

ORDINANCE NO. 52

REGULATING THE OPERATION OF TRICYCLES AND GRANT OF FRANCHISES
IN THE OPERATION THEREOF WITHIN THE MUNICIPALITY OF BULALACAO,
ORIENTAL MINDORO

Sponsored by: Hon. Meynardo S. Bago
Chairman: Committee on Public Utilities and Facilities

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro:

SECTION 1. DEFINITION OF TERMS. For purposes of this Ordinance, the following term shall mean:

- a) "Tricycle-for-hire" is a motor vehicle composed of motorcycle with a two-wheel rear cab. The former having a total of three wheels and the latter having a total of four wheels which is operated to render transport services to the general public for a fee.
- b) "Motorized Tricycle Operator's Permit or MTOP" is the franchise document or license to operate issued to a person, natural or juridical allowing him to operate a tricycle service over areas or zones specified therein.
- c) "Zone" is a contiguous land area or block or barangay, where a tricycle may operate without a fixed origin and destination.

SECTION 2. RULES OF ENTRY. The following rules shall govern the entry of tricycles within this Municipality; to wit:

- a) Only Filipino citizens, partnership or corporations with sixty percent Filipino equity, are qualified to be tricycle operators. Provided, however, that no MTOP shall be granted unless the applicant is in possession of units with valid registration papers from Land Transportation Office (LTO).
- b) Holdres or MTOP must carry a common carriers insurance sufficient to answer any liability it may incur to passenger in case of accidents.
- c) The Municipal Mayor is hereby authorized to issue MTOP to any applicant provided that the conditions herein mentioned are duly fulfilled.

SECTION 3. PARES. The following schedule is hereby adopted as the official fare:

- a) A minimum fee of three pesos plus one peso and fifty centavo per kilometer in excess of three kilometer distance.
- b) Student fare. A minimum fee of two pesos plus one peso and twenty five centavos in excess of three kilometer distance.

c) The table of guiding and maximum fares must be posted prominently at the tricycle terminal and in a visible part of the vehicle unit.

SECTION 4. OPERATING CONDITIONS. The following conditions shall govern the operation of any tricycle during the grant of its MTOP, to wit:

a) Each unit shall bear a unique identification number, similar to which that appear as Case Number on the granted MTOP, aside from its LTO registration plate.

b) Any operator wishing to stop service completely, or to suspend service for more than one month, should report such termination to the Office of the Municipal Mayor which granted the MTOP. No Operator shall be presented from withdrawing from the business of tricycles-for-hire. Provided, however, that transfer into another zone may be permitted upon application.

c) The term of the MTOP is one year, subject to renewal. It may be suspended or cancelled upon due hearing by the Sangguniang Bayan. Transfer of ownership or zone shall be construed as an amendment to an MTOP and shall require appropriate approval of the Sangguniang Bayan.

d) Operators shall employ only drivers duly licensed by LTO for motorcycles or tricycles.

e) No tricycle should be allowed to carry more passengers and/or goods that it is designed for.

f) In general, a tricycle should be allowed to operate like a taxi service, i.e. rendered upon demand and without a fixed route within a zone.

SECTION 5. FRANCHISE AND OTHER FEES. An annual franchise fee of one hundred pesos is hereby imposed for every unit authorized to operate. The collection of the fee shall be one a year, on or before the anniversary date of the TOP, unless another schedule is decided upon by the SB.

In addition to the annual fee, a one-time charge of ₱250.00 for the first five units plus ₱50.00 for every unit in excess of five units is hereby imposed and collected as filing fee. This shall be assessed and collected from every applicant for a new MTOP or an amendment thereof. A filing fee of ₱150.00 per operator may also be imposed upon every fare increase.

Any amount collected shall accrue to the general fund of the Municipality, and may be earmarked by the SB for transport or traffic projects.

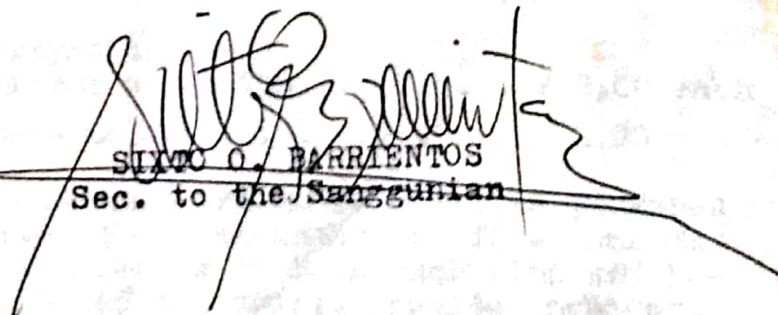
SECTION 6. Any violation of this Ordinance shall be punished by a fine of not exceeding ₱2,500.00 or by an imprisonment for a period of not more than six months, or both such fine and imprisonment at the discretion of the court.

SECTION 7. Ordinances inconsistent hereof are hereby repealed modified accordingly.

SECTION 8. This Ordinance shall take effect ten (10) days after its posting.

ENACTED this 6th day of September, 1993.

CERTIFIED TRUE AND CORRECT:


~~SIXTO O. BARRIENTOS
Sec. to the Sanggunian~~