

REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BACOLOD  
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CITY ORDINANCE NO. 185  
Series of 1997

AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES AND GRANTING OF FRANCHISE FOR THE OPERATION THEREOF WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF BACOLOD AND PROVIDING PENALTIES THEREOF.

WHEREAS, the power to regulate and issue franchise to tricycles has already been devolved from the Land Transportation Franchising and Regulatory Board (LTFRB) to the Local Government Unit by virtue of Art. 99, Sec. 3 (vi) of Republic Act 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, there is an urgent need to regulate the operation and issuance of franchises to Tricycles as they are now proliferating in the major Barangays in the City of Bacolod;

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Bacolod in session assembled, that:

Section 1 - TITLE OF ORDINANCE. This Ordinance shall be called:

"AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLES AND GRANTING OF FRANCHISE FOR THE OPERATION THEREOF WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF BACOLOD AND PROVIDING PENALTIES FOR VIOLATION THEREOF."

Section 2 - DEFINITION OF TERMS

- a) TRICYCLE-FOR-HIRE - is a motor vehicle composed of a motorcycle fitted with a single wheel side car or a motorcycle with two wheel cab operated to render transport service to the general public for a fee.
- b) MOTORIZED TRICYCLE OPERATOR'S PERMIT OR MTOP - is the document granting franchise or license to operate, issued to a person natural or juridical, allowing himself to operate tricycle for hire over zones specified therein.
- c) ZONE - is a contiguous land area or block, for example, subdivisions, barangays or 2 or 3 barangays.

- d) DOWNTOWN AREA - is defined as follows:

The areas bounded by Lizares Street on the South, turning right to Yulo Street then to Rosario Street connecting to San Juan Street on the West; B.S Aquino Drive on the North connecting Lopez Jaena Street on the East up to Amelia Street.

**Section 3 - GENERAL RULES OF ENTRY**

- a) Only Filipino citizens and residents of the City of Bacolod as certified to by their respective Punong Barangays or a partnership or corporation with sixty (60) percent Filipino equity are qualified to be operators of tricycles within the territorial jurisdiction of the City of Bacolod, subject to the authorized routes in the MTOP.
- b) Only applicants in possession of units with valid registration papers from the Land Transportation Office (LTO) shall be granted MTOP.
- c) The applicants must carry a common carrier insurance sufficient to answer for any liability it may incur to passenger and third parties in case of accidents.
- d) Tricycles can only be allowed to operate on routes/areas where no regular PUJ's are servicing the route and/or areas.

**Section 4 - REQUIREMENTS FOR THE GRANT OF MTOP**

- a) The applicants for MTOP shall file his application in five (5) copies with the Traffic Division of the Bacolod City Police Office together with the original copy of the Registration Papers from the Land Transportation Office including a certification from the Punong Barangay certifying to the residency of the applicant and the original copy of insurance coverage showing a common carrier's insurance sufficient to answer for any liability it may incur to passenger and third parties in case of accident.
- b) The Traffic Division of the Bacolod City Police Office after verifying the authenticity of the Applicant's documents and payment of the appropriate filing fee, shall forward the said documents to the City Mayor for approval.



- c) Within thirty (30) days from the approval of the application, the franchisee must convert the registration of his motorcycle unit from "Private" to "For Hire" with the Land Transportation Office.
- d) The Traffic Division of the Bacolod PNP will request a conversion, verification and confirmation from the LTO to ascertain conversion within the period stipulated.
- e) With the conversion of the unit from "Private" to "For Hire" as confirmed by the LTO, the City Mayor's Office shall issue the Motorized Tricycle Operator's Permit signed by the City Mayor stating all the conditions thereat.
- f) The franchisee shall be required to pay all the franchise and other fees to the City Treasurer as enumerated in Section 6, the receipt of which shall be the basis for the PNP Traffic Division to issue a side car number and a zone number.
- g) Should the franchisee desire to suspend or complete stop operation, the franchisee shall surrender both his/her side car number and zone number to the PNP.

#### **Section 5 - OPERATING CONDITIONS.**

- a) For safety reasons, no tricycle shall operate on national highways utilized by a 4-wheel vehicles and where normal speed exceed 40 KPH. However, the Sangguniang Panlungsod may provide exceptions if there is no other alternative route.
- b) Tricycles shall ply only within their approved zones as authorized in their respective MTOP. Where proposed zone has an origin in one Barangay and a destination in another, or an intervening point in its territory, the joint approval of the Barangay Councils shall be sought and both Barangay Councils shall have jurisdiction over the areas covered by zone.
- c) A common color for tricycles operating in the same zone shall be imposed. Each unit shall be assigned a side car number, and zone number by the PNP Traffic Division aside from its LTO License plate number.
- d) The MTOP shall be valid for three (3) years, renewable for the same period. Transfer to another zone, change of ownership of unit or transfer of MTOP shall be referred back to the Mayor's Office

for proper amendment and payment of appropriate filing fee for amendment of MTOP to the City Treasurer.

