



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao

SEVENTH CITY COUNCIL



EXCERPTS FROM THE MINUTES OF THE 135th REGULAR SESSION
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON JUNE 25, 2019, 9:00 A.M., TUESDAY,
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Danilo L. Baccay	Sangguniang Panlungsod Member
Hon. Jude T. Bayona	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Maila Rosario T. Que	-do-
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Gil G. Pagulayan	Ex Officio Member (Liga ng mga Barangay President)
Hon. Karen L. Taguinod	Ex Officio Member (SK Federation President)

ABSENT:

Hon. Imogen Claire M. Callangan	Sangguniang Panlungsod Member (on Official Time)
Hon. Mary Marjorie P. Martin-Chan	-do- (on Vacation Leave)

CITY ORDINANCE NO. 25-2019

**ORDINANCE UPDATING CITY ORDINANCE NO. 45-2017 TITLED
 “AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND
 MAINTENANCE OF PUBLIC/PRIVATE TRANSPORT TERMINALS WITHIN THE
 TERRITORIAL JURISDICTION OF TUGUEGARAO CITY, CAGAYAN
 AND PROVIDING PENALTIES THEREOF”**

Sponsors: **Hon. Danilo L. Baccay**
Hon. Raymund P. Guzman

WHEREAS, Section 458, Paragraph 3 of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that the Sangguniang Panlungsod shall enact ordinances granting franchises and authorizing the issuance of permits or licenses upon such conditions and for purposes intended to promote the general welfare;

WHEREAS, Article IV, Section 10, Item Number 3 of Republic Act No. 8755, otherwise known as the “Tuguegarao City Charter”, also provides that “subject to the provisions of the Local Government Code of 1991, the Sangguniang Panlungsod shall enact ordinances granting franchises and authorizing the issuance of permits or licenses, upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the city”;

WHEREAS, Section 17 of the Local Government Code further provides that LGUs particularly cities shall endeavor to provide adequate, effective and efficient transportation facility that would provide access and mobility for its people to pursue socioeconomic activities as reflected in the Comprehensive Land Use Plan and the Zoning Ordinance;

WHEREAS, LGUs are in a better position to identify local public transport service requirements and formulate plans for improving connectivity between socioeconomic activities;

WHEREAS, Tuguegarao City as the regional government center and the center of education and commerce which continues to develop as a premier city in Northeast Luzon recognizes the growing need for an adequate public transport terminal;

WHEREAS, adequate, effective and efficient transport terminals are essential for reliable, organized and convenient areas for loading and unloading of passengers and cargoes that would provide access and mobility for its people to pursue socioeconomic activities as reflected in the CLUP and Zoning Ordinance;

WHEREAS, illegal transport terminals have proliferated in many parts of Tuguegarao City, causing traffic congestions and creating inconveniences and confusions among commuters;

WHEREAS, LTFRB issued Memorandum Circular No. 2008-013, s. of 2008 prescribing the standard classifications and guidelines in the establishment, maintenance and operations of Public Transport Terminals;

WHEREAS, DILG-DOTC issued Joint Memorandum Circular No. 01-2008 providing the guidelines in the review of local ordinances concerning public transportation;

WHEREAS, the City Mayor, Hon. Atty. Jefferson P. Soriano, indorsed to the Seventh City Council the request for amendments of the said City Ordinance;

WHEREAS, two public hearings were held on January 29, 2019 and June 14, 2019 for the said purpose;

WHEREAS, there is a need to revise or repeal all existing ordinances and to enact an updated ordinance regulating the establishment of public transport terminals in order to be attuned to the needs of the present time and to comply with the guidelines, rules and regulations issued by DILG-DOTC and LTFRB, HLURB Board Resolution No. R-408, Series of 1988, other Pertinent National Issuances, pertinent City Ordinances and Resolutions and MC No. 2011-150 of DILG.

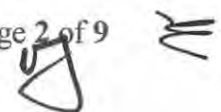
NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod (Seventh City Council) duly assembled in session, to enact the following:

SECTION 1. TITLE. This Ordinance shall be known as “**AN ORDINANCE UPDATING CITY ORDINANCE NO. 45-2017 TITLED “AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF PUBLIC/PRIVATE TRANSPORT TERMINALS WITHIN THE TERRITORIAL JURISDICTION OF TUGUEGARAO CITY, CAGAYAN AND PROVIDING PENALTIES THEREOF.”**”

SECTION 2. COVERAGE. This Ordinance shall govern the establishment, maintenance and operation of Public/Private Transport Terminals that cater to all types of Public Utility Vehicles (PUVs) except Tricycles for hire and Calesas.

SECTION 3. DEFINITION OF TERMS

- 1. Public Transport Terminal** - as used in this Ordinance, shall refer to any structure or facility primarily for the purpose of loading and unloading of passengers and cargoes by Public Utility Vehicles (PUVs).
- 2. Garage/Parking** - as used in this Ordinance, shall refer to an off-street area where public utility vehicles are stored or parked while not in operation and where repair or maintenance is done.
- 3. Integrated Terminal Exchange**- is one which can simultaneously accommodate/serve at least three (3) types of public land transport vehicles such as PUBs, PUJs, taxicabs, Multi-Cabs, Vans/AUVs, etc.
- 4. Operator** – refers to the owner/lessor of any real property of agent and/or any other person or entity acting in behalf of the said owner/lessor duly authorized by the Sangguniang Panlungsod of Tuguegarao City to establish, maintain and operate a public transport terminal in accordance with the provisions of this ordinance.
- 5. Poblacion** - for purposes of this ordinance, poblacion shall be confined to Barangays 1-12.



6. **Public Utility Vehicles (PUVs)** - refer to all public utility vehicles like vans, jeepneys, buses, mini buses and other conveyances for hire.
7. **Passing-Through Public Utility Vehicles** – refer to public utility vehicles plying the routes prescribed under their respective franchises which extend beyond the territorial jurisdiction of Tuguegarao City, and those that do not necessarily be compelled to use any public/private terminals for purposes of loading/unloading passengers.
8. **Zoning Ordinance** – refers to a written regulation and law that defines how property in a specific geographic zone can be used. It is a legally binding set of rules and regulations affirming the usage of land in Tuguegarao City.
9. **CLUP** - refers to the Comprehensive Land Use Plan which is the plan for the long term management of a local territory, identifying areas where development can and cannot be located and directing public and private investments accordingly.
10. **LTFRB** - Land Transportation, Franchising and Regulatory Board.
11. **DOTr** - Department of Transportation.
12. **HLURB** - Housing, Land Use and Regulatory Board.
13. **DILG**- Department of the Interior and Local Government.
14. **LTO** - Land Transportation Office.
15. **SEC** – Securities and Exchange Commission.
16. **LTFRB MC No. 2008-13** - refers to the Memorandum Circular issued by LTFRB prescribing the guidelines in the establishment, maintenance and operation of public transport terminals.
17. **JMC No. 01-2008** - refers to the Joint Memorandum Circular of the DOTC and DILG dated September 10, 2008 prescribing the guidelines in the review of local ordinances, orders, rules and regulations concerning public transportation issued by DOTC and DILG.
18. **MC NO. 2011-150 dated October 12, 2011** – Reiteration of DILG-DOTC Joint Memorandum Circular No. 01, s. 2008, dated September 10, 2008, particularly on the Guidelines in the establishment and operation of Public Transport Terminals.
19. **Choke Points** – refer to areas where heavy traffic congestions occur.
20. **Local Public Transport Plan** - refers to a plan detailing the route networks mode and required number of units per mode for delivering public land transport service. This is prepared by the LGU and approved by the LTFRB.
21. **Terminal** – refers to an off-street area where passengers board and alight usually located at the start and at the end of the route.
22. **PUV Stops** – refer to the designated locations or areas where dropping-off/picking-up of passengers is allowed.

