

Republic of the Philippines
 Province of Iloilo
 Municipality of Tigbauan
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 OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT BENJAMIN MELLIZA HALL ON SEPTEMBER 27, 1993 AT 9:00 A.M.

PRESENT:

Hon.	Jose P. Torrefranca, Jr.	Vice Mayor & Presiding Officer
"	Ma. Bernardita Taasan	Councilor
"	Rene Ledesma	"
"	Agaton Tumabotabo	"
"	Jose Edgar Gaton	"
"	Andres Triste	"
"	Remedios Torrato	"
"	Jessie Terre	"
"	Cornelia T. Teruel	"
"	Dante Glarino	ABC President
"	Marlon C. Torrento	President, Pambayang Pederasyon ng mga S.K.

ABSENT: NONE

Municipal Ordinance No. 93-007

AN ORDINANCE REGULATING THE OPERATION OF TRISIKAD IN THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO AND PROVIDING PENALTIES IN VIOLATION THEREOF.

SPONSORED BY: Hon. Jessie G. Terre
 CO-SPONSORED BY: Hon. Cornelia T. Teruel
 SECONDED BY: Hon. Andres Triste

WHEREAS, this municipality, in its fast growing development in the aspect of economic and mobility, have shown the rapid increase in number of transportation facilities which includes the triskads;

WHEREAS, the triskad for-hire operating in this municipality are now considered by the residents and commuters as one of the transportation facilities that can bring about fast deliveries and convenience/comfort to considerable distances of travel and heavy loads;

WHEREAS, triskad is also considered a means of livelihood for the operators and drivers and a contribution to the solution to unemployment problem;

WHEREAS, this municipality acknowledges the existence of the operation of triskads and it is incumbent upon this council to regulate the operation of triskads in order to safeguard the safety of the operators, the riding public and its properties;

NOW, THEREFORE, be it ordained, as it is hereby ordained by the Sangguniang Bayan of Tigbauan, Province of Iloilo that:

ARTICLE I. DEFINITION AND CLASSIFICATION

SECTION 1 - For the purpose of this ordinance, the following terms are defined:

1. TRISIKAD - it is an unmotorized bicycle having an attachment or sidecar with a single or double pneumatic tires and manually operated for the transportation of passengers or cargoes;
2. TRISIKAD OWNER/OPERATOR - he is the person who owns the trisikad unit/s registered and/or licensed under this ordinance;
3. TRISIKAD DRIVER - he is the person issued a license to drive a trisikad.
4. LICENSE TO OPERATE PUBLIC UTILITY TRISIKAD - it is the license or permit issued by the Office of the Municipal Mayor to operate trisikads unit/s in the Municipality of Tigbauan, Province of Iloilo for public use and to charge fees therefor;
5. REGISTRATION OF TRISIKAD UNIT - it is the registration of the trisikad unit with the Office of the Municipal Mayor either for personal use or for public use;
6. AUTHORIZED ROUTE - it is the street/area in the Municipality of Tigbauan, Province of Iloilo where the owner or operator of public utility trisikads is license to operate;
7. AUTHORIZED TRISIKAD FARE - it is the authorized fee that trisikad owner or driver may charge the passengers or cargoes;
8. AUTHORIZED ROUTE/STREET AREA - this refers to the route, street or area in the Municipality of Tigbauan, Iloilo declared by the Sangguniang Bayan as prohibited area, street or route for public utility trisikad operation for reasons of public convenience and safety.

SECTION 2. - Classification of trisikad unit/s. Trisikad unit/s are herein classified according to their uses, as follows:

1. PUBLIC UTILITY TRISIKAD - these are trisikad units used for transporting passengers or cargoes for a fee.
2. PRIVATE TRISIKAD - this is a trisikad unit used by the owner exclusively for his personal use or that of the members of his family or for his private business.

ARTICLE II - REGISTRATION REQUIREMENTS & PROCEDURE

SECTION 1. - TRISIKAD FOR PRIVATE OR PERSONAL USE ONLY. A trisikad unit which is intends for personal or private use only shall be registered with the Office of the Municipal Mayor upon payment of Mayor's Permit - P30.00; License to operate - P10.00; Registration Fee - P10.00 and Plate No. P10.00 and that a Mayor's permit, license to operate, certificate of registration and plate shall be issued by said office. Said Mayor's Permit, license to operate registration, and plate shall be valid only for one (1) year unless renewed;

SECTION 2. - PUBLIC UTILITY TRISIKAD. No trisikad shall be allowed as a public utility trisikad unless the following requirements are first complied with;

- a.) The unit/s must be registered with the Office of the Municipal Mayor upon payment of a Mayor's Permit of P50.00 registration fee of P15.00, and plate no. P10.00 per unit and the Mayor's Permit, Certificate of Registration and Plate shall be issued by said Office.
- b.) The owner shall secure a permit/license to operate the trisikad unit/s as public utility trisikad also with the Office of the Municipal Mayor upon payment of a fee of P15.00 per unit. He must file an application stating the following requirements:

- 1.) The applicant must be a filipino citizen, at least twenty one (21) years of age, and a resident of the Municipality of Tigbauan, Iloilo for at least six (6) months prior to the date of his application as shown by a certification of the Barangay Captains or in his absence, by any barangay officials as authorized, of his place of residence in the Municipality of Tigbauan;
- 2.) He must submit proof of ownership of the unit/s applied for;
- 3.) He must state the route where the unit/s will be operated. If the route applied for is not yet declared by the Sangguniang Bayan as open for operation of public utility trisikad, he must first petition said body for the declaration of said route as allowable for public utility trisikad operation and such declaration shall be available to all who may desire to operate public utility trisikad in said route subject only to the limitation herein set forth to avoid over-crowding and clogging of traffic.