- e) Operators shall employ only drivers duly licensed by the LTO for tricycles.
- f) Tricycles should be allowed to carry not more than four (4) passengers.

**Section 6 - FRANCHISE AND OTHER FEES.**

The following fees shall be hereby imposed:

- a) **Annual Franchise Fee of P300.00** - shall be paid once a year on or before the anniversary date of the MTOP.
- b) **Filing Fee of P50.00** - to be paid upon submission of Application. Payment shall be charged per unit. No reimbursement shall be made whether application has been approved or disapproved.
- c) **Fare Adjustment Fee for Fare Increase** - to accrue upon approval of fare increase and shall be paid together with the annual franchise fee which adjustment fee shall be P10.00 per unit.
- d) **Filing Fee for Amendment of MTOP** - shall be paid upon application for amendment (transfer of Zone, change of ownership, transfer of MTOP), which shall be 50% of the filing fee charged per unit.

**Section 7 - AREA WHERE MOTORIZED TRICYCLE MAY BE ALLOWED AND THEIR RESPECTIVE ROUTES.**

**AREA:**

**1. Mountainview (Mandalagan)**

Number of Units: 160 units

Association : TODAMA - Tricycle Operators Drivers Association of Mandalagan

Route : From Lacson-Buri road intersection towards the eastern direction and vice versa covering the following puroks:



- 1) Mt. View Phase II
- 2) Purok Tuburan
- 3) Purok Santol
- 4) Purok Sambag
- 5) Mt. View Subd.
- 6) Luhod-Luhod
- 7) Purok 13
- 8) LN Agustin
- 9) Abkasa
- 10) Purok Bulak
- 11) Purok Tultugan

Terminal : The terminal shall be located at the right side of the Lacson-Buri road intersection 20 meters from the corner facing the Petron gas station.

2. Villamonte - Estefania

Number of Units: 120 units

Association : VILESTODA - Villamonte-Estefania Tricycle Operators and Drivers Association.

Terminal : At the junction of CL Montelibano Avenue and Paglaum St.

Route : From their terminal right towards Fortune Town through CL Montelibano Avenue with option via Greensville I and/or Capitol Heights I and vice versa.

3. Vista Alegre

Number of Units: 20 units

Association : VATODA - Vista Alegre Tricycle Operators and Drivers Associations.

Terminal : At the eastern corner of Vista Alegre road and Libertad Extension.

Route : From their terminal the Barangay proper of Vista Alegre including all its sitios and puroks.

4. a) Mansilingan (La Salleville)

Number of Units: 40 units

Association : Mansilingan La Salleville Tricycle Operators and Drivers Association (MALATODA)

Terminal : The Terminal should be at the present designated and/or used terminal and junction of Concordia Jayme St. corner Bigonia St.

Route : From their terminal towards La Salleville and vice versa passing through the route to be specified by the barangay.

b) Mansilingan (Hermelinda)

Number of Units: 45 units

Association : MHTODA - Mansilingan Hermelinda Tricycle Operators and Drivers Association

Terminal : The terminal should be at the junction of Bacolod-Murcia road and Felisa road to Purok Hermelinda and vice-versa.

Route : From the terminal to the point of destination passing through route to be established by the barangay.

c) Mansilingan-Public Market Area and Vicinity

Number of Units: 20 units

Association : Barangay Market Tricycle Operators & Drivers Association.

Terminal : Barangay Market

Route : From the terminal to its destination and back within the area of the Public Market and its vicinity.

5. Barangay Felisa

Number of Units: 20 units

Association : FETODA INC. - Felisa Tricycle Operators and Drivers Association.

Terminal : At the barangay proper of Felisa

Route : From the barangay proper towards all the sitios and puroks of Barangay Felisa, Handumanan road up to Handumanan Barangay High School.

6. Barangay Handumanan

Number of Units: 150 units

Association : TODAH - Tricycle Operators and Drivers Association of Handumanan.

Terminal : Beside the Barangay Hall

Route : From the barangay hall to Phase 1, 2, 3, 4, 5, 6A, and 6B only. No tricycle is allowed to go beyond the terminal.

7. Barangay Cabug

Number of Units: 35 units

Association : CATODMPC - Cabug Tricycle Operators & Drivers Multi-Purpose Coop.

Route : From the terminal to the barangay proper of Barangay Cabug and all its puroks and vice versa only.

8. Barangay Sum-ag

Number of Units: 110 units

Association : STODA - Sum-ag Tricycle Operators and Drivers Association

Terminal : At the junction of Araneta highways and Abuanan road.


