

Republic of the Philippines  
PROVINCE OF ZAMBOANGA DEL  
MUNICIPALITY OF BAYOG  
7011  
OFFICE OF THE SANGGUNIANG BAYAN

**MUNICIPAL ORDINANCE NO. 9-20-06**  
**AN ORDINANCE PRESCRIBING FRANCHISE ON THE**  
**OPERATION OF MOTORIZED TRICYCLE FOR HIRE**

**SECTION 1 – REGULATED ACTS** – No person natural or juridical, shall operate any motorized tricycle for hire in this municipality without first securing a “franchise” therefore from the Sangguniang Bayan and paying the corresponding fees imposed under existing tax ordinance.

**SECTION II – Definition as use in this Article.**

**FRANCHISE** – refers to a special privilege conferred by the Municipal government to an individual or corporation which does not belong to the citizens by common right. It is in the nature of a private contract between the municipal government and an individual or corporation which cannot be amended by implication.

**MOTORIZED TRICYCLE** – is a kind of a transport vehicle composed of a motorcycle fitted with a single wheel sidecar or motorcycle with a two wheel cab operated to render transport service to the general public for a fee.

**MOTORIZED TRICYCLE OPERATOR’S PERMIT** – is a document granting franchise or license to a person, natural or juridical, allowing such person to operate motorized tricycle for hire over specified zones.

**ZONES** – is a continuous land area or block, say a subdivision or a barangay, where tricycle-for-hire may operate without a fix origin or destination.

**SECTION III – Creation of Municipal Tricycle Franchising and Regulatory Board (MTRFB)** – there is hereby created a municipal tricycle franchising regulatory board to be composed of the following.

Vice Mayor	-	Chairman
SB Chairman-Com. On Transportation & Communication	-	V-Chairman
Municipal Engineer	-	Member
MPDC	-	Member
Chief, Licensing & Inspection Section	-	Member
President-Tricycle Operator’s & Drivers Association	-	Member
Chief of Police – PNP	-	Member
SB Secretary	-	Member

**SECTION IV – Powers, duties and functions of the Municipal Tricycle Franchising and Regulatory Board (MTRFB):**

- A. Accept and process application for tricycle franchising.
- B. Issue or grant the “Motorized Tricycle Operator’s Permit” (MTRFB) to qualified applicant, subject to the provision of existing ordinance, rules and regulation on that matter.
- C. Recommend to the Sangguniang Bayan the amount of fares or adjusted fare increases, periodically, to be imposed in a particular zone or fixed route.
- D. Recommend to the Sanggunian the reasonable fees and related charges in the regulations of tricycle-for-hire after conducting a public hearing for that purpose.
- E. Promulgate rules and regulations for the proper enforcement of this ordinance which shall continue to be in full force and effect until revoked or modified by the Sanggunian.
- F. Perform such other duties and functions as may hereafter be authorized by the Sanggunian.

**SECTION V – QUORUM** – majority of the members of the Municipal Tricycle Franchising and Regulatory Board (MTFRB) shall constitute a “quorum” to transact business.

**SECTION VI – Internal Rules of Procedures** – The Municipal Tricycle Franchising and Regulatory Board (MTFRB) shall formulate and adopt its own internal rules and procedures including its regular meeting and necessary standing committees.

**SECTION VII – Rules and Regulations**

1. Only Filipino Citizens and partnership or corporation with sixty percent (60%) Filipino equity, shall be granted the Motorized Tricycle Operator’s Permit (MTOp).
2. No Motorized Tricycle Operator’s Permit (MTOp) shall be granted unless the applicant is in possession of units with valid registration papers from the Land Transportation Office (LTO).
3. The grantee of the Motorized Tricycle Operator’s Permit (MTOp) shall carry a common carrier insurance sufficient to answer for any liability it may incur to passengers and third parties in case of accident.
4. Operators of tricycle-for-hire shall employ only drivers duly licensed by the Land Transportation Office (LTO).
5. Operators who intend to stop service completely, or suspend device for more than one (1) month, shall report in writing such termination or suspension to the Sanggunian.
6. Operators of tricycle-for-hire or its drivers shall not operate in national highways dominated by four (4) wheel vehicle greater than four (4) tons and where normal speed exceeds forty (40) KPH.
7. Until such time that necessary zones are fixed, tricycle-for-hire shall be allowed to operate like a taxi service, i-e., service is rendered upon demand and without a fixed route;
8. Each tricycle unit granted a Motorized Tricycle Operator’s Permit (MTOp) shall be assigned and bear an identification number, aside from its Land Transportation Number.
9. In addition to the drivers license issued by the Land Transportation Office, all tricycle-for-hire are hereby required to register and secure an identification number from the office of the Chief of Police (PNP)
10. All drivers for tricycle-for-hire are hereby required to wear shades, polo shirt or t-shirt without collar, long pants and shoes.
11. Pending the formulation of a prescribed fare structure for each zone or fixed routed by the Sanggunian, the official fare to be initially adopted shall be a minimum of five (5 ) pesos per kilometer in excess of four kilometers distance.
12. Tricycle-for-hire shall have five (5) passengers capacity only, including the driver.
13. Operators of tricycle-for-hire are hereby required to post in conspicuous but appropriate part of the tricycle the schedule or fares.
14. Additional rule and regulations shall be issued by the Municipal Tricycle Franchising and Regulatory Board (MTFRB) for the proper enforcement of this ordinance.

**SECTION VIII – PRESERVATION** – Nothing in this Ordinance shall be construed to diminish the authority of the Sanggunian to issue, amend, revise, renew, suspend, or cancel any Motorized Tricycle Operator’s Permit (MTOp) and prescribe the appropriate terms and conditions therefore; determine, fix, prescribe, or periodically adjust fares, or rates for the service provided in a zone or fixed route after public hearing; prescribe and regulate zones or service in coordination with the barangay; 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; establish and prescribe the conditions and quality of service to the public.

**SECTION IX – PENALTY** – Any violation of the provision of this ordinance shall be punished by a fine of not more than two thousand five hundred pesos (2,500.00) or imprisonment of not more than six (6) months or both fine and imprisonment, at the discretion of the court.

SECTION V - EFFECTIVITY - This Ordinance shall take effect after three (3) consecutive weeks of publication in a newspaper of general circulation in the Province of Zamboanga del Sur.

AYES: Hon. Celso A. Matias, Hon. Baltazar R. Caberte, Hon. Romualdo S. Godin, Hon. Alejandro A. Sarno, Hon. Aquilino T. Maala, Hon. Norelyn B. Rodriguez, Hon. Saturnino O. Amor, Hon. Jose C. Gadaingan and Hon. Rio R. Apao.

NAYS: N O N E

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**CERTIFIED CORRECT:**

**(SGD) CONSUELO T. LUCERO**  
Secretary to the Sanggunian

**VERIFIED CORRECT:**

**(SGD) CELSO A. MATIAS**  
SB Member-Floor Leader

**ATTESTED:**

**(SGD) PEDRO T. ANLAP**  
Municipal Vice Mayor-Presiding

**APPROVED:**

**(SGD) MARY ANN L. CARTALLA**  
Municipal Mayor