



Republic of the Philippines
CITY COUNCIL
Quezon City
15th City Council

PO2002-251

74th Regular Session

ORDINANCE NO. SP-**1296**, S-2003

AN ORDINANCE CONSOLIDATING AND AMENDING SECTION 15 OF ORDINANCE NO. SP-15, S-1992, AS AMENDED OTHERWISE KNOWN AS "THE QUEZON CITY TRICYCLE ORDINANCE OF 1992" AND SECTION 1 OF ORDINANCE NO. SP-724, S-1998, AS AMENDED, SO AS TO IMPOSE A HIGHER PENALTY ON VIOLATION OF COLORUM OPERATION (UNAUTHORIZED TRICYCLE OPERATION), AUTHORIZED THE IMPOSITION OF A LONGER PERIOD OF IMPOUNDMENT FOR COLORUM UNITS.

Introduced by Councilors WENCEROM BENEDICT C. LAGUMBAY, RESTITUTO B. MALAÑGEN, RAMON P. MEDALLA, ERIC Z. MEDINA, MARY ANN L. SUSANO, JORGE L. BANAL, ANTONIO E. INTON, JR., BERNADETTE HERRERA-DY, JESUS MANUEL C. SUNTAY, RICARDO R. DEL ROSARIO, XYRUS L. LANOT and JUNIE MARIE L. CASTELO.

WHEREAS, Section 13-C No. 14 of City Ordinance No. SP-15, S-92, states that "No tricycle for hire units shall be allowed to operate within the territorial jurisdiction of Quezon City without having first complied with being issued a Motorized Tricycle Operator's Permit (MTOP) by the Sangguniang Panlungsod";

WHEREAS, despite the Legalization Program for Colorum Tricycle Units which was implemented on several occasions, still colorum tricycle units continue to thrive and proliferate in the city which is estimated to number around 5,000 units;

WHEREAS, the existing penalty of fine collected from the apprehended operators/drivers of colorum tricycles in the the amount of Seven Hundred Pesos (P700.00) is no longer as deterrent as they can readily pay the amount on the day of its apprehension, thus, they can again operate freely and with less fear;

WHEREAS, colorum units which are most often driven by drivers without license or those possessing student driver's permit and allowed by the operator to operate to the detriment of legitimate ones by depriving the latter of the right income they deserve;

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WHEREAS, it is noted that the aggravation of the traffic condition in the city is due to the operation of colorum/unauthorized tricycles operating on major thoroughfares which image of the government in so far as traffic management is concerned.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY
IN SESSION ASSEMBLED:

SECTION 1. The provision of Section 15 of Ordinance No. SP-15, S-92 as amended, specifically on the violation of unauthorized operation of tricycle (colorum units) is hereby amended to read as follows:

- A. "SECTION 15. PENAL PROVISIONS. - Violation of any of the provisions of the rules and regulations as provided for in this Ordinance by the tricycle operator and/or driver, as the case may be, shall be penalized as follows:

VIOLATIONS FOR JOINT OPERATOR'S
& DRIVERS OFFENSE

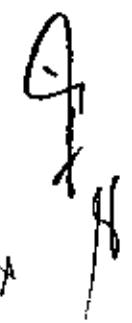
FINES/
PENALTY

1. Operating without franchise or MTOP/
Colorum Operation (Operator)

P3,000.00"

SECTION 2. The provisions of Section 1 of Ordinance No. SP-724, S-98 as amended by Ordinance No. SP-825, S-99 is hereby amended to read as follows:

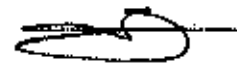
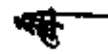
- A. "Section 1. The impounding of any tricycle apprehended for any violation is hereby disallowed unless involved in traffic/vehicular accident, used in the commission of a crime or without proper registration (colorum units), unlicensed tricycle driver, expired franchise and unregistered motor vehicle.
- B. Section 2. There shall be established a longer period of impoundment for colorum tricycle units to discourage the proliferation of the same operating in city streets and major thoroughfares in Quezon City and to safeguard the interest of the legitimate units. This is without prejudice to the penalty/fine being imposed on violation of colorum units (unauthorized operation). The following shall be the impounding periods.



First Offense impoundment	Five (5) days mandatory
Second Offense impoundment	Ten (10) days mandatory
Third and every Succeeding offense	Fifteen (15) days mandatory removal of sidecar

C. Section 3. Collection of Penalty/Fines on Violation of Colorum Operation (unauthorized tricycle operation) and other Tricycle Violation as contained in City Ordinance No. SP-15, S-92, as amended and the disposition of the proceeds thereof.

- a. All penalty/fines relative to the violation of colorum operation (unauthorized tricycle operation) and other tricycle violations shall be collected by the City Treasurer's Office.
- b. Proceeds from the collection of penalty of fines on colorum operation (unauthorized tricycle operation) and other tricycle violation shall be allocated as follows:
 - 15% shall accrue to the trust fund to be distributed to the local enforcement units of the Quezon City government by way of financial support and shall be granted to cover for meal and transportation allowance, overtime pay and other allowable benefits of its deputized personnel subject to accounting and auditing rules and regulations.
 - 85% shall accrue to the general fund of the City government.
- c. For purposes of this section, the City Treasurer is hereby authorized to prescribe and issue the necessary guidelines and procedures relative to the orderly collection and remittance of the fees herein involved.



D. Section 4. - Enlisting of the Assistance of the Local Law Enforcement Units of the Quezon City government.

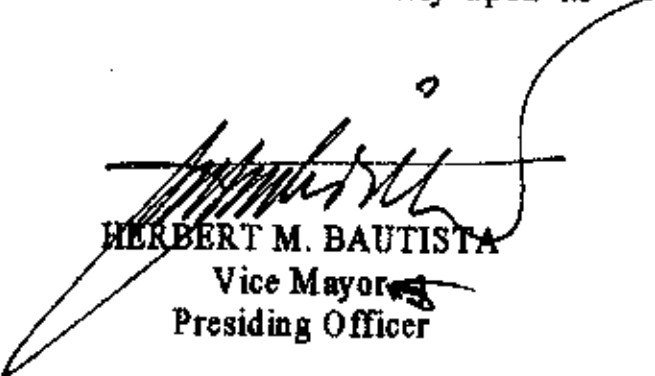
The City Mayor may enlist the assistance of the Tricycle Regulation Unit, the Department of Public Order & Safety, the PNP - CPD Traffic Enforcement Unit and the different Barangay Enforcement Unit in their enforcement activities."

SECTION 3. The Office of the City Mayor through the TRU, DPOS and the Treasurer's Office shall take charge in the implementation of this Ordinance.


SECTION 4. Any ordinance or provisions thereof, rules, regulations, and other issuances not consistent with this Ordinance are hereby repealed and/or modified accordingly.

SECTION 5. This ordinance shall take effect immediately upon its approval.

ENACTED: August 26, 2003.


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:


EUGENIO V. JURILLA
City Council Secretary

APPROVED: Act. 2, 2003


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on August 26, 2003, was finally PASSED on Third Reading by the City Council on September 2, 2003.


EUGENIO V. JURILLA
City Council Secretary