

Republic of the Philippines  
PROVINCE OF CAGAYAN  
City of Tuguegarao

PROVINCE OF CAGAYAN

1-28-14

OFFICE OF THE S.P. SECRETARY

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January 28, 2014

**Mrs. Rosalinda P. Callang**  
Secretary to the Sanggunian  
Sangguniang Panlalawigan, Province of Cagayan  
Capitol Hills, Tuguegarao City

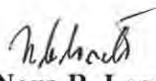
**Madam:**

Pursuant to Section 54 of the Local Government Code, we are now submitting for review and action the attached legislative measure enacted by the Sangguniang Panlungsod on December 04, 2013, specifically:

- **CITY ORDINANCE NO. 08-2013 – “TUGUEGARAO CITY TRICYCLE ORDINANCE 2013”**

Thank you.

Yours truly,

  
**Nora B. Loreto**  
Board Secretary III 1/28/14

Republic of the Philippines  
PROVINCE OF CAGAYAN  
City of Tuguegarao

SIXTH CITY COUNCIL

MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD  
OF TUGUEGARAO CITY, CAGAYAN HELD ON DECEMBER 4, 2013, 2 PM, WEDNESDAY,  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

**PRESENT:**

|                                 |                                       |
|---------------------------------|---------------------------------------|
| Hon. Engelbert C. Caronan Jr.   | City Vice Mayor and Presiding Officer |
| Hon. Bienvenido C. De Guzman II | Sangguniang Panlungsod                |
| Hon. Rosauro G. Resuello        | -do-                                  |
| Hon. Perla C. Tumaliuan         | -do-                                  |
| Hon. Noel A. Mora               | -do-                                  |
| Hon. Jude T. Bayona             | -do-                                  |
| Hon. Loreto B. Valdepeñas       | -do-                                  |
| Hon. Kendrick S. Calubaquib     | -do-                                  |
| Hon. Estelita U. Dayag          | -do-                                  |
| Hon. Aurora A. Ave              | -do-                                  |
| Hon. Anthony C. Tuddao          | -do-                                  |

**ABSENT:**

|                            |  |
|----------------------------|--|
| Hon. Ronald S. Ortiz       | Sangguniang Panlungsod Member (on Official Business) |
| Hon. Maila Rosario T. Que  | -do- (on Vacation Leave)                             |
| Hon. Hilario Larry S. Ting | -do-   |

**CITY ORDINANCE NO. 08-2013**

**“TUGUEGARAO CITY TRICYCLE ORDINANCE 2013”**

|                         |                                 |
|-------------------------|---------------------------------|
| <b>Sponsored by:</b>    | HON. ANTHONY C. TUDDAO          |
| <b>Co-Sponsored by:</b> | Hon. Bienvenido C. De Guzman II |
|                         | Hon. Rosauro G. Resuello        |
|                         | Hon. Noel A. Mora               |
|                         | Hon. Maila Rosario S. Ting-Que  |
|                         | Hon. Perla C. Tumaliuan         |
|                         | Hon. Aurora A. Ave              |
|                         | Hon. Estelita U. Dayag          |
|                         | Hon. Ronald S. Ortiz            |
|                         | Hon. Kendrick S. Calubaquib     |
|                         | Hon. Loreto B. Valdepeñas       |
|                         | Hon. Jude T. Bayona             |
|                         | Hon. Hilario Larry S. Ting      |

**WHEREAS**, the Sangguniang Panlungsod shall enact ordinances granting franchises upon such condition and for such purposes intended to promote the general welfare of the city and its inhabitants, pursuant to Paragraph 3, Subparagraph VI under Section 458 of the Local Government Code which states that:

(vi) Subject to the guidelines prescribed by the Department of Transportation and Communications, (the Sangguniang panlungsod shall) regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction;

**WHEREAS**, the so called “trike”, “tricy” or Tricycles in Tuguegarao City are the foremost means of public transportation around the City;

