

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 09-17-804
January 11, 2017

**AN ORDINANCE REGULATING E-TRICYCLE AS PUBLIC TRANSPORT FOR HIRE IN
THE CITY OF BACOLOD AND PROVIDING GUIDELINES THERETO.**

WHEREAS, no less than the former, President Benigno S. Aquino III, encourages and pushes for electric tricycles;

WHEREAS, data shows that there are currently 3.5 million motorcycles and tricycles in the country that emit close to 10 million tons of harmful gasses and use several billions of US dollars worth of oil each year, the President said on April 13, 2011 on the occasion of the turning-over of 20 e-trikes tricycle operators and drivers association in Mandaluyong City that "the only way we can insulate ourselves from external shock such as high oil prices is to implement long-term solutions that ensure energy sufficiency and sustainability for us and for future generation of Filipinos. The solution is in the E-tricycle project";

WHEREAS, with the rising gas prices these days, e-tricycle are becoming an even more popular alternative mode of transportation and the adoption of the project is a necessary step in combating unreasonable high oil prices and ending dependency and e-trike is eco-friendly, noise free, and air-pollution free. It means cleaner air, bluer skies, more livable environment, new jobs and higher income for operators/drivers;

WHEREAS, the Department of Transportation & Communications Office had issued Administrative Order Number 2006-00, on March 2006 on the Guidelines in the Registration of Light Electric Vehicles (LEV) which requires plate numbers, insurance and registration of e-trikes.

NOW THEREFORE, be it **ORDAINED** as it is hereby **ORDAINED** by the Sangguniang Panlungsod in session assembled, that:

Section 1. SHORT TITLE. This ordinance shall be known as "E-trike Ordinance"

Section 2. DEFINITION OF TERMS. For the purpose of this ordinance, the following shall mean:

- (a) **E-trike or E-tricycle** – a three-wheeled electric powered driven vehicle.
 - (b) **Driver** – an individual person duly licensed to drive a motor vehicle.
 - (c) **Dealer** – refers to a person or entity who engages himself/itself in the business of manufacturing and/or selling electric tricycles within the territorial jurisdiction of the City of Bacolod registered as such before the City Treasurer's Office.
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- (d) **Charging stations** – refers to the established place where drivers or operator of e-trikes can re-charge their batteries for a fee.
- (e) **Permit fees** – are fees of a specified amount paid for by tricycle operators serving as common carrier every year as provided for in the City Revenue Code of Bacolod.
- (f) **Common Carrier** – a natural or juridical person that transports goods or passengers on regular routes at set rates.
- (g) **Internal Combustion Motorized Tricycle** – a tricycle which uses a heat engine where the combustion of fuel occurs with an oxidizer in a combustion chamber

Section 3. E-trike Permit Grant.

E-trike operation as common carrier is hereby allowed within the territorial jurisdiction of the City of Bacolod subject to compliance to City Ordinance Number 650 Series of 2013 and other related and subsequent ordinances for purposes of granting franchises and privileges to motorized tricycles.

3.1 No e-trike permit shall be granted unless:

- 3.1.1 The unit utilizes environmental friendly batteries as determined by the Department of Environment and natural resources or the Department of Energy.
- 3.1.2 It has an on-board charger;
- 3.1.3 It is roadworthy and possesses the required safety features including the provisions for reflection lights and/or lamps at the front and rear portions of the unit.
- 3.1.4 The intended use of the e-trike is for a common carrier.

3.2 In granting permit, the following prioritization shall be favorably considered, to wit:

- 3.2.1 First, permits of the conventional tricycles wanting to convert voluntarily to e-trike;
- 3.2.2 Second, tricycle operators whose units are already dilapidated;
- 3.2.3 Third, tricycle drivers who desire to own an e-trike.

3.3 Inspection by the City Permits and Licensing Division

- 3.3.1 After complying the requirements to show proof of ownership of the acquired unit from the local dealer, the City Permits and Licensing Division shall cause to install the necessary marking or numbering of the unit.

Section 4. CANCELLATION OF PERMITS

The City Licensing and Permit Division upon recommendation of the Bacolod Traffic Authority/Traffic Management Unit may effect cancellation of permit of the operator where public safety is in danger due to the dilapidated condition of the unit and the body of the e-trike.

