (h) Specific Franchise fee – Annual franchise for utility motorized tricycle as provided for under Section 7 shall pay an annual fee of P 50.00 per unit and P 75.00 filling fee and other mandatory fee as provided.

SECTION 10. RENEWAL OF FRANCHISE – A surcharge of 25% of the franchise fee shall be collected from the operator with expired franchise who will apply for renewal. ○

SECTION 11. ZONING, COLOR CODING, UNIFORM AND BODY NUMBERING – The color scheme to be assigned by the TMTRB shall be adopted to identify the areas of operations of the different tricycle associations. All drivers operating a tricycle-for-hire shall wear uniforms, corresponding their assigned color scheme, at all times. Public motorized for



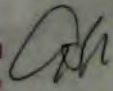
hire shall bear a body number beginning with 001 with the assigned color scheme. The body number shall be painted in front, at the back and inside of the sidecar within the immediate view of the passengers. The size of the body number must be at least six (6) inches in height, three and a half (3 1/2) inches in width. Likewise, the corresponding acronym of the association must be printed above the No. and "Taytay, Rizal" below the number.

SECTION 12. TERMINALS, ROUTE AND AREAS OF OPERATIONS.

- (a) Only motorized tricycles for hire units duly registered with the TFU shall be allowed to operate within the routes and terminals allocated for tricycle operations as determined and authorized by the Sangguniang Bayan in coordination with the TMTRB, the Barangay and other government agencies concerned. The number of tricycle allowed in each route shall be determined in accordance with the Route Measured Capacity (RMC) previously set by the Sangguniang Bayan.
- (b) All terminals and/or TODA shall register with the TMTRB and shall pay an annual fee of P 500.00. A surcharge of 25% of the Terminal fee shall be collected from the association with expired terminal fee payment who will apply for renewal.
- (c) All TODA applying for permit to operate shall present the following documents:
 - (1) S.E.C. Registration
 - (2) List of Officers and Members
 - (3) Barangay Clearance where they seek to operate
 - (4) Certification from the duly accredited TODA federation

SECTION 13. DRIVER' I.D. AND DECAL - Identification Cards of drivers shall be issued by their corresponding TODA and shall be displayed in a conspicuous place inside the tricycle unit.

SECTION 14. RULES AND REGULATIONS – All operators of motorized public/utility tricycle must comply with the following rules and regulations;

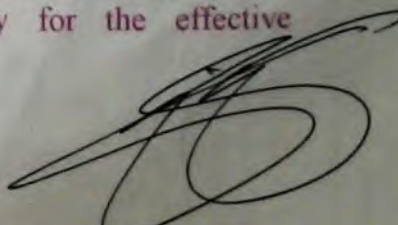
- (a) Only Filipino Citizen and partnerships, corporations or associations with only Filipino equity are qualified to be operators of tricycles-for-hire. However no MTOP shall be granted unless the applicant is in possession of units with valid registration papers from the Land Transportation Office.
 - (b) Grantee of MTOP must carry a common carrier's insurance sufficient to answer for any liability it may incur to passengers and third parties in case of accident.
 - (c) No Tricycles for hire units shall be allowed to operate within the territorial jurisdiction of Taytay, Rizal without having first complied with the following:
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- (1.) Motor registration with the LTO for the current year.
- (2) Issued Motorized Tricycle Operator's permit (MTOP) by the Tricycle Franchising Unit (TFU).
- (3) Annual safety inspection by the TMTRB.
- (d) No tricycle unit shall be allowed to traverse along national roads and highways except when crossing the same, provided that it is the only access road to its destination.
- (e) No motorized tricycles shall be allowed to carry more passengers and/or goods that it is designed for.
- (f) No driver of public motorized tricycle for hire shall refuse to convey passengers to their destination within their allocated or designated route or area of operation.
- (g) Public motorized tricycles for hire are not allowed to operate without the prescribed color scheme and body number as provided by Section 11 of this ordinance.
- (h) No driver of public motorized tricycles for hire shall be allowed to operate without the uniform corresponding their prescribed associations color scheme.
- (i) Terminals for motorized tricycles for hire shall be located at least (5) meters away from street corners and/or intersections.
- (j) An operator wishing to stop services completely, or suspend service for more than one (1) month, should report in writing such termination or suspension to the TFU which originally granted the MTOP prior thereof. Transfer to another zone shall be permitted upon application.
- (k) Operators shall employ only drivers with valid professional driver's license from LTO.
- (l) All tricycles must have a Trash Can for the use of it's Driver and Passengers.

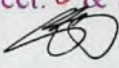
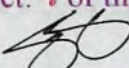
SECTION 15. OTHER PROVISIONS – The TFU shall furnish the Sangguniang Bayan through the TMTRB, records of motorized tricycles-for-hire and the operators as well as the routes, color coding and terminals allowed or designated for the tricycle concerned.

SECTION 16. PENAL PROVISIONS - Violation of any of the provisions of this ordinance shall be penalized by a fine of not less than Five Hundred Pesos (P 500) but not more than Two Thousand Pesos (P 2,000.00) or imprisonment for a period not exceeding six (6) months or both such fine and imprisonment at the discretion of the court.

SECTION 17. IMPLEMENTING RULES – The TMTRB and in coordination with SB, may from time to time, issue such rules and regulations as the may deem fit and necessary for the effective implementation of this ordinance.



SECTION 18. REPEALING CLAUSE – Any Ordinances, Executive orders or Rules and Regulations or parts thereof which are inconsistent with this ordinance are hereby repealed and/or modified accordingly.

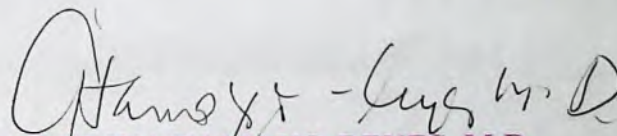
SECTION 19. EFFECTIVITY- This Ordinance shall take effect after Fifteen Days (15) following its publication/posting in all tricycle terminals in the Municipality, except Sect. ~~8~~ & Sect. ~~9~~ of this ordinance, w/c shall take effect on Jan 1, 2000,  

APPROVED, this 18th day of November, 1999, at the Session Hall of the Municipal Building, Taytay, Rizal.

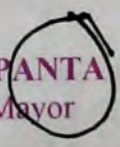
Certified Correct:


SONIA C. SAMSON
Secretary to the Sanggunian

ATTESTED:


ADELINA TAMAYO-REYES, M.D.
Vice Mayor
Presiding Officer

APPROVED BY THE MUNICIPAL MAYOR


JUNE V. ZAPANTA
Municipal Mayor