**WHEREAS**, there is a necessity to revise and update Ordinance No. 08-2004, otherwise known as “Revised Tuguegarao City Tricycle Ordinance of 2004” and Ordinance No. 02-2005, amending the

previous ordinance, to establish efficiency and order to the transportation system in Tuguegarao City as a basic necessity and protect the interest of the lawful trade of motorized tricycle operators and drivers, as well as the well-being of the riding public;

**WHEREAS**, Tuguegarao City, as part of the Metro Tuguegarao PIESTTA Air Shed Board, created by DENR Administrative Order No. 05, Series of 2004, pursuant to Section 9, of RA 8749 or the Philippine Clean Air Act of 1999, is committed to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

Now therefore, be it ordained by the Sangguniang Panlungsod of Tuguegarao City in session assembled.

**SECTION 1. TITLE.** This Ordinance shall be known as the "TUGUEGARAO CITY TRICYCLE ORDINANCE 2013."

**SECTION 2. SCOPE AND APPLICATION.** This Ordinance shall apply to all motorized tricycles for hire operating within the territorial jurisdiction of Tuguegarao City and shall pertain to their use, operation, maintenance and the grant of franchise to operate.

**SECTION 3. DECLARATION OF POLICY.** Section 458 (a) (3) (vi) of the Local Government Code mandates the Sangguniang Panlungsod to regulate the operation of tricycles and grant franchise for the operation thereof.

It is, therefore, the policy of Tuguegarao City Government to ensure the safety, comfort and well-being of the general public using tricycles as mode of transportation and shall seek the highest transport safety standards that are reasonably practicable to:

- A. improve the safety of tricycles as a mode of public transport;
- B. ensure, in collaboration with the FETODA and riding public, that tricycle transport is part of an integrated transport system in the City which seeks to meet the needs of all public transport users; and,
- C. improve the environmental performance of tricycle transport including minimization of its adverse environmental impacts.

**SECTION 4. DEFINITION OF TERMS.** For purposes of this Ordinance, the following words and/or phrases shall be construed and defined as follows:

- a.) **ARROGANCE** – any act of discourtesy showing contempt of authority and passengers.
- b.) **BOARD** – the Tuguegarao City Franchising Board created by the Sangguniang Panlungsod to process and recommend to the latter the approval or disapproval of applications for the issuance, amendment, revision, renewal, suspension or cancellation of Tricycle Operator's Permits (MTO).
- c.) **COLORUM** – tricycles operating within the territorial jurisdiction of Tuguegarao City *without* a valid franchise from the Tuguegarao City Franchising Board.
- d.) **FETODA** – Federation of Tricycle Operators and Drivers Association.
- e.) **FRANCHISE** – the document issued by the Sangguniang Panlungsod in accordance with Section 458 (a) (3) (vi) of the Local Government Code allowing and/or permitting a qualified person, either natural or juridical, to operate a tricycle transport service within the territorial limits of the City.
- f.) **FRANCHISEE** – a bonafide resident and registered voter of Tuguegarao City to whom and, in his name, the franchise is issued.
- g.) **HITCHING** – permitting any person to hang onto or ride on the outside the tricycle.

- h.) **RECKLESS DRIVING** – driving the motorized tricycle manifesting reckless disregard of possible consequences and indifference to the right of others.
- i.) **TRICYCLE** – a motor vehicle composed of a motorcycle fitted with a single wheel side-car used to convey or transport passengers at a fixed rate or fare to their places of destination.
- j.) **TRICYCLE DRIVER** – any person duly licensed by the Land Transportation Office (LTO) to drive and operate a motorcycle or tricycle and who actually drives and controls a motorized tricycle while in operation in public streets and highways.
- k.) **TRICYCLE FARE** – the amount paid by a passenger to a tricycle driver for consideration of a conveyance made.
- l.) **TRANSFER FEE** – the amount paid in case of transfer of ownership.
- m.) **TRICYCLE OPERATOR** – the registered owner of a motorized tricycle as appearing in the Certificate of Registration issued by the Land Transportation Office.
- n.) **TRICYCLE OPERATOR'S PERMIT (TOP)** – the document granting a franchise or license to operate a tricycle.
- o.) **TODA** – Tricycle Operators and Drivers Association.
- p.) **TRU** – Tricycle Regulation Unit under the Office of the Mayor.

#### **SECTION 5. – ORGANIZATIONS FOR IMPLEMENTATION**

(A) The Tricycle Regulation Unit (TRU) under the Office of the Mayor is hereby tasked to implement the provisions of this Ordinance, to be headed by the Chief as designated by the Mayor.

(B) Powers and functions of the TRU:

1. To receive, process and review applications for consideration of the City Franchising Board;
2. To conduct “seminar” to all drivers and operators on traffic rules and regulations before the release of approved or renewed franchise;
3. To receive and record all daily traffic violations and complaints against tricycle drivers/ operators and submit the same to the office of the Chairman of the Tuguegarao City Franchising Board and Office of the Mayor;
4. To recommend to the Board the suspension, cancellation and revocation of a franchise from an operator who violated any provision of this Ordinance for the third offense within the period of six months;
5. To submit reports and other data needed by the Sangguniang Panlungsod and the Office of the Mayor relevant to the operation of tricycles;
6. To maintain an effective record management/system to include information of the operator's/driver's personal data of tricycles inventory and substantial data of tricycle operations;
7. To establish an adjudication section to handle complaints and grievances;  
and,

8. To perform such other functions as maybe required by law, ordinances and orders.

**SECTION 6. TUGUEGARAO CITY FRANCHISING BOARD.** In line with the official guidelines issued by the Department of Transportation and Communications effective July 01, 1992, the Tuguegarao City Franchising Board (TCFB) shall be composed of the following members:

A.) Chairman

The Chairman of the Committee on Transportation of the Sangguniang Panlungsod.

B.) Board Members

The other members of the Committee on Transportation;  
Secretary of the Sangguniang Panlungsod;  
Representative from the Mayor's Office (Head of the TRU).  
Representative from the TODA Federation.

C.) Powers, Duties and Functions

The Board shall act as quasi-judicial and quasi-legislative body with the following powers, duties and functions:

- a. Recommend to the Sangguniang Panlungsod the approval or disapproval of applications; accept, evaluate, process, amend, issue, revise, renew, suspend or cancel Tricycle Operator's Permit (TOP);
- b. Accept petitions for fare rate increase, conduct public hearings thereon and prescribe the appropriate fare rates thereafter;
- c. Formulate the proper documentary forms to enable it to execute its mandated functions;
- d. Formulate additional rules and regulations pertaining the operation of Motorized Tricycles, with such rules and regulations subject to the approval of the Sangguniang Panlungsod;
- e. The Board shall exercise quasi-judicial power to hear and modify and conduct hearings for the purpose of suspending, revoking or cancelling the TOP of a motor tricycle franchise operator/owner for any violations stated in the prohibited acts of this ordinance;
- f. Install complaint boxes at the City Hall and in thee (3) conspicuous places within the city; and,
- g. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

**SECTION 7. REQUIREMENTS FOR ISSUANCE OF FRANCHISE.** All applicants who desire to operate a motorized Tricycle for Hire shall:

- a.) Apply for its franchise with the Tricycle Franchising Board created for this purpose through the TRU to operate motorized tricycle for hire; fill up the regular application form together with all the supporting documents, such as but not limited to:
  1. Proof of Registration/Ownership of Unit (Certified Xerox Copy of Owner's Receipt (OR) from LTO, District Office located at Tuguegarao City);

2. Barangay Certification/Certification that he/she is a bonafide resident of the Barangay;
3. Certified Xerox Copy of Certificate of Registration (CR) from LTO, District Office located at Tuguegarao City;
4. Community Tax Certificate (Cedula);
5. 4 Stroke Engine;
6. Triplicate Copy of Insurance Coverage for any liability it may incur to passengers and third parties in case of accident;
7. Photo/picture of the Tricycle (3r), I.D. picture of the operator and driver (2" x 2") for new applicants;
8. TODA Certification attesting to the fact that the applicant is a bonafide member of the TODA;
9. Safety Inspection Certificate issued by the TRU; and,
10. COMELEC Certification/Voter's ID

b. Pay the required fees.