Section 5. DEALERS OBLIGATION

- 5.1 **Parts Availability.** As a necessary after sales component to a successful e-trike project, the dealers shall make available within the city's territorial jurisdiction such parts as may be needed for the continued and uninterrupted operation of e-trike in the city.
- 5.2 **Charging Stations.** Being an important support system to the e-trike project, charging stations shall be established in strategic public places in the city. No less than two (2) charging stations shall be required of the dealers to establish. In this regard, not all contemplated permits shall be issued by the Permits and Licensing Office unless the establishment of the charging stations is assured or completed.
- 5.3 **Enforcement.** The City Legal Enforcement Unit shall see to it that the dealers' obligation as mentioned in Section 5 is complied.

Section 6. PENALTIES. – Any dealer who violates Section 5 hereof shall be subject to the following penalties:

1. First Offense – Penalty of P2,000.00
2. Second Offense – Penalty of P3,000.00
3. Third Offense – Penalty of P5,000.00

Section 7. INCENTIVES

Permit fees shall be granted a fifty percent (50%) discount applicable to e-trikes for five (5) years from the approval of this ordinance.

Section 8. FARE RATE. Fares that may be charged to passengers or commuters for riding on e-trikes shall follow the existing standard rates for internal combustion motorized tricycles.

Section 9. SEPARABILITY CLAUSE. If any part of this Ordinance is declared not valid, unconstitutional or unlawful, such declaration shall not affect or impair the remaining provisions, sections or parts thereof, which shall remain or continue to be in full force and effect.

Section 10. REPEALING CLAUSE. All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

Section 11. EFFECTIVITY. This Ordinance shall take effect fifteen days (15) after its publication in a local newspaper of general circulation.

CARRIED BY THE VOTE OF:

Affirmative :

Councilors : Caesar Z. Distrito, Cindy T. Rojas, Renecito S. Novero, Em L. Ang, Elmer T. Sy, Ana Marie V. Palermo, Wilson C. Gamboa, Jr., Dindo C. Ramos, Bartolome N. Orola, Sr., Claudio Jesus Raymundo A. Puentevella, Sonya M. Verdeflor, Noli B. Villarosa.

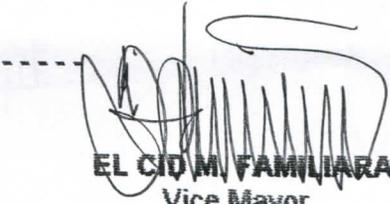
Negative : None.

Absent : None.

Author : Councilor Wilson C. Gamboa, Jr.

Passed : January 11, 2017 (28th Regular Session of the 9th Councilor)

Comments : Passed.
Councilor Ricardo L. Tan was not around when this ordinance was passed.


EL CID M. FAMILIARAN
Vice Mayor
Presiding Officer

ATTESTED:

ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

By:


CELIA L. LABIYO
Stenographic Reporter IV

APPROVED: January, 2017

EVELIO R. LEONARDIA
City Mayor

CLL/CGT/jbz

30 DAYS Lapsed
DATE Feb 2/17

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BACOLOD
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January 23, 2017

THE HONORABLE CITY MAYOR
Bacolod City

Dear Sir/ Madam:

We have the honor to furnish you herewith copy(ies) of City Ordinance No. 09-17-804, Series of 2017 (For Approval) passed by the Sangguniang Panlungsod of Bacolod which is/are self-explanatory.

Please acknowledge receipt hereof.

Very truly yours,

Received copy/ies this 26th day
of Jan, 2017, Time 11:11am

ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

By: _____

(Signature)
Erilyn Villa

(Printed Name) 10 DAYS LAPSED
OF Feb. 2, 17

By: _____
MARITESS D. MANAYON
Legislative Staff Officer III



Republika ng Pilipinas
Tanggapan ng Sangguniang Panlungsod
Lungsod ng Bacolod

CERTIFICATION

This is to certify that City Ordinance No. 09-17-804, Series of 2017 passed by the Sangguniang Panlungsod on January 11, 2017 entitled:

**“AN ORDINANCE REGULATING E-TRICYCLE
AS PUBLIC TRANSPORT FOR HIRE IN THE CITY OF
BACOLOD AND PROVIDING GUIDELINES THERETO.”**

was published in The Daily Guardian dated June 21, 2017 and was posted for three (3) consecutive weeks in the following conspicuous places in the City of Bacolod, to wit:

1. Bulletin Board of the Sangguniang Panlungsod
2nd Floor Bacolod City Government Center
2. Old City Hall (Araneta-Luzuriaga Streets)
3. Hall of Justice
4. City Health Office
5. North (Burgos) Public Market
6. South (Libertad) Public Market
7. Central Public Market

Bacolod City, Philippines, November 22, 2017.

ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian