



Republic of the Philippines  
 PROVINCE OF CAGAYAN  
 City of Tuguegarao  
**EIGHTH CITY COUNCIL**



EXCERPTS FROM THE MINUTES OF THE 76<sup>th</sup> REGULAR SESSION  
 OF THE EIGHTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON FEBRUARY 23, 2021, 9:00 A.M., TUESDAY,  
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

**PRESENT:**

- |                                   |  |
|-----------------------------------|--|
| Hon. Bienvenido C. De Guzman II   | City Vice Mayor/Presiding Officer                    |
| Hon. Maila Rosario T. Que         | Sangguniang Panlungsod Member (via Teleconferencing) |
| Hon. Imogen Claire M. Callangan   | -do-   |
| Hon. Gilbert S. Labang            | Sangguniang Panlungsod Member                        |
| Hon. Danilo L. Baccay             | Sangguniang Panlungsod Member (via Teleconferencing) |
| Hon. Ronaldo S. Ortiz             | -do-   |
| Hon. Arnel T. Arugay              | Sangguniang Panlungsod Member                        |
| Hon. Mary Marjorie P. Martin-Chan | Sangguniang Panlungsod Member (via Teleconferencing) |
| Hon. Winnoco R. Abraham           | Sangguniang Panlungsod Member                        |
| Hon. Grace B. Arago               | -do-   |
| Hon. Raymund P. Guzman            | Sangguniang Panlungsod Member (via Teleconferencing) |
| Hon. Karina S. Gauani             | Sangguniang Panlungsod Member                        |
| Hon. Victor V. Perez              | Sangguniang Panlungsod Member (via Teleconferencing) |
| Hon. Gil G. Pagulayan             | Ex Officio Member (via Teleconferencing)             |
| Hon. Karen L. Taguinod            | Ex Officio Member                                    |

**CITY ORDINANCE NO. 12-08-2021**

**AN ORDINANCE DESIGNATING TRICYCLE LANES IN SOME SELECTED NATIONAL ROADS AND HIGHWAYS WITHIN THE TERRITORIAL JURISDICTION OF TUGUEGARAO CITY AND PROVIDING PENALTIES AND APPROPRIATING FUNDS FOR THE PURPOSE**

**Sponsored by: Hon. Arnel T. Arugay**

**WHEREAS**, Section 458 (a) (1) of the Local Government Code of the Philippines provides that *“the Sangguniang Panlungsod as the legislative body of the city shall enact ordinances, approves resolutions and appropriate funds for the general welfare of the city and its inhabitants”*;

**WHEREAS**, with the above provision, the Local Government Unit of Tuguegarao City does its best to provide its constituents a safe, economical, environmentally-sustainable and accessible road system as a basic infrastructure vital for the efficient transport of people and goods, hence, its aim is to make national and city roads be developed and used to effectively facilitate travel mobility;

**WHEREAS**, DILG-DOTC JMC NO. 01, series of 2008 states that tricycle operation should only be confined along city or municipal roads, not along national roads, and is limited only to routes not traversed by higher modes of public transport;

**WHEREAS**, in contrast, the Supreme Court in the case of Land Transportation Office vs City of Butuan reiterated the authority of the Sangguniang Panlungsod to bestow certain exceptions in the above stated circular;

**WHEREAS**, as contained in the Guidelines to implement the devolution of LTRFB’s Franchising Over Tricycles-For-Hire to Local Government Units Pursuant to the Local Government Code (RA No. 7160), no tricycles should operate in national highways utilized by four-wheel vehicles greater than four (4) tons and where normal speed exceeds forty (40) per KPH, however, the Sangguniang Bayan/Sangguniang Panlungsod may provide exceptions if there is no alternative route;

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**WHEREAS**, Tuguegarao City, being the regional center in region 2, has a growing economy, hence, there is also a tremendous increase in its daily populace, consequence of which is the influx of motorcycles and other vehicles in the city;

**WHEREAS**, the increasing number of tricycles greatly contributes to the prevalent problem of traffic congestion in the city and consequently poses a great risk to the safety of the motorists due to accidents/conflicts involving vehicles and pedestrians;

**WHEREAS**, the Tricycle Route Plan was approved by the Eighth City Council in a Special Session held on February 11, 2021 through City Resolution No. 086-08-2021 titled "*Resolution Adopting and Approving the Tricycle Route Plan of Tuguegarao City;*"

**WHEREAS**, there is an urgent need to establish tricycle lanes in some selected national roads within the territorial jurisdiction of Tuguegarao City as a safety road as a counter measure solution to the increasing number of motorcycles and vehicle-related accidents especially in national roads and for smooth and orderly flow of traffic.

**NOW, THEREFORE**, be it **ORDAINED** by the Eighth City Council, in session assembled to enact the following:

**SECTION 1. TITLE.** This ordinance shall be known as "*An Ordinance Designating Tricycle Lanes in Some Selected National Roads and Highways within the Territorial Jurisdiction of Tuguegarao City and Providing Penalties and Appropriating Funds for this Purpose.*"

**SECTION 2. DEFINITION OF TERMS.** The following terms shall be defined as indicated herein when used in this ordinance:

- a. Driver – shall mean every and any licensed operator of a tricycle-for-hire/tricycle for private use.
- b. Federation of Tricycle Operators and Drivers Association (FETODA) – refers to the Federation of Tricycle Operators and Drivers Association recognized by the city government
- c. Inner lanes – refer to lanes that lie closer to the road center (e.g. closer to the **lanes** that support traffic for the opposite direction) where tricycles are not allowed to ply
- d. Intersection – refers to the place at which two or more road cross
- e. Motorized pedicab – refers to originally, a pedicab that is mounted with a converted motorized engine operated to render transport services to the general public for a fee
- f. Motorized Tricycle Operator's Permit (MTO) – is a document issued by the Sangguniang Panlungsod which grants franchise or license to operate to persons, natural or juridical, allowing them to operate tricycle-for-hire
- g. National Roads or Highways – shall mean every public thoroughfare, public boulevard, avenue or main roads which are kept and maintained by the National Government in the City of Tuguegarao that connect to other towns or municipalities but shall not include roadways upon grounds owned by private persons, colleges, universities or other similar institutions
- h. No parking – means that a vehicle is not allowed to stop on the road at any given time
- i. Outer lanes – refer to the lane closes to the curb or road shoulder
- j. Pedestrian crossings – refer to parts of roadways designated by markings for pedestrian use
- k. Pedicabs – refer to a small pedal-operated and non-motorized vehicle composed of a bicycle fitted with a single-wheel side car or bicycle, with a two-wheel sidecar operated to render transport service to the general public for a fee
- l. Road markings – refer to any traffic control device laid out or painted on the surface of the road used to regulate traffic to warn or guide road users
- m. Roadways – refer to all highways, streets, alleys, squares, arcades, hallways or other passages for public use
- n. Sideways – refer to arcades, hallways and ground level roadways designated for pedestrian use



- o. Signals – refer to hand gestures, colored lights, sounds and texts that illustrate instructions for road traffic control such as go, caution and stop
- p. Tricycle – a motor vehicle composed of a motorcycle fitted with a single-wheel side car or a motorcycle with a two-wheel cab
- q. Tricycle-for-hire – shall mean a motor vehicle composed of a motorcycle fitted with a single-wheel side car or motorcycle with two-wheel cab operated to render transport services to the general public for a fee and are considered to be with franchise sanctioned by the city government
- r. Tricycle-not-for-hire – shall mean a motor vehicle composed of a motorcycle fitted with a single-wheel side car to motorcycle with two-wheel cab operated to render transport services for personal/private use and is colored white
- s. Tricycle Operators and Drivers Association (TODA) – refers to the organization of tricycle operators and drivers recognized by the city government
- t. Vehicle lanes – refer to roadways with dividers, guard rails or markings and other roadways for vehicles

**SECTION 3. STATEMENT OF PURPOSE/S.** The purpose of this ordinance is to establish tricycle lanes in some selected national roads within the territorial jurisdiction of Tuguegarao City for road safety purposes, specifically for the following:

- a. to give solution to the prevalent problems on the vehicular-related accidents in the City;
- b. to safeguard the safety of motorists and pedestrians; and,
- c. to attain the smooth and orderly flow of traffic along national roads.

**SECTION 4. SCOPE AND LIMITATION.** This ordinance shall be applicable to national roads within the territorial jurisdiction of Tuguegarao City and shall apply to all tricycles for hire and private as modes of transportation passing through and plying within the territorial jurisdiction of the city and the approximate length of tricycle lanes shall be as follows:

- |   |   |           |
|---|---|-----------|
| a. Cagayan Valley Road  | : | 3.86 kms. |
| b. Enrile Avenue (Bypass Road)  | : | 1.77 kms. |
| c. Tanza – Caggay Highway   | : | 4.70 kms. |
| d. Cagayan – Apayao (Kalinga) Road<br>(Mabini Street corner Luna Street up to<br>the foot of Buntun Bridge) | : | 3.60 kms. |
| e. Maharlika Highway  | : | 11.80 kms |

**SECTION 5. DECLARATION OF POLICY.** It is a policy of the City Government to ensure that the right to travel of the general public on roads and highways is convenient and safe, thereby regulating the use of all national highways within the City specifically for tricycles, thus:

- a. The Office of the City Mayor through the Public Safety and Security Office - Traffic Enforcement Unit, in coordination with Land Transportation Office (LTO) and other law enforcement agencies, shall implement the regulations of tricycles with regard to the use of the outermost lanes of the national highways of Tuguegarao City;
- b. Install appropriate traffic signages and road markings necessary to guide/inform motorists of the implementation of “tricycle lanes”;
- c. Conduct continuous enforcement operations against illegal parking, illegal vending and any type of obstructions that impede the flow of traffic along the designated “tricycle lanes”;
- d. Monitor and evaluate the effectiveness of the implementation of this Ordinance.

**SECTION 6. PROHIBITED ACTS.** All tricycles (for hire, not for hire, pedicabs) are hereby prohibited from the following acts:

- a. When using the outermost lanes designated as “tricycle lanes”, tricycle drivers must not exceed the maximum speed limit of 40 kilometers per hour;
- b. Tricycles must not stay outside their designated lanes;
- c. Tricycles shall not be allowed to use the inner lanes unless turning left to the next intersection. Provided, however, that they must signal their intention to turn left at least 30 meters from the intersection;
- d. Waiting/Standing or Parking within the “tricycle lanes” shall be prohibited;

## **SECTION 7. OBSERVANCE TO TRAFFIC SIGNS AND TRAFFIC LAW ENFORCERS**

- a. Every person shall at all times observe and comply with the instructions of any traffic land enforcer directing or controlling the traffic flow.
- b. Traffic signs installed along the road shall be observed by motorists at all times.

**SECTION 8. ENFORCEMENT.** The Public Safety and Security –Traffic Enforcement Unit shall undertake enforcement operations and may request assistance of local PNP, Land Transportation Office and the City Traffic Engineering Office shall undertake the installation of traffic signs in all affected national highways and to exhaust information drives regarding this ordinance for effective implementation.

**SECTION 9. INFORMATION DISSEMINATION.** The Office of the City Mayor shall initiate Information Education Campaigns (IEC) using different platforms targeted to inform the commuting public, tricycle operators/drivers and other stakeholders. Further, copies of this ordinance shall be posted in conspicuous places in the city and the City Information Office is directed to cause its massive and widest dissemination.

**SECTION 10. FUNDING.** The amount necessary for the implementation of this ordinance which shall be appropriated after its approval by the Chief Executive.

## **SECTION 11. PENALTIES**

- A. Violation of the provisions of this Ordinance shall be meted with the following fines and penalties:

First Offense – Fine of P500.00 plus two (2) hours community service  
Second Offense – Fine of P1,000.00 plus four (4) hours community service  
Third Offense – Fine of P1,500.00 plus six (6) hours community service

- B. All penalties/fines to be collected shall accrue to the General Fund of the city government.

**SECTION 12.** This Ordinance shall remain in full force and effect until alternative modes of transportation and appropriate service routes are established as determined by the Sangguniang Panlungsod.

**SECTION 13. PUBLIC HEARING.** This ordinance is enacted under unusual and extreme condition the country is experiencing in general and Tuguegarao City in particular as declared by the National Government through a number of proclamation orders and other rules and regulations promulgated by His Excellency President Rodrigo Duterte and the Provincial Government, hence, the public hearing shall be dispensed with, considering further the urgency and importance of the instant measure.

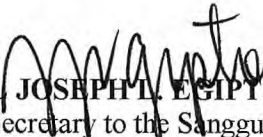
**SECTION 14. REPEALING CLAUSE.** All orders, memoranda, rules and regulations, or any part or parts thereof, which are inconsistent with any provisions of this ordinance are hereby repealed, amended or modified accordingly.

**SECTION 15. SEPARABILITY CLAUSE.** If for any reason a provision of this Ordinance is declared invalid or unconstitutional, all other provisions hereof not affected thereby shall continue to remain in full force and effect.

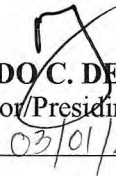
**SECTION 16. EFFECTIVITY CLAUSE.** This Ordinance shall take effect upon the approval of the Chief Executive.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

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

ATTESTED:

  
**HON. BIENVENIDO C. DE GUZMAN II**  
City Vice Mayor/Presiding Officer

Date: 03/01/21

APPROVED:

  
**HON. ATTY. JEFFERSON P. SORIANO**  
City Mayor

Date: 03/04/21

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