#### SECTION 8. FEES

|   |             |
|---|-------------|
| 1. Franchise Fee  |             |
| a. New applicant  | - P5,000.00 |
| b. Renewal  | - P 200.00  |
| c. Transfer Fee   | - P1,000.00 |
| d. Change of Unit Fee   | - P 250.00  |
| e. Transfer fee in case of death of Franchisee<br>(direct heir) | - P 150.00  |
| f. Late Renewal Fee ( <i>per month of delay</i> )               | - P 100.00  |
| g. Driver's Identification Card                                 | - P 50.00   |
| 2. Mayor's Permit with Sticker                                  | - P 100.00  |

**SECTION 9. DURATION AND LIMIT OF THE FRANCHISE.** Any franchise shall remain valid for a period of two (2) years from the date of issuance, renewable for the same period. The number of franchise that may be granted to an individual shall be limited to one (1).

In case of death of the operator, the spouse or if none, the nearest kin should immediately apply for change of ownership subject to the provisions of Sections 7, 8 and 12 of this Ordinance and upon presentation of the required legal documents duly evaluated and verified by the TRU.

#### SECTION 10. RENEWAL OF FRANCHISE AND FINES FOR LATE RENEWAL.

A.) The franchise shall be renewable within a period of sixty (60) days from its expiry date; the application for renewal must be filed with the TRU upon payment of the corresponding Renewal Fee and submitting the following requirements:

1. Certified Photo Copy of Official Receipt (OR)/Certificate of Registration (CR) from LTO, District Office located at Tuguegarao City;
2. Barangay Clearance;
3. Community Tax Certificate (Cedula);
4. Triplicate Copy of Insurance Coverage for any liability it may incur to passengers and third parties in case of accident;
5. TODA Certification attesting to the fact that the applicant is a bonafide member of the TODA;

6. Safety Inspection Certificate issued by the TRU;
7. Old Franchise/ TPO (Original Copy); and,
8. Mayor's Permit.

B.) Failure to do so within the said period, no application shall be accepted unless the Late Renewal Fee which shall be imposed for every month of delay is paid first. Any fraction thereof shall be considered one month.

C.) The acceptance of late renewal shall be for a period of three (3) years only. After the lapse of the three (3)-year period, the franchise shall be deemed cancelled or revoked.

**SECTION 11. SEMINAR FOR DRIVERS AND OPERATORS.** The Tuguegarao City Franchising Board, in coordination with the Tricycle Regulation Unit (TRU) and the Federation of Tricycle Owners and Drivers Association (FETODA), shall conduct seminars on road safety, traffic rules and regulations, and on the provisions of this Ordinance for tricycle drivers and operators before the release of the renewed or approved Franchise/Tricycle Operator's Permit. Attendance to this seminar shall be mandatory. Seminars, Dialogues and Meetings shall be regularly conducted to appraise drivers and operators on vital transport matters and policies.

**SECTION 12. CHANGE OF OWNERSHIP.** Change of ownership of unit and franchise by the owner/operator to another operator is allowed upon presentation of the required legal documents duly evaluated and verified by the TRU subject to the provisions of Sections 7 and 8 of this Ordinance.

**SECTION 13. CHANGE OF UNIT.** The owner/operator of the unit is allowed a change of unit provided the old unit is no longer serviceable and upon presentation of the required legal documents duly evaluated, verified and inspected by the TRU subject to the provisions of Sections 7 and 8 of this Ordinance. Provided further, that the new unit shall be a Four (4) Stroke motorcycle unit.

