



**GENERAL ORDINANCE NO. 19-75
Series of 2021**

**AN ORDINANCE ADOPTING THE TRAFFIC CODE OF THE MUNICIPALITY
OF TUNGAWAN, ZAMBOANGA SIBUGAY**

Authored by: Hon. Lorverle S. Caracol

Be it Ordained by the 19th Legislative Council of Tungawan, Zamboanga Sibugay in its 68th Regular Session, that

**ARTICLE I
TITLE, POLICY, SCOPE AND DEFINITION OF TERMS**

SECTION 1. TITLE – This Ordinance shall be known as “ The Municipal Traffic Code of Tungawan, Zamboanga Sibugay”

SECTION 2. DECLARATION OF POLICY – It is hereby declared the policy of the Municipality of Tungawan to make the flow of traffic orderly and efficient in order to serve as a necessary means for its economic development and as a necessary tool for the maintenance of peace and order, and promotion of public safety.

SECTION 3. SCOPE – The provisions of this code shall govern the regulation of traffic and all kinds of motor vehicle within the Municipality of Tungawan including the management of Tungawan Tricycle Franchising and Regulatory Board.

SECTION 4. DEFINITION OF TERMS— As used in this Code, the following shall mean:

1. *Board* – shall mean the Tungawan Tricycle Franchising and Regulatory Board (TFRB)
2. *Citation Ticket* – refers to a ticket issued to those who committed violation to any provision of this traffic code.
3. *Code* – shall refer to the Traffic Code of the Municipality of Tungawan
4. *Crash Helmet* – refers to a headgear worn by amateur/professional cyclist and motorcyclist serving as protection against head injury as prescribed by the TFRB.
5. *Council* – shall mean the Municipal Traffic Enforcement Management Council (MTEMC)
6. *Drag Racing* – refers to speed competition between two (2) or more vehicles of any type or motorcycles within the jurisdiction of the municipality.
7. *Delivery Vans/Trucks/Haulers* – are vehicles with four wheels or more, engaged in the delivery and transporting goods, merchandise, articles of commerce and other products.
8. *MTO* – refers to the Municipal Treasurer's Office of Tungawan, Zamboanga Sibugay
9. *Motorcycle* – refers to any motor vehicle with two wheels used for service and peddling goods.
10. *MTO* – shall refer to Motorized Tricycle Operator's Permit. It is a document issued by the Sangguniang Bayan which grants franchise or license to operate to a person natural or juridical, allowing him to operate tricycle-for hire over a specified zone.



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11. *Habal-Habal* – a local term which shall refer to motorcycle used as service and peddling of goods for fee, which is sometimes with improvised extension side-carrier and or extended seat.
12. *Traffic Enforcers*- refers to the Traffic Operations Officer, Law Enforcement Officers, Traffic Aides and Parking Attendants, who are authorized by this code to enforce the traffic rules and regulations of the municipality.
13. *Tricycle*- a motor vehicle composed of a motorcycle fitted with a single-wheel side car or a motorcycle with a two-wheel cab which includes electric tricycle or e-trike, or any motorized vehicle with three wheels, operated to render transport services to the general public for fee.
14. *Terminal* – refers to a particular waiting area used for loading and unloading of passengers and cargoes.
15. *Zone* – a contiguous land area or block, such as subdivision or a barangay, where a tricycle –for-hire or habal-habal may operate without a fixed origin and destination.

ARTICLE II

MUNICIPAL TRAFFIC ENFORCEMENT AND MANAGEMENT COUNCIL

SECTION 5. CREATION – The Municipal Traffic Enforcement and Management Council is hereby created which shall serve as consultative body for the effective and efficient implementation of this Code.

SECTION 6. COMPOSITION – The Municipal Traffic Enforcement and Management Council shall be composed of the following:

Chairman	: Municipal Mayor
Vice Chairman	: SB Chairman Committee on Rules
Members	: SB Chairman Committee on Transportation SB Chairman Committee on Peace and Order Municipal Planning & Dev. Coordinator Municipal Treasurer Municipal Engineer Chief of Police Representative from Accredited Transport Sector NGO
Secretariat	: MEEDO

SECTION 7. FUNCTIONS – The Municipal Traffic Enforcement and Management Council shall have the following functions:

1. Formulate the long term and short term plans for the implementation of traffic regulations of the municipality and submit it to the Sangguniang Bayan for approval;
2. Develop and prescribe rules and procedures for the internal operations and management of traffic regulations;
3. Conduct periodic monitoring and evaluation on the implementation of the code;
4. Formulate and recommend proposals, amendments and revisions of traffic policies for consideration by the Sangguniang Bayan;
5. Submit to the Local Chief Executive an annual and special reports relative to the traffic enforcement and management activities;



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SECTION 8. TRAFFIC OPERATIONS OFFICER – There is hereby created an item in the Municipal Plantilla, a Traffic Operations Officer I, with Salary Grade II, to act as Division Chief of the Traffic Management Unit under the Office of the Municipal Mayor, whose primary duty is to manage the operation and implementation of the code and other national traffic laws. Traffic Aides, Parking Aides and Terminal Attendants are also created for inclusion to the Municipal Plantilla, who shall help and assist in the operation of Traffic Management Unit.

SECTION 9. TRAFFIC AIDES, PARKING AND TERMINAL ATTENDANTS – The Local Chief Executive shall appoint or designate Traffic Aides, Parking and Terminal Attendants who shall compose the personnel of the Traffic Management Unit, and be primarily responsible in the enforcement of traffic laws, rules and regulations and such other responsibilities which the municipal mayor may decree.

SECTION 10. LAW ENFORCEMENT OFFICERS - The Local Chief Executive shall designate a Law Enforcement Officers to complement the deputized enforcers from the LTO.

- a. The Local Chief Executive shall identify prospective Law Enforcement Officers from the Traffic Management Unit or any employee of the LGU, and submit a list to the Land Transportation Office Regional Office 09, together with the following pertinent documents of individual prospective LEOs:
 - Information sheet duly endorsed by the LCE
 - Certified true copy of the Certificate of Employment
 - Certification as to no record of or pending administrative or criminal case
 - Two 2x2B photos on white background taken within six(6) months and signed at the back; and
 - Valid drug test results taken within the past six (6) months prior to application/training
- b. The LEOs shall undergo the LTO sponsored training seminar on the following topics:
 - Pertinent special laws: RA No. 4136 and RA No. 9165
 - How to conduct field sobriety tests, ABA test, drug screening test and DRP
 - The impact of alcohol and dangerous drugs and other similar substances on driver's performance
 - Rules on citizen's arrest and inquest proceedings.
 - Rules for public officers such as R.A. No. 6713, R.A. No. 3019, R.A. No. 9485, and other applicable rules.
 - Life saving techniques and administration of first aid.
 - Conduct and procedures in the apprehension of traffic violators under the act; and
 - Filipino values and their impact on the responsibilities of LEOs.
- c. The Trainee- LEOs shall pass the written and other examinations to be administered by the LTO for subsequent issuance of Deputation Order. It shall be valid for six (6) months, renewable and revocable on valid cases to constitute sufficient grounds for such revocation under the R.A. No. 10586.

SECTION 11. FUNCTIONS OF THE TRAFFIC ENFORCERS - The functions of the Traffic Enforcers are as follows:

1. Enforce the provisions of the Code and assist the regular members of Tungawan-PNP, LTO and LTRFB in the enforcement of national traffic laws and regulations within the jurisdiction of the municipality.
2. Keep records of the names, addresses, driver's license numbers, plate numbers, registrations and other necessary information of all vehicles utilizing the public roads in the municipality, specially those found violating this Code and other existing national road safety rules.
3. Apprehend the persons violating this code, and issue Citation Ticket thereof upon confiscation of the driver's license after informing the apprehended violator of the violation committed.



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4. Submit the confiscated driver's license within 24 hours from confiscation if it is a working day, and or the next working day in case the apprehension is on holiday, Saturday or Sunday, to the Traffic Management Unit, who shall immediately forward it to the MTO for payment of penalty. The apprehended person after payment of the penalty shall claim his Driver's License from the TMU upon presentation of his official receipt of payment.
5. When required under the circumstances, immobilize the vehicle or tricycle driven by traffic violator using approved gadgets or towing equipment, impound the same as may be warranted, and to release the same vehicle upon payment to the MTO the specified fine/s prescribed in this code.
6. Cause and maintain the installation of traffic lights and other road safety signs.
7. Monitor, collect and maintain a record of road crash data and submit report to the DOTr-Office of the Undersecretary for Road Transport and Infrastructure.
8. Provide technical assistance in the organization, operation and maintenance of the Tungawan Tricycle Operators and Drivers Association (TUTODA), and Tungawan Habal-Habal Operators and Drivers Association (TUHODA), and the Tungawan Van Operators & Drivers Association (TVODA).
9. Perform such other functions as maybe directed by the Municipal Mayor or by an ordinance.

SECTION 12. QUALIFICATIONS -- The qualifications of Traffic Enforcers are:

1. He/She must be twenty-one (21) years old or above
2. An employee of the LGU and preferably a personnel of the Traffic Management Unit.
3. Must be physically and mentally fit (medical and physical examination and drug test.)
4. Maybe deputized by the LTO

**ARTICLE III
PARKING SCHEMES**

SECTION 13. COVERAGE -The provisions under this Article shall govern all types of vehicles such as but not limited to motorcycle, tricycle, cargo trucks or vans, PUB, UVE, including private cars and motorcycles.

SECTION 14. CONTROLLED PARKING ZONE - Identified public roads within the mainland of the municipality are hereby declared as "Controlled Parking Zone".

Unless provided elsewhere in this code, the Municipal Mayor, through the traffic Management Unit, shall designate any municipal property or public areas as "Controlled Parking Zone" provided that standard signboard shall be placed thereon.

SECTION 15. ESTABLISHMENT OF YELLOW LANE - Except for national roads, there shall be established the prescribed yellow lanes on the public roads, alleys and thoroughfares within the municipality.

- a. Passenger van, habal-habal, tricycle shall be allowed to load and unload behind yellow line for not more than fifteen (15) minutes and with their hazard lights switched on;
- b. Private cars and motorcycles with business transaction shall be allowed to park behind yellow line but not to exceed the fifteen (15) minutes and with their hazard lights switched on;



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- c. Delivery trucks, vans, and haulers shall be allowed to load or unload their commodities and goods behind yellow line only after 6:00PM. Prior to 6:00PM. Outside this time schedule, loading and unloading of commodities and goods shall be at the designated parking, loading and unloading area.

SECTION 16. PARKING AREA – The following streets and spaces are designated as parking areas:

- a. Parallel Parking
1. MH Del Pilar Street for Cargo Trucks
 2. Clavejo Street for 6-Wheel and above Trucks
 3. Magdayao Street for private vehicles
 4. Tayag Street for Private vehicles
- b. No Parking on both sides
1. Libertad Street
 2. Jalla Street to Libertad Street via Climaco Street
- c. No Parking In front of IBT. What is allowed is only drop-off of passenger and cargos.
- d. Parking Area for Habal-Habal with extension-carrier shall be at the space beside the Tungawan Gymnasium.

SECTION 17. LOADING AND UNLOADING AREA – The Traffic Management Unit shall establish the Parking, Loading and Unloading Areas of any type of vehicle in the municipality.

SECTION 18. PARKING FEE - All types of vehicle, except private vehicles, shall pay a parking fee at designated pay parking areas. The Traffic Management Unit is hereby tasked and authorized to determine and impose reasonable parking fees but in no case, such fees shall be lower than the existing parking fees.

A barangay who hosted a designated parking area/s shall be given share from the collection in such percentage as may be determined by the TMU. The Municipal Treasurer shall turn over or down load the said share to the barangay concern.

SECTION 19. PARKING PROHIBITED IN SPECIFIED PLACES – No driver shall park a vehicle, or permit it to stand, whether attended or unattended upon a public roads in any of the following places:

- a. Within an intersection
- b. On a crosswalk
- c. Within six meters of the intersection of curb lines
- d. Within four meters of the driveway entrance to fire station or fire hydrants
- e. In front of a private driveway
- f. On the roadway side of any vehicle stopped or parked at the curb or edge of the road
- g. At any place where official signs have been erected prohibiting parking.

SECTION 20. DRIVING OR PARKING ON SIDEWALK - No person shall drive or park a motor vehicle upon or along any sidewalk, path or alley not intended for vehicular traffic or parking.

SECTION 21. ADMINISTRATIVE FINES - a). Any violation to this Article shall be fined as follows:

First Offense	- P 200.00
2 nd Offense	- P 500.00
3 rd and Succeeding Offenses	- P 1,500.00



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- b). The violator shall be issued a Citation Ticket reflecting his violation for him to pay his fine to the Municipal Treasurer or his authorized representative within 24 hours after his apprehension. Failure to settle his fine or penalty shall earn additional fine of Fifty Pesos (P 50.00) per day thereafter until it is paid.
- c). Exception from fines shall be granted to non-residents or visiting drivers who violated or apprehended for the first time. However, for the next violation or apprehension, he shall be already subjected to the fines hereof.

**ARTICLE IV
TRAFFIC REGULATIONS**

SECTION 22. ONE WAY TRAFFIC ROUTE - One way traffic route is hereby assigned on the following streets:

1. Villafuerte Street (as Entrance) to Tayag Street going West.
2. Jalla Street to corner Mangubat Street going West.
3. Mangubat Street going South (as Exit) to Librad Street
4. Libertad Street Intersection to CP Garcia Street (North) to M H Del Pilar Street (West) to Clavejo Street (South) to Bonifacio Street (East) to CP Garcia Street (North) to Libertad Street intersection.

SECTION 23. SUSPENSION – One way traffic route is suspended on any of the following:

1. Automatic Suspension upon occurrence of State of emergency, calamity and law enforcement.
2. Cultural and Local Celebrations including Wakes with Mayor's Permit
3. Activities authorized by an ordinance or by an Executive Order of the Municipal Mayor.

SECTION 24. DRIVING WITHOUT LICENSE - Driving without appropriate license is strictly prohibited within the municipality. Using expired driver's license is likewise prohibited. Those holding Student Driver's License must be accompanied by a driver with a Professional or Non-Professional Driver's License when driving a vehicle of any type.

SECTION 25. UNREGISTERED VEHICLES –Unregistered vehicle of any type and those with expired registration papers are prohibited within the municipality.

SECTION 26. SPEED COMPETITION – Drag racing or speed competition in the barangay, municipal, provincial and national roads within the jurisdiction of the municipality is prohibited.

SECTION 27. OBSTRUCTION OF TRAFFIC – No person shall drive his motor vehicle in such a manner as to obstruct or impede the passage of any vehicle, nor, while discharging or taking on passengers or loading or unloading freight, obstruct the free passage of other vehicles on the public roads.

SECTION 28. NO CHILDREN AS FRONT RIDER OR BACK RIDER IN MOTORCYCLE - It is prohibited for any motorcycle and tricycle driver to have a seven (7) years old and below as "front rider" or "back ride" at any time within the territorial jurisdiction of the municipality. Except however, that the back rider child should be seated in between two adults.

SECTION 29. TRAFFIC SIGNS - At strategic corner or areas, traffic signs of "No Entry", "One Way", "No Overtaking", "No Parking", "No Loading", "No Unloading" "No U-Turn" and the likes as maybe appropriate shall be posted, and notices on traffic rules, and regulations shall be displayed in billboards or sign boards or any device to inform the public.

SECTION 30. POSTING OF TRAFFIC SIGNS AND ESTABLISHMENT OF PEDESTRIAN LANE - The Traffic Management Unit shall have the responsibility and authority to fabricate or purchase traffic signages and establish pedestrian lanes, and determine where it be placed subject however, to the approval of the Municipal Mayor. Existing traffic signs must be maintained unless recommended for removal or transfer.



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SECTION 31. REMOVAL OF TRAFFIC SIGNS – The unauthorized act to obliterate, destroy, remove or deface any traffic signs or notice is prohibited.

SECTION 32. PENALTY - Anyone caught violating Article IV shall be penalized as follows:

- a. For Sections 22, 24, 25, 27, 28, and 31
- | | |
|-------------------------------|----------|
| First Offense | P 500.00 |
| Second Offense | 1,000.00 |
| Third and Succeeding Offenses | 2,500.00 |
- and imprisonment of not more than two (2) months upon the discretion of the court.
- b. For Section 26

Every vehicle of any type participating in a drag race or speed competition without permit shall be impounded and be released only upon payment of Two Thousand Pesos (P 2,000.00) to the Municipal Treasurer. The driver of the apprehended vehicle shall be fined One Thousand Pesos (P1,000.00) or imprisonment of not more than thirty (30) days or both at the discretion of the court, when a case has been filed.

ARTICLE V

TUNGAWAN TRICYCLE FRANCHISING AND REGULATORY BOARD

SECTION 33. TUNGAWAN TRICYCLE FRANCHISING AND REGULATORY BOARD - The Tungawan Tricycle Franchising and Regulatory Board is hereby created under the Office of the Municipal Mayor, in accordance with the R.A. No. 7160 otherwise known as the Local Government Code of 1991. It has the sole and absolute power To grant franchise and regulate the operation of tricycles in the municipality based on existing national laws and municipal ordinance. The TTFRB shall be composed of the following:

- | | |
|---------------|---|
| Chairman | : SB Chairman Committee on Rules |
| Vice Chairman | : SB Chairman Committee on Transportation |
| Members | : SBM Chairman Committee on Peace and Order |
| | Municipal Treasurer |
| | Liga ng mga Barangay |
| | MEEDO |
| | Chief of Police |
| | Traffic Operations Officer |
| | Representative from TUTODA |
| Secretariat | : SB Secretary |

SECTION 34. FUNCTIONS OF THE BOARD - The Tungawan Tricycle Franchising and Regulatory Board shall:

1. Accept, approve or disapprove, amend, revise, cancel or revoke a petition or applicant of MTOP. Prescribe appropriate terms and conditions therefore; determine, fix, prescribe or periodically adjust fares or rates for the service provided in a zone after public hearing; prescribe and regulate zones of service in coordination with the barangay; fix, impose and collect and periodically review and adjust but not oftener than once every three (3) years, reasonable fees and other related charges in the regulation of tricycle-for-hire, and establish and prescribe the conditions and qualifications of service.
2. Impose a common color for tricycle-for-hire in the same zone. Each tricycle unit shall be assigned with MTOP Number, aside from its LTO license plate number.



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3. Conduct periodic review and revision of the hereunder operating conditions in regulating the operation of tricycles-for-hire.

3.1. Operating conditions:

- a. The operators of tricycle-for-hire shall employ drivers with professional driver's license from the LTO.
- b. The grantee of MTOP shall carry a common carriers insurance sufficient to answer for any liability it may incur to passengers and third parties in case of accident.
- c. Operators who intend to stop service completely, or suspend service for more than one (1) month shall report in writing such termination or suspension to the Board.
- d. Tricycle operators are prohibited to operate on national highways utilized by 4 or more wheel vehicles greater than four (4) tons and where normal speed exceed forty (40) KPH. However, the Sangguniang Bayan hereby provides an exception to use the national highway due to lack of alternate routes, and provided further, that the tricycle shall use the extreme right lane of the national highway with speed limit of not to exceed forty (40) KPH.
- e. Tricycles for-hire shall be allowed to operate like a taxi service i.e. service rendered upon demand and without a fixed rout within a zone or within the municipality.
- f. Display at conspicuous inside part of the tricycle the MTOP, the schedule of fare, the No-Smoking sticker and a trash bin for waste management.
- g. Put up and maintain the identical MTOP number sticker in front, back and sides of the sidecar or body of a tricycle, as follows:
 - The capital letters TUNGAWAN with height 2", thickness of letter 0.50" color green on top portion of white back drop 10" x 12"
 - Below the word TUNGAWAN is the assigned MTOP number i.e. 001, with height 6", thickness 1.25" and color green.
- h. Franchise is non-transferable and can not be sold, alienated, encumbered or disposed of in any manner.
- i. The grant of Franchise shall be limited to not more than two (2) franchise per operator only;

SECTION 35. QUALIFICATION FOR APPLICATION OF MTOP - Only residents and registered voter, sole proprietor, partnership, cooperative or corporation with sixty per cent (60%) Filipino equity in the municipality shall be granted the MTOP, provided that he/they are in possession of units with valid registration papers from the LTO.

SECTION 36. FRANCHISE REQUIREMENTS - a) Documents to be submitted in folder:

1. Barangay Clearance
2. Police Clearance
3. LTO Certificate of Registration (CR) and Official Receipt (OR)
4. Certificate of Insurance
5. Road Worthiness Clearance from Traffic Management Unit
6. Old MTOP (For renewal)



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b) Physical Equipage – No tricycles shall be issued franchise unless the following applicable physical equipage are complied and certified by the Traffic Management Unit:

1. Clean windshields
2. Garbage receptacle
3. Functioning horn that does not emit exceptionally loud or startling sound.
4. Two (2) signal lights, front and back for turning right or left or for emergency purposes.
5. Tail light, including license plate light
6. Top chain extending to the rear wheel
7. White head lights in front and red tail light with functioning stop light in the rear, visible at least 50 meters from the front and rear of the tricycle and functioning under all weather conditions and lighted starting 6:00 pm until 6:00 am.
8. Light installed inside the sidecar or body and keep lighted while plying routes at night
9. Anti-noise equipment/silencer
10. Sticker containing the body number of the vehicle and placed predominantly to be identifiable from a distance.
11. Sticker containing "No-Smoking"
12. Fully operating mufflers, and
13. Roadworthiness of the tricycle unit.

SECTION 37. STEPS AND PROCEDURE –The Petitioner shall follow the herein steps in applying or renewing a MTOP.

1. Comply the checklist of documentary requirements provided in Section 36, (a) from the TFRB secretariat.
2. Present the motorized or electric tricycle unit to the Traffic Management Unit for physical equipage inspection.
3. Proceed to the processing section of Business Permit and License Office and present all the required documents
4. Wait while his fees and charges are being assessed. Then pay his assessments when ready.
5. Present his documents folder together with the official receipts to the Board Secretariat for the issuance of new/renewed MTOP.

SECTION 38. ANNUAL FRANCHISE FEE -a). It is hereby imposed an annual franchise fee for every one (1) unit tricycle, as follows:

1. Filing and Processing Fee	P	50.00
2. Registration		100.00
3. MTOP		150.00
4. Road Worthiness Clearance		100.00
5. Sticker		50.00
6. Fare adjustment fee		50.00
7. Revision/Amendment of MTOP		50.00
8. Terminal Fee		150.00

- a) Lost MTOP shall be replaced upon payment of One Hundred Fifty (P150.00) and lost sticker shall be also replaced upon payment of Fifty (P50.00) pesos
- b) Tricycle unit/s with white plate may be granted a franchise on condition to change its white plate to yellow plate from the LTO within two (2) months.



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- c) The grant of franchise shall be limited to only two franchise for every operator.

SECTION 39. ISSUANCE AND RENEWAL OF FRANCHISE - Application for new permit is any time of the year, however, the issuance, revision, amendment and renewal shall be every January. The last digit of the plate number issued by LTO shall correspond to a particular week in January in which to issue and renew a permit as follows:

- Ending numbers 1,2, and 3 - First week of January
Ending numbers 4,5, and 6 - Second week of January

Ending numbers 7 and 8 - Third week of January
Ending numbers 9 and 0 - Fourth week of January

SECTION 40. CANCELLATION AND REVOCATION - Franchise shall be cancelled or revoked in any of the following grounds:

1. Selling or transferring from one franchise to another, use of dummies, rental or any manner or form to transfer.
2. Non-renewal for two (2) consecutive years.
3. Violation of this code, the national and local traffic laws, and franchise regulations.

SECTION 41. FINES/PENALTIES -a) Those who failed to renew their franchise at the date specified under Section 39 will be fined as follows:

1. 1 – 3 months delayed - P 100.00
4 – 6 months delayed - 200.00
7 – 9 months delayed - 300.00
10-12 months delayed - 400.00
2. A tricycle unit with expired franchise for more than one (1) year shall be fined P 250.00.

- b) Every violation to Section 34, (3.1) shall be fined P 50.00.

ARTICLE VI HABAL-HABAL OPERATIONS

SECTION 42. HABAL-HABAL PERMIT - A permit as peddler or freight and cargo carrier shall be granted to motorcycles or habal-habal.

SECTION 43. EXTENSION CARRIER– Habal-habal may be allowed to fix extension carrier to be used exclusively for freight and cargoes only.

SECTION 44. HABAL-HABAL WITH EXTENSION CARRIER - The Habal-Habal with Extension Carrier shall not be allowed to park or enter within the 100 meters radius from the Commercial Center or Municipal Public Market except to load and unload its cargoes only. After unloading, it shall park its unit in their designated parking area.

Article VII MUNICIPAL TRICYCLE TASK FORCE

SECTION 45. CREATION AND COMPOSITION - There is hereby created the Municipal Tricycle Task Force In accordance with Roman Numeral III of DILG Memorandum Circular No. 2020-036, to be composed of the following:



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- Chairman - Municipal Mayor
Vice Chairman - Chief of Police
Members - SB Chairman of the Committee on Transportation or Peace and Order
President of the LNMB
Head of the TFRB
Municipal Planning & Dev. Coordinator
Head of the Traffic Management Unit
Municipal Local Gov't. Operations Officer
Secretariat - Project Evaluation Officer II of MPDC Office

SECTION 46. DUTIES AND FUNCTIONS -The Tricycle Task Force shall have the following responsibilities:

- a) Conduct meetings, public consultations and hearings with stakeholders, and survey/ocular inspection of the zone/area of tricycle operations with special focus on the following:
 1. Rationalizing the authorized routes of all tricycles to ensure that they are banned from national highways;
 2. Identification of national roads within the area of jurisdiction of the municipality;
 3. Determination of the portions of the national highway presently used or proposed to be traversed by tricycle only if there are no alternative routes available.
- b) Draft or update the Tricycle Route Plan (TRP) subject to the approval of the Sangguniang Bayan. The TRP shall contain a SCHEMATIC MAP clearly showing the following:
 1. All the location of tricycle terminals and tricycle routes authorized by the LGU;
 2. The national highways within the area of jurisdiction of the LGU which is utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceed 40 KPH; and
 3. Portion(s) of the national highway to be allowed use by tricycles for lack of an alternative route;

The TRP shall also detail the following, among others:

- a) Installation of visible and appropriate signages, marks for lanes and other safety features to guide and protect all vehicles utilizing the highways;
- b) Information dissemination plans to raise awareness among residents and other motorists about the new tricycle routes and the portions of national highways to be traversed by the tricycles for lack of alternative route;
- c) Color-scheme or any visible emblem/sign imposed on tricycles which are allowed to ply a route which traverses a national highway; and
- d) Proposed penalties to be imposed on violators.

**ARTICLE VIII
GENERAL PROVISIONS**

SECTION 47. LOADING/PASSENGER CAPACITY - The allowable passenger capacity of the different types of motor vehicle are as follows:



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1. Tricycle - 1 driver and 5 passengers or not more than 250 kg.
2. Bajaj Re - 1 driver and 5 passengers or not more than 250 kg.
3. Single Motor - 1 driver and 2 passengers or not more than 110 kg.
4. Habal-Habal - 1 driver and 3 passengers or not more than 200 kg.

SECTION 48. SPEED LIMIT – The following are allowable speed limit of tricycle and habal-habal plying in the public roads of the municipality in relation to Section 35 of R.A. No.4136:

1. National Highway and Provincial Road
 - a) Open road with no “blind corners” not closely bordered by habitation 40KPH
 - b) On “through roads” clear of traffic, with no “blind corners” 30KPH
2. Municipal Streets and Barangay Roads
 - a) Light traffic 30KPH
 - b) Crowded Municipal Streets and Barangay Roads 20KPH
Approaching intersections at “blind corners”,
Passing school zones, passing other vehicles which
Is stationary, or for similar circumstances.

SECTION 49. SPEED GUN –The municipality shall provide funds for the purchase of speed guns to be used in the implementation of this ordinance.

SECTION 50. WEARING OF CRASH HELMET – Drivers and passengers of two wheeled motorcycle shall wear a crash helmet while driving on public roads in the municipality.

SECTION 51. ESTABLISHMENT OF TERMINAL – The TUTODA, TUHODA, UVE and PUB shall coordinate with the Traffic Management Unit regarding the establishment and operations of their terminals.

SECTION 52. REPAIR ON ROAD- All vehicle owners shall not be allowed to undertake repair along public roads.

SECTION 53. GARAGE - No public roads in the municipality shall be utilized as a garage or storage for knocked down units. The owner shall be given twenty four (24) hours to remove the unit/s, unless by necessity. The Traffic Management Unit, upon request of the owner of the unit/s may give additional time.

SECTION 54. TOWING - Any violation of the preceding Section shall cause the towing of the vehicle and payment of Five Hundred (P 500.00) Pesos as towing fee and P 20.00 impounding fee per day all at the cost of the owner.

SECTION 55. TRAFFIC CHANGES - The Traffic Management Unit in coordination with the Municipal Tricycle Task Force may from time to time change the flow of traffic as may be deemed appropriate and necessary.

SECTION 56. RANDOM CHECK - The Traffic Enforcers and PNP Personnel assigned to assist in traffic enforcement may flag down or stop any vehicle in any of the following circumstances:

1. When there is a reasonable ground to believe that the driver has no license.
2. When there is a reasonable ground to believe that the driver is under the influence of intoxicating liquor or prohibited drug.
3. When there is a reasonable ground that the driver is fugitive of the law.
4. When there is a reasonable ground to believe that the unit is involved in the commission of a crime or hot pursuit.



(Pg 13 of Gen. Ord. 19-75 series of 2021)

5. Penalty - All drivers found guilty under the preceding sub-sections 1,2,3,and 4 of Section 56 of this Code be fined P 300.00 and the vehicle driven shall be impounded automatically.
6. All impounded vehicles will only be released upon presentation of the official receipt of the payment of penalty and showing of the original receipt/certificate of registration of the owner to the TMV.

**ARTICLE IX
TRICYCLE FARE AND FRIEGTH RATE**

SECTION 57. TRICYCLE FARE AND FREIGHT RATE - The Tricycle Fare and Freight Rate in the municipality shall be as follows:

1. P 15.00/passenger for the first 3 kilometres and an additional P 2.00/passenger for every kilometre thereafter.
2. P15.00 for the first 3 Km and an additional P 1.00 for every kilometre thereafter for baggage 25 kg. to 49 kg. And an additional of P 2.00 for every kilometre for baggage 50 kg and above.

SECTION 58. SPECIAL FARE PRIVILEGE – Tricycles shall grant and observe the Twenty Percent (20%) Special Fare Privilege to Senior Citizens, PWDs and Students as mandated by law.

**ARTICLE X
FINAL PROVISIONS**

SECTION 59.PENALTY CLAUSE - Unless otherwise penalized elsewhere in this Code, any person violating any provisions hereof shall be penalized with the fine of One Thousand (P 1,000.00) Pesos or an imprisonment of not more than thirty (30) days or both upon the discretion of the court whenever a case has been filed.

SECTION 60. SEPARABILITY CLAUSE - If any part/s of this Code is found inconsistent with laws, rules and regulations, the other part/s not affected shall remain in full force and effect.

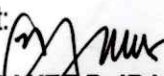
SECTION 61. REPEALING CLAUSE -All ordinances and issuances of local effect which is/are inconsistent hereof are hereby modified, amended and repealed accordingly.

SECTION 62. AMENDMENT – Any provision of this Code may be amended, repealed, modified or changed accordingly by majority votes of the Sangguniang Bayan.

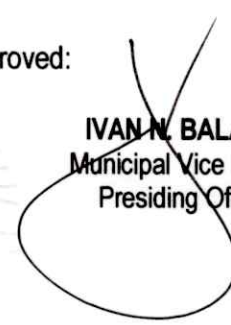
SECTION 63. EFFECTIVITY - This Code shall take effect immediately upon its approval.

ADOPTED AND APPROVED, this 26th day of January 2021.

Certified Correct:


DANTED D. IBARRA
SB Secretary

Attested and Approved:


IVAN N. BALANO
Municipal Vice Mayor
Presiding Officer

Approved:


CARLINA C. CLIMACO
Municipal Mayor

Date Signed: May 24 2021