SECTION 4. ESTABLISHMENT, MAINTENANCE AND OPERATION OF PUBLIC/PRIVATE TRANSPORT TERMINALS

1. Public/Private Transport Terminals may be established, operated and maintained by the City Government or any private individual, partnership, cooperative or corporation upon authorization of the Sangguniang Panlungsod.
2. Only Filipino citizens and bonafide residents of Tuguegarao City for at least one (1) year, and partnerships, corporations, associations or cooperatives at least fifty (50%) percent of the ownership thereof shall be owned by residents of Tuguegarao City, duly registered/accredited with Securities and Exchange Commission (SEC), Cooperative Development Authority (CDA) and/or Department of

Trade and Industry (DTI) and not otherwise prohibited by law shall be allowed to establish, operate, maintain and manage public/private transport terminals within Tuguegarao City.

3. **Use of Public Transport Terminal Not Compulsory.** The use of public transport terminals established or designated by the City Government shall not be imposed compulsorily, directly or indirectly, on operators/drivers using existing terminals in compliance with DILG-DOTC Joint Memorandum Circular No. 1, Series of 2008. Public transport services which are merely passing through cannot be compelled to use such public transport terminals.
4. **Non-Closure of Private Terminals.** Except in cases where any of the provisions of the City Ordinance on Traffic or any pertinent ordinance or law is violated, the City Government shall not close down existing private terminals or curtail the operation of said terminals for the purpose of compelling the use of the public transport terminals established by the city government.
5. The establishment of Public/Private Transport Terminals shall conform with the updated Comprehensive Land Use Plan (CLUP) and Zoning Ordinance.

SECTION 5. AUTHORITY/FRANCHISE TO OPERATE

1. The authority or franchise to operate a public/private transport terminal shall be granted by way of an ordinance enacted by the Sangguniang Panlungsod of Tuguegarao City.
2. No private/public transport terminal shall be established, operated and maintained without any authority granted by the Sangguniang Panlungsod of Tuguegarao City.

SECTION 6. DURATION OF THE AUTHORITY/FRANCHISE TO OPERATE. The authority or franchise to operate public/private transport terminals shall be for a period of fifteen (15) years, renewable every five (5) years.

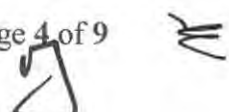
SECTION 7. REQUIREMENTS

1. All public and private terminals shall comply with the requirements and standards pursuant to LTFRB Memorandum Circular No. 2008-13 and Joint Memorandum Circular No. 01-2008 by DILG-DOTC and LTFRB, HLURB Board Resolution No. R-408, Series of 1988, other Pertinent National Issuances, pertinent City Ordinances and Resolutions and MC No. 2011-150 of DILG, to wit:

A. For Integrated Terminal Exchange

The owner/operator of such terminals shall install/provide the following:

1. The terminal area requirement shall be based on the feasibility study as approved by the DOTr;
2. Separate and sufficient parking slots/spaces for each mode of transportation;
3. Separate departure and arrival bays for each mode of transportation;
4. Wide entrances and exits for easy mobility to and from the terminal;
5. Drop-off and pick-up areas for private vehicles;
6. Concrete flooring of the entire terminal, not only of the loading and unloading areas;
7. Roofing that would provide sufficient shade to passengers from heat of the sun or rain;
8. Installed Communication Facilities (such as Telephone, Fax Machines, Internet, Etc.);
9. Adequate CCTV cameras and/or monitors which must be: a) continuously recording the last seventy-two (72) hours of operation; and, b) positioned to capture video of (1) all entry and exit points and (2) loading and unloading areas;
10. Availability of Information and Passenger Assistance Counters Personnel;
11. Online Ticketing and dispatching;
12. Detailed schedule of regular trips for each mode of transportation;
13. Appropriate and Adequate Signages;
14. Sufficient number of Security Personnel for the protection of passengers from abusive vendors, pickpockets and other lawless elements and for the proper inspection of baggage;
15. Walk-through metal detectors installed in all entry points;
16. Adequate and comfortable benches and/or seats with backrests for waiting passengers;
17. Separate restrooms for Persons with Disabilities (PWDs) and Male and Female passengers which must, at all times, be: a) clean, b) sufficiently lighted, c) ventilated; d) provided with clean water, flush system, toilet seat with cover, lavatory, waste bin, toilet paper, mirror, soap,



- hand drier and functional door lock; e) exclusive space for diaper-changing tables; and f) regularly maintained by janitorial personnel;
 - 18. Priority lane for senior citizens, PWDs and persons with special needs specifically pregnant women, mothers travelling with infants and/or small children, and those with physical disabilities;
 - 19. Elevators and/or escalators to facilitate easy access for Senior Citizens, PWDs, pregnant women and passengers travelling with luggage, infants, or small children;
 - 20. Availability of ramps for PWDs; and,
 - 21. Other facilities such as driver's retiring rooms, canteen and administrative office.
- B. For Bus Terminals and Terminals which Cater to Less than Three (3) Vehicles Type One of which would be PUBs.

The owner/operator of such terminals shall install/provide the following:

1. The minimum terminal size must be at least 130% of the total space requirement of 50% of the franchised units that will use the terminal;
2. Separate departure and arrival bays for each mode of transportation;
3. Wide entrances and exits for easy mobility to and from the terminal;
4. Concrete flooring of the entire terminal, not only of the loading and unloading areas;
5. Roofing that would provide sufficient shade to passengers from heat of the sun or rain;
6. Availability of Information and Passenger Assistance Counters Personnel;
7. Detailed schedule of regular trips;
8. Appropriate and Adequate Signages;
9. Sufficient number of Security Personnel (with hand-held metal detectors at entry points) for bag inspection and manning of the entire terminal, particularly the entry and exit points;
10. Adequate and comfortable benches and/or seats with backrests for waiting passengers;
11. Separate restrooms for Persons with Disabilities (PWDs) and Male and Female passengers which must, at all times, be: a) clean, b) sufficiently lighted, c) ventilated; d) provided with clean water, flush system, toilet seat with cover, lavatory, waste bin, toilet paper, mirror, soap, hand drier and functional door lock; e) exclusive space for diaper-changing tables; and f) regularly maintained by janitorial personnel;
12. Priority lane for senior citizens, PWDs and pregnant women; and,
13. Availability of ramps for PWDs.

C. For Public Utility Vehicles Terminals Not Falling Under the First Two Categories

The owner/operator of such terminals shall install/provide the following:

1. Adequate and Comfortable Benches and/or Seats with backrests for waiting passengers.
2. Roofing that would provide sufficient shade to passengers from heat of the sun or rain.
3. Availability of Information and Passenger Assistance Counters Personnel.
4. Appropriate and Adequate Signages.
5. Sufficient number of Security Personnel for the protection of passengers from abusive vendors, pickpockets and other lawless elements and for the proper inspection of baggage.
6. Priority lane for persons with special needs specifically pregnant women, mothers travelling with infants and/or small children, and those with physical disabilities.

2. Public hearing publication and posting

- a. Prior to the commencement of the construction, a public hearing must be held and publication of the construction of the public transport terminals in local newspapers of general circulation and/or posting in at least four conspicuous and publicly accessible places including the main entrance of the City Hall must be observed.
- b. Public hearing includes an official notification of authorized representatives of the LTO, LTFRB and other concerned agencies, public transport operators/drivers and stakeholders.

3. In addition to the requirements stated herein, all applicants for an authority or franchise to operate public transport terminal shall comply and submit the following:

- a. Minimum area of the following transport terminals as categorized under DOTr Department Order No. 2017-11 and LTFRB Memorandum Circular No. 2017-030 shall be:

SECTION 8. FEES AND CHARGES. A terminal franchise fee of twenty pesos (P20.00) per square meter per annum shall be charged to the applicants for the duration of the 5-year validity of franchise.

SECTION 9. RESTRICTED AREAS FOR THE ESTABLISHMENT OF PUBLIC/PRIVATE TERMINALS.

1. No public/private transport terminal shall be established within the poblacion as defined in Section 2(5) of this ordinance, except the whole stretch of Diversion Road from Tanza up to the intersection of Diversion Road and Luna Extension or at the Shell Station to portion of Luna Extension up to the foot of Buntun Bridge.
 2. No terminal shall be established within three hundred (300) meter radius from identified choke points or those areas where heavy traffic congestions occur such as, but not limited to, the intersections of the whole stretch of Diversion Road from Junction Tanza-Balzain up to the intersection of Luna Extension Road and Diversion Road; and, such other areas as may be identified in the Implementing Rules and Regulations of this Ordinance.
 3. The establishment of two (2) or more terminals shall not be within the distance of Three Hundred (300) meters from one terminal to another except for bus companies and other existing terminals which have to comply with the requirements stated herein upon the effectivity of this ordinance.
 4. Public utility vehicles shall load and/or unload passengers only in an authorized terminal or in designated loading/unloading areas.
 5. Only PUVs duly registered with the LTO and issued with corresponding franchise Certificate of Public Conveyance (CPC) by the LTFRB shall be allowed to use the terminal.
 6. No gambling of any kind shall be allowed within the premises of the terminals by the operator/owner or any person within.
 7. The operator of authorized terminal shall provide adequate lighting facilities within the premises and potable water supply, and shall at all times maintain sanitary facilities within the premises. Food stalls and other business establishments are allowed therein, provided that the Mayor's Permit and other pertinent documents be first secured from the Office of the City Mayor and the other fees are paid.
 8. In addition, standards set by HLURB Board Res. No. R-408, series of 1988 on Locational Guidelines for Land Transportation Terminals must be complied with, to wit:
 - a. The terminal should be more than 100 meters away from institutional establishments particularly school and hospital.
 - b. The terminal must be accessible to commuters, i.e. transfer routes are available or within its service radius. However, direct access to major thoroughfares especially high speed highways and expressways should be discouraged for safety and smooth traffic flow purposes.
 - c. If the municipality has no approved zoning ordinance, the location of bus stations/terminals and freight/truck terminals should be outside the center of commercial activities to reduce and minimize street congestion.
 - d. Jeepney/taxi terminal may be located within the central business district or commercial zone, provided it should not be a major road intersection.
 - e. Garage must be located at the outskirts of the business center or commercial zone.
1. Should there be an existing LGU-operated or owned Inter-Modal Grand Terminal which is compliant with LTFRB standards, the existing transport terminals of franchise grantees within the said LGU should be considered as garage and the use of the LGU-operated or owned Inter-Modal Terminal is hereby encouraged.
 2. Existing public Transport Terminals not in compliance with the provision of this ordinance shall be given three (3) Months to fully comply from the effectivity of this ordinance.
 3. PUVs merely passing through cannot be compelled to use the public transport terminal established/designated by the City Government.

SECTION 10. PROHIBITED ACTS.

- a. Only PUVs duly registered with the LTO and issued with corresponding franchises or Certificate of Public Convenience (CPC) by the LTFRB shall be allowed to use the terminal.
- b. Public Utility Vehicles shall operate or ply only along their designated franchise route. Colorum and Out-of-Line operations shall be strictly prohibited.
- c. Public Utility Vehicles shall load and/or unload passengers only at authorized terminals or at loading/unloading areas designated by the PSSO.
- d. PUVs are allowed to maneuver beyond their route ends or turning points and turn-back to their authorized terminals to resume operation, provided that they should take the routes designated by the PSSO.
- e. Parking, waiting or standing along national roads to pick-up/drop off passengers shall be strictly prohibited.
- f. Ambulant vendors, solicitation, display of pornographic materials in any forms shall be strictly prohibited.
- g. Drinking alcoholic beverages, gambling of any kind and other illegal activities shall not be allowed within the premises of the terminal.
- h. Public Utility Jeeps and UV Express Services are prohibited from entering Poblacion as defined in this Ordinance.

SECTION 11. FINES AND PENALTIES

Terminal Operators, Public Transport Operators/Drivers, agents or any other person or entity, partnership, corporations, cooperatives, its board of directors and officers acting in his/her, or their behalves, whether authorized or unauthorized public/private transport terminals shall be held liable for any violation of the provisions of the Ordinance and shall be penalized as follows:

Item	Violation	Person/s liable	Penalty
1	Submission of fake documents in relation to the application of the "franchise to operate."	Terminal operator	1 st Offense: Fine of P2,000.00 2 nd Offense: Fine of P5,000.00 3 rd Offense: Cancellation of the authority to operate and Mayor's Permit without prejudice to filing of appropriate criminal charges
2	Operating an unauthorized/illegal terminal.	Terminal operator	Fine of P5,000.00 plus outright closure of the terminal without prejudice to filing of appropriate criminal charges
3	Cuddling/allowing a PUV Operator/Driver to engage in colorum and out-of-line operations.	Terminal operator	1 st Offense: Fine of P2,000.00 2 nd Offense: Fine of P5,000.00 3 rd Offense: Cancellation of the authority to operate and Mayor's Permit
4	Abetting discourteous/arrogant terminal employees and staff.	Terminal operator	1 st Offense: Fine of P2,000.00 2 nd Offense: Fine of P5,000.00 3 rd Offense: Cancellation of the authority to operate and Mayor's Permit
5	Loading/unloading of passengers at prohibited areas or outside the designated terminal and pick-up/drop off points.	PUV Operator/Driver	1 st Offense: Fine of P2,000.00 2 nd Offense: Fine of P3,000.00 3 rd Offense: Fine of P5,000.00 and revocation of Mayor's Permit
6	Colorum and Out-of-Line operation.	PUV Operator/Driver	Fine of P5,000.00 plus impoundment of vehicle
7	Refusal to render passenger/trip-cutting.	PUV Operator/Driver	1 st Offense: Fine of P1,000.00 2 nd Offense: Fine of P3,000.00 3 rd Offense: Fine of P5,000.00 and revocation of Mayor's Permit

8	Violation of pertinent provisions of the ordinance.	PUV Operator/Driver and/or Terminal Operator	1 st Offense: Fine of P2,000.00 2 nd Offense: Fine of P5,000.00 3 rd Offense: Cancellation of the authority to operate and Mayor's Permit
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SECTION 12. IMPLEMENTING RULES AND REGULATIONS

The City Mayor shall adopt an implementing rules and regulation for the smooth and effective implementation of this ordinance in consultation with stakeholders.

SECTION 13. SEPARABILITY CLAUSE

Should any provision of this Ordinance or any part hereof be found inconsistent with existing laws, the other provisions, as far as they are separable from the inconsistent ones, shall remain in force and effect.

SECTION 14. REPEALING CLAUSE

City Ordinances or Resolutions and Executive Orders/Memoranda concerning public terminals and parking areas are hereby repealed.

SECTION 15. EFFECTIVITY


This Ordinance shall take effect after fifteen (15) days from its publication in a local newspaper of general circulation.

x-x-x

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
 Secretary to the Sanggunian *he*

ATTESTED:


HON. BIENVENIDO C. DE GUZMAN II
 City ~~Vice Mayor~~ Presiding Officer
 Date: _____

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
 City Mayor
 Date: _____

ed



OFFICE OF THE CITY MAYOR

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Tel. No. (078) 304-1114 / email ad: LGU.Tuguegarao@yahoo.com.ph

“IMPLEMENTING RULES AND REGULATIONS (IRR) OF CITY ORDINANCE NO. 25-2019, OTHERWISE KNOWN AS “ORDINANCE UPDATING CITY ORDINANCE NO. 45-2017 TITLED AN ‘ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF PUBLIC/PRIVATE TRANSPORT TERMINALS WITHIN THE TERRITORIAL JURISDICTION OF TUGUEGARAO CITY, CAGAYAN AND PROVIDING PENALTIES [FOR VIOLATIONS] THEREOF”

Pursuant to Section 12 of City Ordinance No. 25-2019, the following rules and regulations are hereby adopted and promulgated:

RULE I. GENERAL PROVISIONS

Section 1. Title

- 1.1. These rules and regulations shall be referred to as the “Implementing Rules and Regulations of City Ordinance No. 25-2019.”

Section 2. Declaration of Policy

- 2.1. It is the policy of the Tuguegarao City Government to provide reliable, safe, accessible, environment-friendly, efficient and comfortable transportation facilities to its constituents. In line with this, the City Government shall address the proliferation of illegal transport terminals to eliminate inconveniences among the commuting public and prevent traffic congestion in the city.

Section 3. Governing Principles

- 3.1. In support to the road public transportation policies of the national government and pursuant to the existing City Ordinance, the establishment, operation and maintenance of public/private transport terminals shall be governed by the following principles:
 - a. **Reliability.** To improve commuter’s satisfaction in their right to travel, public transport services in Tuguegarao City shall be predictable in terms of travel time, waiting times, and schedules. Commuters shall benefit from a regular dispatch time and short intervals between vehicles during peak demand periods, as they need not to wait long for a public transport service to arrive at terminals and/or pick-up or drop-off points. Operating hours for a route shall be responsive to the need of visitors, night students, and workers who require late night travel.
 - b. **Safety.** Transport terminals shall comply with existing national standards. Boarding and alighting of passengers in undesignated PUV stops is

fundamentally unsafe and shall be discouraged. PUV drop-off/pick-up points shall be adequately lit at night for security.

- c. **Accessibility.** Transport terminals shall be accessible to all segments of the society, including senior citizens and persons with disabilities. Access shall include good walkways or bikeways to provide connectivity with other transport modes such as tricycles. Designated location of stops, pick-up and drop-off points shall be provided to facilitate convenient boarding and alighting of passengers.
- d. **Environmental Soundness.** Every transport terminal shall comply with existing environmental policies, rules and regulations imposed by both national and city governments. It shall promote the use of low emission engines or EURO-compliant vehicles as prescribed by the Department of Environment and Natural Resources (DENR). Electric vehicles and/or running on alternative fuels shall also be encouraged.
- e. **Comfort.** In order for the passengers to feel more comfortable and relaxed, transport terminals shall be equipped with passenger facilities such as adequate and comfortable benches or seats, public address system, CCTV monitors, internet access and others.

Section 4. Scope and Application of the IRR

- 4.1. This IRR shall apply to the establishment, maintenance and operation of public/private transport terminals that cater to all types of Public Utility Vehicles (PUVs), except Tricycles for hire and Calesas.

Section 5. Definition of Terms

- 5.1. For purposes of this IRR, the following terms and phrases used shall be understood to mean as follows:
 - a. **Choke Points** - refers to areas where heavy traffic congestions perennially occur.
 - b. **CLUP** - refers to the Comprehensive Land Use Plan of Tuguegarao City, which is a plan for the long-term management of a local territory, identifying areas where development can and cannot be located and directing public and private investments accordingly.
 - c. **DILG** - Department of the Interior and Local Government.
 - d. **DOTr** - Department of Transportation.
 - e. **DOTr Department Order No. 2017-011** - refers to the Omnibus Guidelines on the Planning and Identification of Public Road Transportation Services and Franchise Issuance.
 - f. **Garage/Parking** - shall refer to an off-street area where public utility vehicles are stored or parked while not in operation and where repair or maintenance is done.

- g. **HLURB** - Housing, Land Use and Regulatory Board.
- h. **Integrated Terminal Exchange** - is one which can simultaneously accommodate/serve at least three (3) types of public land transport vehicles; such as PUBs, PUJs, taxicabs, Multi-Cabs, Vans/AUVs, etc.
- i. **JMC No. 01-2008** - refers to the Joint Memorandum Circular of the DOTC and DILG dated September 10, 2008, prescribing the guidelines in the review of local ordinances, orders, rules and regulations concerning public transportation issued by DOTC and DILG.
- j. **JVA** - Joint Venture Agreement.
- k. **Local Public Transport Plan (LPTRP)** - refers to a plan detailing the route networks mode and required number of units per mode for delivering public land transport service. This is prepared by the LGU and approved by the LTFRB.
- l. **LTFRB** - Land Transportation Franchising and Regulatory Board.
- m. **LTFRB MC No. 2008-13** - refers to the Memorandum Circular issued by LTFRB prescribing the guidelines in the establishment, maintenance and operation of public transport terminals.
- n. **LTO** - Land Transportation Office.
- o. **MC NO. 2011-150 dated October 12, 2011** - Reiteration of DILG-DOTC Joint Memorandum Circular No. 01, s. 2008, dated September 10, 2008, particularly on the Guidelines in the Establishment and Operation of Public Transport Terminals.
- p. **Operator** - refers to one duly authorized by the Sanguniang Panlungsod of Tuguegarao City to establish, maintain and operate a public transport terminal in accordance with the provisions of Ordinance No. 25-2019.
- q. **Passing-Through Public Utility Vehicles** - shall refer to public utility vehicles plying the routes prescribed under their respective franchises which extend beyond the territorial jurisdiction of Tuguegarao City, and those that cannot necessarily be compelled to use any public/private terminals for purposes of loading/unloading passengers, but are required to use designated loading/unloading zones in the city.
- r. **Poblacion** - for purposes of this IRR, the term *poblacion* shall comprise Barangays Centro 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 (Balzain East) and 12 (Balzain West).
- s. **PSSO** - refers to Public Safety and Security Office created under City Ordinance No. 001-2008.
- t. **Public Transport Terminal** - shall refer to any structure or facility primarily intended for loading and unloading of passengers and cargoes by Public Utility Vehicles (PUVs).

- u. **Public Utility Vehicles (PUVs)** - shall refer to all public utility vehicles like vans, jeepneys, buses, mini buses and other conveyances for hire.
- v. **PUV Stops** - shall refer to the designated locations or areas where dropping-off/picking-up of passengers is allowed.
- w. **SEC** - Securities and Exchange Commission.
- x. **TWG ON TRANSPORT TERMINAL** - shall refer to the Technical Working Group on Transport Terminal.
- y. **Terminal** - refers to an off-street area where Public Utility Vehicles load/unload passengers usually located at the start and at the end of the franchised route.
- z. **Zoning Ordinance** - refers to a written regulation and law that defines how property in a specific geographic zone can be used. It is a legally binding set of rules and regulations affirming the usage of land in Tuguegarao City.

RULE II. CREATION OF A TECHNICAL WORKING GROUP (TWG) ON TRANSPORT TERMINALS

Section 6. Creation of a Technical Working Group (TWG) on Transport Terminals

- 6.1. There is hereby created a Technical Working Group on Transport Terminals which shall oversee the implementation of this IRR.

Section 7. Composition

- 7.1. The Technical Working Group (TWG) shall be composed of the following:

- | | | |
|---|---|---------------|
| a. City Administrator | - | Chairman |
| b. Head, Public Order and Safety Office | - | Vice-Chairman |
| c. Head, City Engineering Office | - | Member |
| d. Head, Tricycle Regulation Unit | - | Member |
| e. Head, BPLO | - | Member |
| f. Head, CPDO | - | Member |
| g. City Fire Marshall | - | Member |
| h. Chief of Police, Tuguegarao City | - | Member |
| i. Head, City Legal Office | - | Member |
| j. Head, CENRO | - | Member |

Section 8. Functions of the Technical Working Group (TWG) on Transport Terminals

The TWG shall perform the following functions:

- 8.1. Accept, review and endorse applications for "franchise to operate" to the City Mayor for further endorsement to the Sangguniang Panlungsod;
- 8.2. Conduct regular inspection and monitoring of the operation and management of transport terminals established within the City in coordination with the LTFRB, LTO and concerned national government agencies;

- 8.3. Approve the location of terminals based on the updated CLUP, monitor construction, and operation of transport terminals for all PUVs operating within the Tuguegarao City;
- 8.4. Monitor the imposition of terminal fees or dues by the terminal operators to TODA members;
- 8.5. Review and approve fleet management and operations guide or manual submitted by the terminal operators;
- 8.6. Set guidelines or grounds for suspension, termination or revocation of the "franchise to operate" for approval of the Mayor;
- 8.7. Recommend to the City Mayor the revocation and/or suspension of the franchise to operate issued to any operator and cause the closure of terminals that are found to have violated the provisions of the City Ordinance or national laws, subject to indorsement to the Sangguniang Panlungsod;
- 8.8. Submit recommendations to the Sangguniang Panlungsod through the City Mayor the feasibility of entering into Joint Venture Agreements (JVA) with the LTO, LTFRB, DOTr or with any private entity for the purpose of capacitating operators to improve their terminal operations, improving road use practices, and traffic management in the Tuguegarao City;
- 8.9. Take cognizance and act on complaints filed by individuals, terminal operators or transport organizations concerning or relating to franchises, terminals, fares and other related concerns;
- 8.10. Ensure the proper implementation by concerned Offices/Units of the City Ordinance, this IRR and other rules and regulations pertaining to public/private transport terminals;
- 8.11. Establish cooperative undertakings with other local government units, national agencies and private sector organizations, as may be necessary for the effective and efficient implementation of the Ordinance and this IRR.
- 8.12. Conduct periodic evaluation and review of the effectiveness of the Ordinance, and amend the provisions of this IRR whenever necessary, subject to the approval of the City Mayor;
- 8.13. Meet as often as possible to discuss/resolve issues and concerns, formulate strategies, and promulgate rules and regulations for the effective implementation of the provisions of the Ordinance; and
- 8.14. Exercise other functions as may be directed by the City Mayor.

Section 9. Secretariat

- 9.1. The Secretariat of the TWG shall be the Public Safety and Security Office (PSSO).

Section 10. Duties and Responsibilities of the Secretariat

The Secretariat shall be responsible for the following:

- 10.1. Prepare and deliver invitations to requested participants to attend meetings of the TWG.
- 10.2. Set the date, time and venue of the meeting.
- 10.3. Take the minutes of all the meetings of the TWG.
- 10.4. Keep a record of all the transcribed minutes of the meetings of the TWG and furnish the same to concerned parties/agencies as may be deemed necessary.
- 10.5. Prepare the agenda for every meeting.
- 10.6. Take custody of all applications for franchise and other documents submitted to the TWG ensuring that they are intact and free from any tampering or unauthorized disclosure prior to the scheduled meetings.
- 10.7. Perform such other functions as may be required by the TWG.

RULE III. ESTABLISHMENT, OPERATION AND MAINTENANCE OF PUBLIC/PRIVATE TRANSPORT TERMINALS

Section 11. Establishment, Operation and Maintenance of Public/Private Transport Terminals

- 11.1. Establishment of private/public transport terminals must conform to the updated Comprehensive Land Use Plan (CLUP) and Zoning Ordinance of the City;
- 11.2. Any public/private individual, partnership, cooperative or corporation who intends to establish, operate and maintain public/private transport terminals shall be required to seek authorization from the Sangguniang Panlungsod through the Office of the City Mayor;

Section 12. Use of Public Transport Terminal Not Compulsory

- 12.1. The use of public transport terminals established or designated by the City Government shall not be imposed compulsorily, directly or indirectly, on operators/drivers using existing terminals in compliance with DILG-DOTC Joint Memorandum Circular No. 1, Series of 2008. Public transport services which are merely passing through cannot be compelled to use such public transport terminals.

Section 13. Non-closure of Private Terminals with Franchise

- 13.1. Except in cases where any of the provisions of the City Ordinance on Traffic or any pertinent ordinance or law is violated, the City Government shall not close down or curtail the operation of existing private terminals with franchise for the purpose of compelling the use of the public transport terminals established by the City Government.

Section 14. Eligibility Criteria

- 14.1. Only Filipino citizens and bona fide residents of Tuguegarao City for at least one (1) year, and partnerships, corporations, associations or cooperatives at least fifty (50%) percent of the ownership thereof shall be owned by residents of Tuguegarao City, duly registered/ accredited with Securities and Exchange Commission (SEC), Cooperative Development Authority (CDA) and/or Department of Trade and Industry (DTI) and not otherwise prohibited by law shall be allowed to establish, operate, maintain and manage public/private transport terminals within Tuguegarao City.

Section 15. Authority/Franchise to Operate

- 15.1. No private/public transport terminal shall be established, operated and maintained without any authority granted by the Sangguniang Panlungsod of Tuguegarao City as indorsed to it by the City Mayor.
- 15.2. The authority or franchise to operate public/private transport terminals shall be valid for a period of fifteen (15) years, renewable every five (5) years thereafter.
- 15.3. The franchise may be suspended, revoked, cancelled or terminated by the Sangguniang Panlungsod upon the recommendation of the Technical Working Group (TWG) duly endorsed by the Office of the City Mayor.

Section 16. Public hearing, publication and posting

- 16.1. Prior to the commencement of the construction, a public hearing must be held and publication of the construction of the transport terminals in at least one (1) local newspaper of general circulation in the city and/or posting in at least four (4) conspicuous and publicly accessible places, including the main entrance of the City Hall, must be observed.
- 16.2. Public hearing includes an official notification of authorized representatives of the LTO, LTFRB and other concerned agencies, public transport operators/drivers and stakeholders.

RULE IV. REQUIREMENTS FOR THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF PUBLIC/PRIVATE TRANSPORT TERMINALS

Section 17. Requirements for Application of "Franchise to Operate"

- 17.1. Every applicant must submit the following:
 - a. Duly accomplished and verified Application Form addressed to the City Mayor;
 - b. Site development plan and design of the proposed public transport terminal showing compliance to the requirements and standards prescribed in the Ordinance;
 - c. Fleet operations management guide or manual;
 - d. Barangay Certificate/Clearance;
 - e. Community Tax Certificate;

- f. Certification of Incorporation issued by the Securities and Exchange Commission;
 - g. Locational Clearance;
 - h. Real Property Tax Clearance;
 - i. Certified True Copy of Land Title, Tax Declaration or any Evidence of Ownership;
 - j. Memorandum of Agreement (MOA) entered into by the owner of the lot and lessor/operator, and;
 - k. Building Permit.
- 17.2. Applicants for “franchise to operate” PUJ and UV Express Service Transport Terminals or those classified under the 3rd Category of DOTr Department Order No. 2017-11 and LTFRB Memorandum Circular No. 2017-030 should have at least a minimum of one hundred (100) franchised units to become eligible for the issuance of a “franchise.”
- 17.3. Regardless of the category of the transport terminal, a **Transport Safety/Security Officer** must be employed by the terminal operator to ensure that appropriate safety devices and equipment are properly installed within the terminal premises and to ensure that security and safety protocols, rules and procedures are properly followed.

Section 18. Compliance with Terminal Standards

- 18.1. All public/private terminals shall comply with the requirements and standards indicated in LTFRB Memorandum Circular No. 2008-13 and Joint Memorandum Circular No. 01-2008 by DILG-DOTC and LTFRB, HLURB Board Resolution No. R-408, Series of 1988, other Pertinent National Issuances, pertinent City Ordinances and Resolutions and MC No. 2011-150 of DILG, to wit:
- A. For Integrated Terminal Exchange.** The owner/operator of such terminals shall install/provide the following:
- a) Separate and sufficient parking slots/spaces for each mode of transportation;
 - b) Separate departure and arrival bays for each mode of transportation;
 - c) Wide entrances and exits for easy mobility to and from the terminal;
 - d) Drop-off and pick-up areas for private vehicles;
 - e) Concrete flooring of the entire terminal, not only of the loading and unloading areas;
 - f) Roofing that would provide sufficient shade to passengers from heat of the sun or rain;
 - g) Installed communication facilities such as telephones, fax machines, internet, etc.;
 - h) Adequate CCTV cameras and/monitors which must be: (1) continuously recording the last seventy (72) hours of operation; and (b) positioned to capture video of: (1) all entry and exit points and (2) loading and unloading areas;
 - i) Availability of information and passenger assistance counters’ personnel;
 - j) Online ticketing and dispatching;
 - k) Detailed schedule of regular trips for each mode of transportation;
 - l) Appropriate and adequate signages, including signages indicating Contact Persons;

- m) Sufficient number of security personnel for the protection of passengers from abusive vendors, pickpockets and other lawless elements and for the proper inspection of baggage;
- n) Walk-through metal detectors installed in all entry points;
- o) Adequate and comfortable benches and/or seats with backrests for waiting passengers;
- p) Separate restrooms for persons with disabilities (PWDs) and male and female passengers which must, at all times, be: (a) clean, (b) sufficiently lighted, (c) ventilated, (d) provided with clean water, flush system, toilet seat with cover, lavatory, waste bin, toilet paper, mirror, soap, hand drier and functional door lock, (e) exclusive space for diaper-changing tables; and (f) regularly maintained by janitorial services;
- q) Priority lane for senior citizens, PWDs and persons with special needs specifically pregnant women, mothers traveling with infants and/or small children, and those with physical disabilities;
- r) Elevators and/escalators to facilitate easy access for senior citizens, PWDs, pregnant women and passengers traveling with luggage, infants or small children;
- s) Availability of ramps for PWDs, and;
- t) Other facilities, such as driver's retiring room, canteen and administrative office.

B. For Bus Terminals and Terminals which cater to less than three (3) vehicle types one of which would be PUBs. The owner/operator of such terminals shall install/provide the following:

- a) Separate departure/arrival bays for each mode of transportation;
- b) Wide entrances and exits for easy mobility to and from the terminal;
- c) Drop-off and pick-up areas for private vehicles;
- d) Concrete flooring of the entire terminal, not only of the loading and unloading areas;
- e) Roofing that would provide sufficient shade to passengers from heat of the sun or rain.
- f) Availability of information and passenger assistance counters' personnel;
- g) Detailed schedule of regular trips;
- h) Appropriate and adequate signages, including signages indicating Contact Persons;
- i) Sufficient number of security personnel (with hand-held metal detectors at entry points) for bag inspection and manning of the entire terminal particularly the entry and exit points;
- j) Adequate and comfortable benches and/or seats with backrests for waiting passengers.
- k) Separate restrooms for persons with disabilities (PWDs) and male and female passengers which must, at all times, be: (a) clean, (b) sufficiently lighted, (c) ventilated, (d) provided with clean water, flush system, toilet seat with cover, lavatory, waste bin, toilet paper, mirror, soap, hand drier and functional door lock, (e) exclusive space for diaper-changing tables; and (f) regularly maintained by janitorial services;
- l) Priority lane for senior citizens, PWDs and pregnant women, and;
- m) Availability of ramps for PWDs,

C. **For PUV Public/Private Transport Terminals Not Falling Under the First Two Categories.** The owner/operator of such terminals shall install/provide the following:

- a) Adequate and Comfortable Benches and/or Seats with backrests for waiting passengers;
- b) Roofing that would provide sufficient shade to passengers from heat of the sun or rain;
- c) Availability of Information and Passenger Assistance Counters of Personnel;
- d) Appropriate and Adequate Signages, including signages indicating Contact Persons;
- e) Sufficient number of Security Personnel for the protection of passengers from abusive vendors, pickpockets and other lawless elements and for the proper inspection of baggage, and;
- f) Priority lane for persons with special needs specifically pregnant women, mothers travelling with infants and /or small children, and those with physical disabilities.

18.2. In addition to the requirements and standards provided in the preceding sections, terminal operators classified under 1st and 2nd Category of LTFRB Memorandum Circular No. 2008-13 and Joint Memorandum Circular No. 01-2008 by DILG-DOTC:

- a. Shall allocate enough space for tricycles within the terminal to ensure convenient transfer of passengers from one mode to another;
- b. Shall provide adequate lighting facilities and potable water supply within the premises; and
- c. Shall at all times maintain sanitary facilities and allow food stalls and other similar establishments therein, provided that Mayor's Permit and other pertinent documents are secured and corresponding fees are paid.

Section 19. Minimum Terminal Size

19.1. All applicants for "franchise to operate" public/private transport terminal should meet the minimum terminal size or area as categorized under DOTr Department Order No. 2017-11 and LTFRB Memorandum Circular No. 2017-30, as follows:

- a. For Integrated Terminal Exchange - the terminal size or area shall be based on the feasibility study as approved by DOTr and other concerned national government agencies (NGAs).
- b. For Bus Terminals or Terminals which cater to less than three (3) modes of transportation - the minimum terminal size must be at least 130% of the total space requirement of 50% of the franchised units that will use the terminal. The terminal size is computed using the following formula:

$$\text{Terminal Lot Area} = 130\% \times \frac{\text{Number of franchised vehicles} \times \text{Area of Vehicles}}{2}$$

Where area of vehicle: Public Utility Buses = 36m²

- c. For PUJ and UV Express Service Transport Terminals – the minimum terminal size must be at least 130% of the total space requirement of 50% of the franchised units that will use the terminal. The terminal size is computed using the following formula:

$$\text{Terminal Lot Area} = 130\% \times \frac{\text{Number of franchised vehicles} \times \text{Area of Vehicles}}{2}$$

Where area of vehicle: PUJ/UV/Filcab = 16m²

Section 20. Locational Guidelines for the Establishment of Public/Private Terminals

20.1. Pursuant to the standards set by HLURB Board Res. No. R-408, Series of 1988 on Locational Guidelines for Land Transportation Terminals, the following requirements must be complied with:

- a. Terminals should be more than one hundred (100) meters away from institutional establishments, particularly schools and hospitals;
- b. Terminals must be accessible to commuters, i.e. transfer routes are available or within its service radius. However, direct access to major thoroughfares especially high speed highways and expressways should be discouraged for safety and smooth traffic flow purposes;
- c. In accordance to the City Zoning Ordinance, the location of bus stations/terminals, freight/truck terminals and those classified under 1st and 2nd Category of DOTr Department Order No. 2017-11 and LTRFRB MC No. 2017-030 shall be outside the center of commercial activities to reduce and minimize traffic congestion;
- d. Jeepney and UV Express Service transport terminals and/or those classified under 3rd Category of DOTr Department Order No. 2017-11 and LTRFRB MC No. 2017-030 may be located within the central business district or commercial zone provided that it should not be within an identified traffic choke points. Provided further, that ingress and egress of the terminal shall not cause traffic congestion; and
- e. Garage/parking shall be located at the outskirts of the business center or commercial zone.

20.2. Prescribed Locations for the Establishment of Public/Private Transport Terminals

- A. In accordance to the City's CLUP and following the route patterns of Public Utility Vehicles set by the LTRFRB for intra-city/municipality or inter-city/regional services, there shall be four (4) locations or terminal hubs identified by the City government for the establishment public/private transport terminals, as follows:
 1. Northern Public/Private Transport Terminal hub which shall cater to commuters/passengers going to/coming from the northern part of the province. Subject to proper evaluation, the terminals shall be situated

somewhere within the Northern Barangays of Tuguegarao particularly those that are adjacent to the Cagayan Valley Road;

2. Western Public/Private Transport Terminal hub which shall cater to passengers/commuters going to/coming from the western part of the Province and the Provinces of Kalinga, Apayao and Isabela. Subject to proper evaluation, the location of terminals hub shall be adjacent to Cagayan-Apayao Road (Luna Extension up to Buntun Hi-way - Pallua-Bagay Intersection).
 3. Eastern Public/Private Transport Terminal hub which shall cater to passengers/commuters going to/coming from Isabela and other provinces in Central Luzon. Subject to proper evaluation, the terminals shall be situated somewhere within eastern Barangays of Tuguegarao particularly those barangays that are adjacent to Tuguegarao-Libag Road and Cagayan Valley Road (Maharlika Hi-way).
 4. Diversion Road from Tanza Junction up to the intersection of Diversion Road and Luna Extension or at the Shell Station to portion of Luna Extension up to the foot of Buntun Bridge. However, only public/private transport terminals belonging to the 3rd Category as defined under Section 7 (c) of the Ordinance shall only be allowed.
- 20.3. No terminal shall be established within an identified terminal hub servicing different public transport routes, i.e. Northern Public/Private Transport Terminal hub shall only serve public transport routes from Tuguegarao to northern part of Cagayan and vice-versa, and not on routes servicing Tuguegarao to Isabela and vice-versa.
- 20.4. Existing and duly franchised public/private transport terminals situated outside the locations specified under the preceding sections shall not be compelled to relocate their terminals, provided that Sections 17, 18 and 19 of this IRR are complied with.
- 20.5. Existing and franchised public/private transport terminals which do not meet the necessary requirements provided under Sections 17, 18 and 19 of this IRR shall be given six (6) months to fully comply with the requirements from the effectivity of the City Ordinance.
- 20.6. Establishment of two (2) or more terminals shall be not within the distance of three hundred (300) meters from one terminal to another except for bus companies and other existing terminals which have to comply with the requirements of the Ordinance.
- 20.7. In the preparation of the Local Public Transport Route Plan (LPTRP) of the City, the locations of public/private transport terminals shall be a major consideration in assigning the desired transit routes of various transit services.

Section 21. Prohibited Areas for the Establishment of Public/Private Transport Terminals

- 21.1. No public/private transport terminal shall be established within the Poblacion as defined in Section 3 (5) of the Ordinance.

- 21.2. No terminal shall be established within three hundred (300) meter radius from identified choke points or intersections where heavy traffic congestion occurs such as, but not limited to, the intersections of the whole stretch of Diversion Road from Junction-Tanza-Balzain Junction up to the intersection of Diversion Road-Luna Extension (which are the identified choke points as of this date).
- 21.3. Should there be an existing and duly franchised private/public transport terminal within 300-meter radius from identified chokepoints, the requirements set under Section 17, 18 and 19 of this IRR shall be fully complied with.
- 21.4. The PSSO shall determine other choke points or areas other than those mentioned in the preceding Section as prohibited areas for the establishment of public/private terminals.

RULE V: PROCEDURES IN THE APPLICATION OF "AUTHORITY OR FRANCHISE TO OPERATE" A TRANSPORT TERMINAL

Section 22. Application and Approval Process

- 22.1. Applicants shall submit their applications directly to the Office of the City Mayor with all the necessary documents required under Section 17 of this IRR for evaluation. Incomplete documents shall not be entertained and processed.
- 22.2. The Office of the City Mayor shall endorse the documents to the TWG on Transport Terminals for evaluation, verification and scrutiny.
- 22.3. The TWG shall evaluate and verify the documents submitted upon payment of Application Fee in the amount of Five Thousand Pesos (Fhp5,000.00) to shoulder the costs of on-site inspections/field verifications and other incidental expenses that shall be incurred in the approval process.
- 22.5. When all the requirements are accomplished, the TWG shall endorse the application to the Office of the Mayor who shall then endorse the same to the City Council for approval and issuance of the "franchise or authority to operate" a transport terminal.
- 22.6. Upon approval/issuance of the "franchise or authority to operate", the terminal operator shall commence the construction or establishment of the transport terminals following the standards prescribed under Sections 17, 18 and 19 of this IRR.

Section 23. Role of Each TWG Member

- 23.1. Each member of the TWG shall perform their respective mandates, duties and responsibilities in connection with the application and approval process of the "authority or franchise to operate", as follows:
 - a. City Engineering Office (CEO) - shall conduct inspections and issue necessary building permits/clearances;

- b. City Planning Development Office (CPDO) - shall conduct inspections when necessary, and issue locational clearances based on the updated CLUP;
 - d. Business Permits and Licensing Office (BPLO) - shall issue necessary business permits/licenses in accordance to the City Ordinance No. 25-2019;
 - e. City Environment and Natural Resources Office - shall ensure that applicants or existing terminals are issued the corresponding Environmental Compliance Certificate (ECC);
 - f. City Fire Marshall - shall conduct fire safety inspections at transport terminals and issue necessary fire safety clearances;
- 23.2. The TWG shall develop a Citizen's Charter containing the requirements, timelines, flow charts and different steps involve from application to approval of "franchise or authority to operate" a transport terminal for dissemination.

RULE VI. ENFORCEMENT, MONITORING, INSPECTION AND INFORMATION CAMPAIGN & TRAINING

Section 24. Enforcement.