**SECTION 14. BODY NUMBERING.** All owners/operators of tricycles operating within Tuguegarao City shall number the sidecar (inside fronting the passengers), front and rear, adopting the CASE NUMBER of the motorcycle franchise as its body number with the following sizes:

- Front and Sidecar (inside) ----- 6" x 31/2"
- Rear ----- 6" x 31/2"

**SECTION 15. DRIVER'S I.D.** Identification cards of drivers shall be issued by the TRU and shall be displayed conspicuously inside the tricycle for ready identification by the passengers. Identification cards shall be valid for two (2) years and are renewable for the same period.

**SECTION 16. RULES AND REGULATIONS.** All operators/drivers of motorized tricycles for hire must comply with the following Rules and Regulations:

- a. Only Filipino Citizens who are bonafide residents of Tuguegarao City and corporations, partnerships, cooperatives and associations with Filipino equity whose principal offices are based in Tuguegarao City are qualified to be operators of tricycles for hire;
- b. The driver and operator of a tricycle shall at all times operate and maintain a roadworthy, dependable and highly reliable tricycle unit in such a way as to ensure the passenger's safe arrival to their destination;
- c. No tricycle for hire shall be allowed to operate within the territorial jurisdiction of Tuguegarao City without having first complied with the following:
  1. Registration with TRU for current year;
  2. Motor Registration with the LTO Tuguegarao City for the current year;
  3. Issuance of the Tricycle operator's Permit of Franchise;
  4. Annual Safety Inspection Certificate by TRU; and,
  5. Issuance of the Mayor's Permit.

d. All tricycles for hire that will register with the TRU for the current year and the issuance of the Mayor's Permit and TOP or Franchise shall be in accordance with the following schedule and shall be based on the ending of the Plate Number, to wit:

- Plate Number Ending One (1) --- January
- Plate Number Ending Two (2) --- February
- Plate Number Ending Three (3) --- March
- Plate Number Ending Four (4) --- April
- Plate Number Ending Five (5) --- May
- Plate Number Ending Six (6) --- June
- Plate Number Ending Seven (7) --- July
- Plate Number Ending Eight (8) --- August
- Plate Number Ending Nine (9) --- September
- Plate Number Ending Zero (0) --- October

- e. No Motorized Tricycle shall be allowed to carry passenger or goods more than it is designed for, that the passenger capacity shall be limited to six (6) including the driver;
- f. The prescribed fare rate as provided for in the existing City Ordinance of Tuguegarao City shall be strictly enforced during the period from 5:00 A.M. to 9:00 P.M. Thereafter, passenger fares may be subject to agreement between the driver and the passenger;
- g. The Fare Matrix shall be displayed conspicuously inside the tricycle fronting the passenger;
- h. Operators shall employ only drivers with professional driver's license issued by the LTO;
- i. No driver of a tricycle for hire shall refuse to convey passengers to and from their destination. A tricycle not conveying a passenger shall put up a "PRIVATE" sign in front of the tricycle so that the public may know;
- j. Tricycle drivers must always be tidy and neat in appearance when conveying passengers to impress the dignity and importance of their chosen occupation. Wearing of *short pants*, "*sandos*", *sleeveless*, *slippers* while driving their tricycles shall not be allowed; tricycle drivers shall wear shirt, with or without collar, and long pants and shoes while operating tricycles for hire units;
- k. Tricycle drivers shall at all times be courteous, respectful and law-abiding and observant of existing traffic rules and regulations;
- l. No tricycle driver shall be allowed to operate and drive a motorized tricycle while under the influence of prohibited drugs and/or liquor or with mere alcoholic breath;
- m. Smoking while driving a tricycle with or without passenger is strictly prohibited including passengers;
- n. All tricycle units whose plate numbers end in 1 and 2 are not allowed to operate on Mondays; 3 and 4 on Tuesdays; 5 and 6 on Wednesday; 7 and 8 on Thursday; 9 and 0 on Friday from 7:00 A.M. to 6:00 PM;