Route : From the terminal towards Brgy. Abuanan and its neighboring barangays and vice versa only.



9. Barangay Alijis

- Number of Units: 50 units
- Association : Greenplains Tricycle Operators and Drivers Association.
- Terminal A : The area between Araneta Street main highway, circumferential road main highway, Alijis-Bacolod Murcia Road.
- Route : From Greenplains to Jonh B. Lacson and vice-versa.
- Terminal B : Regent Pearl junction Bacolod-Murcia-Alijis road.
- Number of Units: 75 units
- Route : This will be traversing the areas south of the Bacolod-Murcia-Alijis road and not exceeding the eastern portion of the circumferential road. The areas of Regent Pearl Housing Subdivision to La Salleville and may even reach Brgy. Mansilingan for purpose of providing means of transportation to students from Alijis who are studying in Mansilingan National High School but in no case shall traverse the road of the Mansilingan La Salleville tricycle near the high school.

Section 8 - PROHIBITIONS.

1. All types of motorized tricycle whether private or for hire shall be prohibited along national highways/road such as but not limited to:
- a) Araneta highway - from Lizares Street up to the Bago City boundary.
  - b) Lacson Street - from B.S Aquino Drive Lacson up to Talisay boundary.
  - c) Circumferential road.
  - d) Burgos Street - from Lopez Jaena junction up to Granada.
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
- e) B.S Aquino Drive - from Burgos junction up to drydock of Sto. Niño stop.
  - f) Within the area bounded from the East by Circumferential road to the reclamation area; bounded from the North by Northdrive and up to the South bounded by Magsaysay Avenue.
  - g) Along Bacolod-Alijis-Murcia road from the Araneta junction up to boundary of Murcia.
2. All types of Motorized tricycles whether private or public shall be prohibited within the downtown area.

### Section 9 - PENALTIES

The following Administrative penalties shall be imposed for violations of this ordinance:

- a) For operating without the required Motorized Tricycle Operators Permit (MTO) or colorum, One Thousand Five Hundred Pesos (P1,500.00).
- b) For out of Route - One Thousand (P1,000.00) Pesos.
- c) For driving without license or expired drivers license - Three Hundred (P300.00) Pesos.
- d) For operating without the proper Plate number and body number painted on the side car - Two Hundred (P200.00) pesos.
- e) For driving while under the influence of liquor or drugs - Five Hundred (P500.00) pesos.
- f) For violation of any provision of this ordinance not herein before specifically punished an administrative fine (P150.00) for the first offense, P250.00 for the second offenses plus impoundment of the unit. For every day that the unit is impounded, the operator shall pay a storage fee of P100.00 per day plus the penalty.

### Section 10 - REPEALING, SEPARABILITY AND EFFECTIVITY CLAUSES

- a) Any ordinance or provision thereof inconsistent with any provision of this Ordinance shall be deemed accordingly modified and/or repealed.
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- b) If any section of this ordinance is declared null and void, the part not so declared shall remain valid and enforceable.
- c) This Ordinance takes effects ten (10) days after its publication in a local newspaper of general circulation or in conspicuous places of public buildings within the City of Bacolod.

CARRIED BY THE VOTE OF:

Affirmative:  
 Councilors : Renecito S. Novero, Rolando V. Villamor, Juanito S. Amihan, Jr., Napoleon A. Cordova, Constancio G. Legaspi, Archie S. Baribar, Celia R. Flor, Luzviminda S. Valdez, Juan Ramon R. Guanzon, Ricardo L. Tan, Pepito T. Malapitan, Christine Angelie V. Matus.

Negative : N o n e .

Main Authors: Councilor Juan Ramon R. Guanzon  
 Councilor Ricardo L. Tan

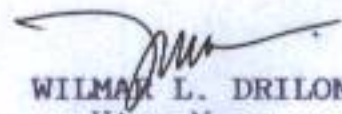
Official Travel : Councilor Joaquin L. Torre


Absent : N o n e .

Passed : October 9, 1997 (Regular Session)

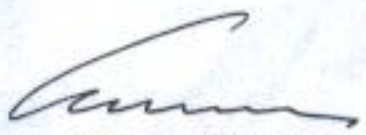
Comments : P a s s e d .  
 Councilor Lorendo K. Dilag was not yet around when this ordinance was passed.

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 WILMA L. DRILON  
 Vice Mayor  
 Presiding Officer

ATTESTED:   
 ATTY. NILO T. ALEJANDRINO  
 Secretary to the Sanggunian

APPROVED: OCTOBER 30, 1997

  
 EVELIO R. LEONARDIA  
 City Mayor

NTA/HPL/rgl

RECORDS DIVISION  
 OFFICE OF THE MAYOR  
 BACOLOD CITY

DATE: 10/23/97

TIME: 11:45 AM

REC'D BY: 