ARTICLE III. – OPERATION, AUTHORIZED ROUTE AND FARE

SECTION 1. - The Sangguniang Bayan, Municipality of Tigbauan, Province of Iloilo, by ordinance shall declare certain streets or areas of the Municipality of Tigbauan as open or allowable street or area for operation of public utility trisikad. Once declared, said street/area shall be opened to all trisikad operators duly licensed to operate public utility trisikad in said street or areas, except when said street or area is already crowded or congested of public utility trisikad units as certified to by the Barangay Captains of the place and the Chief of the Traffic Division or the Chief of Police or Station Commander, Philippine National Police, Municipality of Tigbauan, Province of Iloilo;

SECTION 2. - No public utility trisikad unit/s shall be allowed to operate in regular routes approved for public utility jeepneys and motorized tricycles as well in main thoroughfares of the Municipality of Tigbauan;

SECTION 3. - Public Utility trisikad unit/s shall bear in bold letter signs indicating its authorized route for the guidance of the riding public;

SECTION 4. - Applicability of traffic rules and regulations. Traffic rules and regulations provided for by national laws and existing ordinances of the Municipality governing public utility jeepneys shall also be applicable to public utility trisikad in the Municipality of Tigbauan, Iloilo in so far as they are applicable;

SECTION 5. - No trisikad operator or driver shall be charge more than P1.50 per passenger regardless of the time of operation. Students shall be charged only P1.50 each, provided, he or she can show his or her Identification Card (ID) and this privilege can be availed of only during school days;

SECTION 6. - No trisikad operator or driver shall be charge more than P1.50 for every fifty (50) kilos of cargo.

ARTICLE IV. – TRISIKAD DRIVER

SECTION 1. - No person shall be allowed to drive a trisikad either for private or public use, unless he is issued a license to drive a trisikad by the Office of the Municipal Mayor upon payment of a fee of ten (P10.00) pesos. This license shall be valid only for one year unless renewed.

SECTION 2. - No person shall be issued a license to drive a trisikad unless he is 15 years of age and has passed an examination conducted by the Office of the Municipal Mayor. The Office of the Municipal Mayor may require attendance to a seminar on traffic rules and regulations before a license can be issued or renewed;

SECTION 3. - The driver of a public utility trisikad shall be considered an employee of the public utility operator.

ARTICLE V. – PROHIBITED ACTS AND PENALTIES

SECTION 1. - Failure to secure a permit or license to operate a public utility trisikad. No person shall be allowed to operate a public utility trisikad unit/s in the Municipality of Tigbauan, Iloilo without having been issued a license to operate public utility trisikad unit/s. In case of violation of this prohibition, the unit/s shall

immediately be impounded at the nearest police station and shall be released only upon payment of a fine of One Hundred Fifty (P150.00) Pesos per unit;

SECTION 2. - FAILURE TO REGISTER TRISIKAD UNIT. No trisikad unit, whether for private or public use, shall be allowed to operate in the Municipality of Tigbauan without prior registration. For violation of this provisions, the same penalty prescribed in Section I hereof shall be imposed;

SECTION 3. - OVERLOADING. No public utility trisikad driver shall carry more than two (2) passengers in his sidecar and there shall be no back rider in his bicycle. A child more than seven (7) years old shall be considered a passenger. For violation of this prohibition, the driver shall be reprimanded for the first offense, five (P5.00) pesos per excess passenger for the second offense.

SECTION 4. - CARGO OVERLOADING OR PROHIBITED CARGO. No public utility trisikad driver shall carry a load exceeding 100 kilos in weight or any object, like bamboo poles or lumber, exceeding the length of two (2) meters. The violation of this prohibition, the driver shall be reprimand for the first offense, and for the second offense shall pay the fine of five (P5.00) pesos in excess of 100 kilos of cargo.

SECTION 5. - REFLECTOR - All drivers and or operators are required to put/place reflector at the front, rear and sides of their trisikads. For violation of this provision, for the first offense, the driver or operator shall be reprimanded; for the second offense the unit/s shall immediately be impounded at the nearest police station and shall be released only upon payment of a fine of fifty (P50.00) pesos per unit.

ARTICLE VI. - REPEALING CLAUSE

SECTION 1. - Any ordinance or provision therefor inconsistent with any provision of this ordinance shall be deemed accordingly modified or repealed.

ARTICLE VII. - SEPARABILITY CLAUSE

SECTION 1. - If any provision of this ordinance is declared null and void, the other part not so declared shall remain valid and enforceable.

ARTICLE VIII. - EFFECTIVITY

SECTION 1. - This ordinance shall take effect ten (10) days after its approval and posted in two (2) conspicuous public places in the Municipality of Tigbauan, Province of Iloilo as the Office of the Municipal Mayor may designate.

UNANIMOUSLY APPROVED.

ENACTED. September 27, 1993.

I HEREBY CERTIFY that I have quoted correctly the foregoing approved Municipal Ordinance of the Sangguniang Bayan.

ATTESTED:

MARLENE T. TAYO
SB Secretary

CONCURRED:

JOSE P. TORREFRANCA, JR.
Vice- Mayor & Presiding Officer

APPROVED:

CELSO T. LEDESMA
Municipal Mayor