- o. No tricycle unit shall be allowed to travel without the proper color coding. All tricycle units shall comply with the color coding scheme corresponding to the last digits of their plate numbers:

|                         |             |
|-------------------------|-------------|
| Ending 1 and 2 – GREEN  | (Monday)    |
| Ending 3 and 4 – BLUE   | (Tuesday)   |
| Ending 5 and 6 – RED    | (Wednesday) |
| Ending 7 and 8 – ORANGE | (Thursday)  |
| Ending 9 and 0 – YELLOW | (Friday)    |
| Private – WHITE         |             |

- p. Tricycles coming from other municipalities are prohibited to operate and convey passengers within the city's jurisdiction except to convey passengers from the municipality where they come from up to the terminal designated for them provided they secure a Mayor's Permit upon payment of P300.00 annually as permit fee;
- q. All tricycles are required to provide a gallon size trash-bin inside the sidecar;
- r. Sidecar windshields must be free from unauthorized stickers and paintings or decorations that will obstruct the outside view of the passenger; and,
- s. Any driver/operator or person misrepresenting a copy of a document during application or renewal of franchise before the TRU or the Board, such as but not limited to fake license, identification card, or permit; fake OR/CR or stickers, or spurious Barangay Clearance shall be administratively and criminally liable.

#### **SECTION 17. ADMINISTRATIVE PROVISIONS.**

A. Colorum Tricycles are prohibited to operate and convey passengers within the City, if apprehended, the tricycle shall be impounded at the New City Hall Grounds at Carig, Tuguegarao City and shall only be released upon payment of the fine and impounding fee. The Impound fee shall be One Hundred Pesos (P100.00) per day.

Any driver/operator found driving/operating a colorum motorized tricycle shall automatically be permanently disqualified from applying for a franchise and if he/she has an existing franchise, this shall cause its immediate revocation.

B. For the third offense of any violation under Section 18 of this Ordinance, the corresponding fine in the table shall be imposed and shall cause the immediate cancellation/revocation of the franchise. Violations of the drivers shall also be attributed to the operator.

C. Three (3) consecutive violations of any provision under this Ordinance within six (6) month period, subject to the recommendation of the TRU, shall cause the immediate cancellation/revocation of the franchise.

D. Use of tricycles in the commission of crime/s shall cause the immediate cancellation/revocation of franchise.

E. Failure or refusal to pay any fine shall cause immediate cancellation/ revocation of franchise.

**SECTION 18. A. SPECIFIC IMPOSITIONS AND THEIR PENALTIES.** Violations of any of the following shall be penalized as follows:

| Violations Pertaining to Operators   |          | 1 <sup>st</sup> Offense                | 2 <sup>nd</sup> Offense   | 3 <sup>rd</sup> Offense |
|--|----------|--|---------------------------|-------------------------|
| 1. Colorum Operation   | Operator | P5,000.00                              |                           |                         |
| (Impounding Fee)   | -----    | P100.00/day                            |                           |                         |
| 2. Unauthorized body number  |          | P1,000.00                              | Cancellation of Franchise |                         |
| (Impounding Fee)   |          | P100.00                                | Cancellation of Franchise |                         |
| 3. Allowing an unlicensed person to drive  |          | P500.00                                | P800.00                   | P1500.00                |
| 4. Operating/ allowing operation of motor vehicle with cancelled/ revoked franchise. |          | P5,000.00 with Impoundment of tricycle |                           |                         |
| <b>Violations Pertaining to Driver</b>   |          |  |                           |                         |
| 1. Overloading Passengers  | -----    | P500.00                                | P750.00                   | P1,000.00               |
| 2. Overcharging  | -----    | P500.00                                | P750.00                   | P1,000.00               |
| 3. Refusal to Convey Passenger   | -----    | P500.00                                | P750.00                   | P1,000.00               |
| 4. Driving under influence of Liquor/Prohibited Drugs                                | -----    | P1,000.00                              | P3,000.00                 | P5,000.00               |
| 5. Driving in Shorts/Sando/Slippers  | -----    | P200.00                                | P500.00                   | P1,000.00               |
| 6. Reckless/Arrogant/Discourteous  | -----    | P200.00                                | P500.00                   | P1,000.00               |
| 7. Driving without Valid License   | Driver   | P300.00                                | P500.00                   | P800.00                 |
|  | Operator | P500.00                                | P800.00                   | P1,000.00               |
| 8. No Driver's ID card   | -----    | P200.00                                | P500.00                   | P1,000.00               |
| 9. No trash bin  | -----    | P200.00                                | P300.00                   | P500.00                 |
| 10. Smoking while driving  |          | P200.00                                | P500.00                   | P1,000.00               |
| 11. Unnecessary decorations or unauthorized stickers                                 |          | P200.00                                | P500.00                   | P1,000.00               |
| 12. Disregarding Traffic Signs   |          | P300.00                                | P600.00                   | P1000.00                |
| 13. No Fare Matrix   |          | P200.00                                | P500.00                   | P800.00                 |
| 14. Evading apprehension   |          | P300.00                                | P500.00                   | P800.00                 |
| 15. Hitching   |          | P300.00                                | P500.00                   | P1000.00                |