- 24.1. The PSSO shall serve as the enforcement arm of the TWG on Transport Terminals. It shall enforce all rules and regulations and pertinent provisions of this IRR necessary for the effective and efficient implementation of the City Ordinance No. 25-2019. Whenever necessary, the PSSO shall seek assistance from the Philippine National Police, Land Transportation Office, Land Transportation Franchising and Regulatory Board and other national government agencies to ensure effective and efficient enforcement of the provisions of the City Ordinance No. 25 - 2019.

Section 25. Monitoring and Inspection

- 25.1. The TWG on Transport Terminals shall conduct regular inspection of public/private transport terminals to check whether the provisions of City Ordinance 25-2019 and other pertinent laws, rules and regulations are properly followed. In case of violations, the TWG shall issue notice/s of violation/s to terminal operators who shall be required to appear before the TWG within twenty-four (24) hours from receipt of the notice.
- 25.2. The TWG shall make prepare necessary reports to be submitted to the Office of the City Mayor.

Section 26. Information Campaign and Training

- 26.1. Within one (1) month from the promulgation of this IRR, the TWG on Transport Terminals, in coordination with other concerned agencies such as LTFRB and DOTr, shall conduct information, education and communication (IEC) campaign among the stakeholders to ensure effective implementation of the City Ordinance.

- 26.2. Whenever appropriate, training-workshops shall be conducted by the TWG on Transport Terminals in coordination with concerned national government agencies (NGAs) to train terminal operators and transit service providers/drivers/operators in fleet management and operations and other areas of interest that will help them attain efficiency in the management of transport terminals.

Section 27. Traffic Rules, Regulations and Prohibited Acts

- 27.1. Only PUVs duly registered with the LTO and issued with corresponding franchises or Certificates of Public Convenience (CPC) by the LTFRB shall be allowed to use the terminal.
- 27.2. Terminal operators shall ensure that Public Utility Vehicles (PUVs) operate only or ply along their designated franchise routes. Colorum and Out-of-line operations shall be strictly prohibited.
- 27.3. Public utility vehicles shall load and/or unload passengers only at authorized terminals or at loading/unloading areas designated by the PSSO.
- 27.4. PUVs are allowed to go beyond their route ends or turning points and turn-back to their authorized terminals to resume operation, provided that they should take the routes designated by the PSSO.
- 27.5. Parking, waiting or standing along national and/or city roads to pick-up/drop off passengers shall be strictly prohibited.
- 27.6. Ambulant vendors, solicitation, display of pornographic materials in any forms shall be strictly prohibited.
- 27.7. Drinking alcoholic beverages, gambling of any kind and other illegal activities shall not be allowed within the premises of the terminal.

RULE VII. FEES, FIXED TAXES AND OTHER CHARGES

Section 28. Terminal Franchise Fees

- 28.1. A terminal franchise fee of twenty (Php20.00) pesos per square meter per annum shall be charged to the operator for the duration of the franchise.

Section 29. Mayor's Permit Fee and Other Charges

- 29.1. Upon approval of the "authority or franchise to operate" a public/private transport terminal, applicant/s or operator/s shall be required to pay the annual Mayor's Permit Fees and other charges concomitant with the establishment, operation and maintenance of public/private transport terminals in accordance with pertinent City Ordinances and existing laws, rules and regulations.
- 29.2. The Business Permit and Licensing Office and the Treasury Office shall determine the amount of fees or charges to be collected from terminal operators in accordance with the Local Revenue Code of the City of Tuguegarao and pertinent laws, rules and regulations.

RULE VIII. FINES AND PENALTIES

Section 30. Schedule of Fines and Penalties

30.1. Public/Private Transport Terminal Operators, Public Transport Operators/Drivers, agents or any other person or entity, partnership, corporations, cooperatives, its Board of Directors and Officers acting in his/her, or their behalves, whether authorized or unauthorized public/private transport terminals, shall be held liable for any violation of the provisions of the Ordinance, and shall be penalized as follows:

Item	Violation	Person/s Liable	Penalty
1	Submission of fake documents in relation to the application of the "franchise to operate"	Terminal Operator	1 st Offense: Fine of Php2,000.00 2 nd Offense: Fine of Php5,000.00 3 rd Offense: Cancellation of the authority to operate and Mayor's Permit without prejudice to filing of appropriate criminal charges.
2	Operating an unauthorized/illegal terminal	Terminal Operator	Fine of Php 5,000.00 plus outright closure of the Terminal without prejudice to filing of appropriate criminal charges.
3	Cuddling/allowing a PUV Operator/Driver to engage in Colorum and out-of-line operations	Terminal Operator	1 st Offense: Fine of Php2,000.00 2 nd Offense: Fine of Php5,000.00 3 rd Offense: Cancellation of the authority to operate and Mayor's Permit
4	Abetting discourteous/arrogant terminal employees and staff	Terminal Operator	1 st Offense: Fine of Php2,000.00 2 nd Offense: Fine of Php5,000.00 3 rd Offense: Cancellation of the authority to operate and Mayor's Permit
5	Loading/unloading of passengers at prohibited areas or outside the designated terminal and pick-up/drop-off points.	PUV Operator/Driver	1 st Offense: Fine of Php1,000.00 2 nd Offense: Fine of Php3,000.00 3 rd Offense: Fine of Php5,000.00 and revocation of Mayor's

			permit
6	Colorum and Out-of-line operation	PUV Operator/Driver	Fine of Php5,000.00 plus impoundment of motor vehicle
7	Refusal to render passenger/trip-cutting	PUV Operator/Driver	1 st Offense: Fine of Php1,000.00 2 nd Offense: Fine of Php3,000.00 3 rd Offense: Fine of Php5,000.00 and revocation of Mayor's permit
8	Violation of pertinent provisions of the Ordinance.	PUV Operator/Driver and/or Terminal Operator	1 st Offense: Fine of Php2,000.00 2 nd Offense: Fine of Php5,000.00 3 rd Offense: Cancellation of the authority to operate and Mayor's permit

Section 31. Review of Penalties

31.1. The TWG shall, after five (5) years from the effectivity of the City Ordinance and every five (5) years thereafter, review the applicability and enforcement of all foregoing pecuniary penalties and shall initiate amendments and/or upgrade the same as may be necessary.

RULE IX. FINAL PROVISIONS

Section 32. Amendments

32.1. Whenever necessary, provisions of this IRR may be amended, revised or modified by the Technical Working Group (TWG), subject to endorsement by the City Mayor to the Sangguniang Panlungsod for approval.

Section 33. Repealing Clause

33.1. This IRR repeals any existing IRR concerning public terminals. All other Resolutions, Executive Orders/Memoranda, rules and regulations and/or parts thereof contrary to or inconsistent with the provisions of this IRR are hereby repealed and modified accordingly.

Section 34. Separability Clause

34.1. Should any provision of this IRR or application of such provision to any circumstance is declared invalid or unconstitutional or found inconsistent with existing laws the other provisions, as far as they are separable from the inconsistent ones, shall remain valid and subsisting.

Section 35. Transition Clause

- 35.1. All existing public/private terminals with franchise that are not compliant with the standards set under Sections 17, 18 and 19 of this IRR and pertinent provisions of City Ordinance shall be given a period of six (6) months upon the effectivity of the City Ordinance and this IRR to comply with the provisions thereof;
- 35.2. Existing terminal operators who fail to comply with the provisions of the Ordinance and this IRR shall be deemed illegal and shall be dealt with accordingly.

Section 36. Effectivity Clause

- 36.1. This IRR shall take effect after fifteen (15) days from its publication in a local newspaper of general circulation in the city.

APPROVED:


ATTY. JEFFERSON P. SORIANO
City Mayor

Date:  _____