



Republic of the Philippines
Province of Cagayan
MUNICIPALITY OF STA. TERESITA

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 80TH REGULAR SESSION OF THE 15TH SANGGUNIANG BAYAN OF STA. TERESITA, CAGAYAN HELD ON **FEBRUARY 8, 2021** AT THE SB SESSION HALL.

Present: Hon. Ruben P. Fagela - Vice-Mayor/Presiding Officer
 Hon. Jefferson M. Javier - Sangguniang Bayan Member
 Hon. William A. Lorenzo - Sangguniang Bayan Member
 Hon. Mark Anthony P. Palor - Sangguniang Bayan Member
 Hon. Conrado P. Tabaco - Sangguniang Bayan Member
 Hon. Gloria O. Baldiviso - Sangguniang Bayan Member
 Hon. Rhudel A. Castillo - Sangguniang Bayan Member
 Hon. Jose I. Gonzaga - Sangguniang Bayan Member
 Hon. Jethro S. Tibuc - Sangguniang Bayan Member
 Hon. Aider M. Javier - ABC President/Ex-Officio Member
 Hon. Guevarra J. Gregorio - SK Federation President/Ex-Officio Member

Absent: None

MUNICIPAL ORDINANCE NO. 4
Series of 2021

"AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 3 SERIES OF 2019 RE: ISSUANCE OF FRANCHISE AND OPERATION OF MOTORIZED TRICYCLES IN THE MUNICIPALITY OF STA. TERESITA, CAGAYAN KNOWN AS THE "STA. TERESITA TRICYCLE ORDINANCE"

BE IT ENACTED by the Sangguniang Bayan of Sta. Teresita, Cagayan in a session duly assembled that:

SECTION I. Regulated Acts. No person natural or judicial, shall operate any motorized tricycle for hire in this municipality without first securing a Motorized Tricycle Operators Permit (MTO) from the Sangguniang Bayan and paying the corresponding fee imposed under existing tax ordinance.

SECTION II. Definition of Terms.

1. Motorized Tricycle – is a vehicle composed of a motorcycle fitted with a single-wheel sidecar or a motorcycle with a two-wheel cab operated to render transport services to the general public for a fee.
2. Motorized Tricycle Operators Permit (MTO) – means the document granting franchise or license to operate issued to a person, natural or judicial allowing him to operate a tricycle in zones specified therein.
3. A public motorized tricycle for hire is a tricycle for hire rendering transport services to the general public.



Republic of the Philippines
Province of Cagayan
MUNICIPALITY OF STA. TERESITA

OFFICE OF THE SANGGUNIANG BAYAN

4. Fare - a rate of charge for the carriage of passengers.
5. Passenger – one who gives compensation for a ride.

SECTION III. Creation of a Municipal Tricycle Franchising and Regulatory Board (MTFRB). There is hereby created a Municipal Tricycle Franchising and Regulatory Board (MTFRB) to be composed of the following:

- Chairman - Municipal Vice-Mayor
Vice-Chairman- SB Member, Chairman of the Committee on Transportation
Members - Chief, Licensing & Inspection
- Municipal Treasurer
- Chief Of Police, PNP
- President, Liga Ng Mga Barangay
- President, Tricycle Operators & Drivers Association, if any

The SB Office personnel shall provide secretarial services to the Board.

SECTION IV. Powers, Duties and Functions of the MTFRB. The MTFRB shall perform the following powers, duties and functions:

1. Accept and process application for MTOP.
2. Issue or grant the Motorized Tricycle Operators Permit (MTOP) to qualified applicant, subject to the provisions of existing ordinances, rules and regulations on that matter.
3. Recommend to the Sangguniang Bayan the amount of fares or adjusted fare increases, periodically, to be imposed in a particular zones 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 purposes;
5. Exercise full supervision over any tricycle operators and drivers association organized in the municipality.
6. Promulgate rules and regulations for the proper enforcement of this ordinance which shall be in full force and effect until revoked or modified by the SB.
7. Perform such other duties and functions as may be authorized by the Sangguniang Bayan.

SECTION V. Organization for Implementation. The Tricycle Regulation Unit (TRU) under the Office of the Mayor is hereby tasked to implement the provisions of this ordinance.

1. Grievance and Monitoring Committee
 - a. There shall be created grievance and monitoring committee composed of the chairman and co-chairman of the committee on transportation of the municipality. The authorized representative of the TRU chief and the concerned TODA President shall hear and decide cases or complaints brought by the riding public or any aggrieved party against any tricycle operator, driver and TODA officers. The committee shall be chaired by the Municipal Chairman of the Committee on Transportation.
 - b. Whenever practicable, a TODA Grievance and Monitoring Committee shall be created to be composed of the authorized representatives.