B. All penalties/fines to be collected every quarterly shall be allotted to the following:

Forty percent (40%) shall be allotted to the Tuguegarao City; Ten percent (10%) to the Tuguegarao City Traffic Management Group (TCTMG); Twenty percent (20%) to the Philippine National Police (PNP); Fifteen percent (15%) to the Federation of Tricycle Operators and Drivers Association (FETODA) and Fifteen percent (15%) to the Tricycle Operators and Drivers Association (TODA).

**SECTION 19. TRAFFIC CITATION TICKET (TCT).** A TCT shall be issued to the erring driver or operator, indicating therein the violation/s and the Driver's ID shall be confiscated. The TCT shall be in effect for forty-eight (48) hours, hence drivers can still convey passengers within said hours.

The driver/operator shall pay the corresponding fine at the City Treasurer's Office during weekdays within forty-eight hours from date of apprehension.

Should the driver/operator fail to pay the fine within the reglamentary period, the TRU shall summon the driver/operator and penalize the same for driving without the appropriate Driver's ID.

**SECTION 20. PRIMA FACIE EVIDENCE.** A complaint by any aggrieved passenger indicating the kind of violation, either as retrieved from the complaint boxes or by petition or complaint letters addressed to the Sangguniang Panlungsod, Board or to the Office of the City Mayor shall constitute a prima facie evidence of the violation and if not rebutted or contradicted, it shall justify the payment of the corresponding penalty.

**SECTION 21. PENAL PROVISIONS.** Any driver or operator found violating any of the provisions of this Ordinance which penalties are not specified under Section 18 shall be penalized by a fine of Eight Hundred Pesos (P800.00) for every violation.

**SECTION 22. IMPLEMENTING RULES.** The City Mayor from time to time may adopt policies and guidelines as it may deem fit and necessary for the effective and strict implementation of this Ordinance.

**SECTION 23. REPEALING CLAUSE.** Any ordinance, executive order, or rules and regulations or part thereof which is inconsistent with this Ordinance is hereby repealed accordingly.

This Ordinance amends, repeals and modifies Tricycle Ordinance No. 08-2004 in its entirety. In cases when there is any inconsistency with previous or other ordinances, this Ordinance shall prevail.

**SECTION 24. SEPARABILITY CLAUSE.** If for any reason, any portion or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions thereof which are not affected shall continue to be in full force and effect.

**SECTION 25. EFFECTIVITY.** This ordinance shall take effect upon approval.


On motion of all members present, **CITY ORDINANCE NO. 08-2013** was **UNANIMOUSLY APPROVED**.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
**JOEL JOSEPH L. EGIPTO, Ph. D.**  
Secretary to the Sangguniang Panlungsod

ATTESTED:

  
**HON. ENGELBERT C. CARONAN, JR.**  
City Vice Mayor  
Presiding Officer

APPROVED:

  
**HON. JEFFERSON P. SORIANO**  
City Mayor  
Date approved: 07/27

♥cal☺