Republic of the Philippines
Province of Cagayan
MUNICIPALITY OF STA. TERESITA

OFFICE OF THE SANGGUNIANG BAYAN

2. All Drivers shall secure a TRU Driver's Identification Card from the TRU Office for proper monitoring and control. The TRU driver's identification card of authorized drivers who are registered voters of the municipality of Sta. Teresita and holders of professional drivers license shall be valid for three (3) years and renewable every three (3) years. Drivers who are not registered voters of the municipality of Sta. Teresita, their TRU ID card shall valid for one (1) year only and renewable every year thereafter provided they submit their police clearance to TRU. A processing fee of Fifty Pesos (P50.00) shall be charged for every issuance of the TRU I.D.

SECTION VI. Registration.

- a) All motorized tricycles for hire operating or intending to operate within the territorial jurisdiction of Sta. Teresita, Cagayan shall register with the Tricycle Regulation Unit (TRU) and apply for a Motorized Tricycle Operators Permit (MTO) and franchise with the Sangguniang Bayan through the Municipal Franchising and Regulatory Board.
- b) All applicants for MTO and franchise shall present the following documents:
 1. Documents attesting to the applicants citizenship (Community Tax Certificate)
 2. Certification from the Punong Barangay that the applicant is a bonafide resident of the barangay to which he seeks to operate.
 3. LTO Certificate of Registration and latest official receipt of registration payment, issued in the name of the applicant.
 4. Latest Income Tax Return.
 5. Insurance coverage for any liability it may occur to passengers and third parties in case of an accident.
 6. Police Clearance
 7. Clearance Certificate from Association and drivers IDD issued by the TRU.

SECTION VII. Duration of Franchise – A franchise for a motorized tricycle for hire is valid for one (1) year.

SECTION VIII. Imposition of fees.

- a) All applicants under this ordinance shall pay the following fees:

MTO	- P 250.00
Confirmation Fee	- P 25.00
Verification Fee	- P 25.00
Mayor's Permit	- P 300.00
Franchise Fee	- P 350.00
Sticker	- P 150.00
Documentary Stamp Tax	- P 30.00
TOTAL	=P1,130.00

Fare Adjustment Fee

(for every request for fare increase a fee of P2,000.00 shall be paid by the STODA)

- b) Renewal of Franchise. Franchise shall be renewable from its expiry date, failure to do so within fifteen (15) days the franchise fee will be subject to a surcharge of 25%. Any



Republic of the Philippines
Province of Cagayan
MUNICIPALITY OF STA. TERESITA

OFFICE OF THE SANGGUNIAN BAYAN

franchise not renewed within 3 months from its expiry date shall automatically be cancelled.

SECTION IX. Zoning, Color Coding and Body Numbering. The existing color scheme previously assigned by the TRU shall be adopted to identify the areas of operations of the different tricycle associations. Motorized tricycle for hire shall bear a body number to be painted in front, at the back and inside of the sidecar within the immediate view of a passenger. The size of the body number shall be at least 6 inches in height, 3 ½ inches in width and one inch thick.

If privately owned tricycle it shall be painted with bold letters NOT FOR HIRE. 

SECTION X. Routes, Terminals and Areas of Operations.

- a) Only motorized tricycle for hire units duly registered with the SB through the MTRFB shall be allowed to operate within the routes and terminals allocated for tricycle operations as determined and authorized by the SB in coordination with the TRU and the board. The number of tricycles allowed in each route shall be determined in accordance with the Route Measured Capacity set by the Sangguniang Bayan.
- b) Drivers ID – Identification Cards of drivers shall be issued by the TRU and shall be displayed in a conspicuous place inside the tricycle unit.

SECTION XI. Rules and Regulations. All operators of motorized tricycles shall comply with the following rules and regulations.

- a) Equipage or Physical Requirements.
 1. No tricycle shall be issued an MTOP and franchise unless the following applicable physical requirements and equipage are complied with.
 - a) garbage receptacle;
 - b) functioning horn that does not emit exceptionally loud or starting sound;
 - c) two signal lights, front and back for turning right or left or for emergency purposes;
 - d) tail light, including license plate light;
 - e) anti-noise equipment or silencer; and
 - f) sticker containing the body number of the vehicle and placed prominently to be identifiable from a distance.
 - g) side mirror
 - h) (top) driver shade
- b) Fare. The existing fare of passengers as embodied in Resolution No. 66-2010 shall still be followed until further amended.
 - a. Every TODA shall provide two (2) types of tricycle services emanating from the terminal to answer the actual needs of the riding public. These services shall include regular trip and special trip whose tricycle fares are only those promulgated and approved by the municipal council. Fares for special trips as requested only by the passenger shall be computed 2.5 times the regular fare per person.
 - b. Regular trip shall mean having three (3) but not to exceed five (5) passengers, except the tricycle driver, with the different destinations, while special trip shall mean having one (1) or two (2) passengers, except the tricycle driver, with only one destination.



Republic of the Philippines
Province of Cagayan
MUNICIPALITY OF STA. TERESITA

OFFICE OF THE SANGGUNIANG BAYAN

- c. Trip emanating from any point other than the terminal shall be considered regular trip, except when the trip is requested by the passenger as special trip.
- c) Load Capacity Limit. No motorized tricycle shall be allowed to carry more passengers and goods than it is designed for. For this purpose, the maximum load limit shall be 5 passengers for tricycle and 8 passengers for center car or motorela.
- d) Operating Conditions:
1. No tricycle-for-hire unit shall be allowed to operate within the municipality unless, the following are complied with:
 - a) Registration with the TRU for the current year;
 - b) Motor registration with the LTO for the current year;
 - c) Issuance of Motorized Tricycle Operator Permit by the Sangguniang Bayan.
 2. Only Filipino citizens 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 LTO.
 3. Grantee of MTOP shall carry a common carrier's insurance sufficient to answer for any liability it may incur to passengers and third parties in case of an accident.
 4. No driver of motorized tricycle for hire shall refuse to convey a passenger to his or her destination within the designated area of operation.
 5. Motorized tricycles for hire shall not be allowed without the prescribed body number as provided under Section IX of this Ordinance. In case the operators cease to operate temporarily they shall surrender their franchise plates and recover the same when they ought to operate again.
 6. An operator wishing to stop service completely, or suspend service for more than 1 month, shall report in writing such termination or suspension to the Sangguniang Bayan through the TRU which originally granted the MTOP. The operator shall surrender the franchise plate when he chose not to operate and recover the same when he decides to operate again. Transfer to another zone may be permitted upon application.
 7. Operators shall employ only drivers with valid professional driver's licenses from the LTO.
 8. No person shall be allowed to operate or drive motorized tricycle for hire without franchise.
 9. Operators/Drivers of tricycle for hire must observe and obey traffic rules and regulations at all times. Speed Limit: 40 km/hr inside the poblacion.
 10. No driver shall wear sandoes, short pants (Mun. Ordinance No. 11 series of 2002).
 11. No driver under the influence of liquor is allowed to drive tricycle for hire.
 12. The tariff/fare rates must displayed in a conspicuous place inside the tricycle unit.
 13. No minors is allowed to drive in tricycle.

SECTION XII. Administrative Provisions.



Republic of the Philippines
Province of Cagayan
MUNICIPALITY OF STA. TERESITA

OFFICE OF THE SANGGUNIANG BAYAN

- a) The TRU shall furnish the Sangguniang Bayan through the Tricycle Franchising Board records of motorized tricycles-for-hire and the operators, as well as the routes and terminals allowed or designated for such tricycles.
- b) The Local Chief Executive may from time to time, issue such rules and regulations necessary for the effective implementation of this ordinance.

SECTION XIII. Penalty. Any person who violates the provisions of this ordinance shall be subjected to fine, to wit:

- 1st Offense - P500.00
- 2nd Offense - P1,000.00
- 3rd Offense - P2,500.00 or imprisonment at the discretion of the court.

Fifty percent (50%) of the fines collected shall accrue to the implementors of the above-mentioned ordinance:

- **20% to police officers/traffic enforcers/Team F of Task Force Disiplina (MOVR)**
- **30% to office or unit of the police officer/traffic enforcer/task force disiplina**

Moreover, the fifty percent (50%) share shall be released every quarter.


SECTION XIV. Effectivity. This ordinance shall take effect after 10 days of posting and broadcasting at the community radio station of the municipality.

APPROVED, this 8th day of February 2021.

I CERTIFY to the correctness of the foregoing ordinance:


JOVY P. TACTAC
Sanggunian Secretary

ATTESTED & CERTIFIED TO BE ENACTED:


RUBEN P. FAGELA
Municipal Vice-Mayor/Presiding Officer

APPROVED, this day of March 3, 2021:


ATTY. RODRIGO P. DE GRACIA, CESE
Municipal Mayor