



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
19th City Council

PO19CC-170

31st Regular Session

ORDINANCE NO. SP- **2337**, S-2014

**AN ORDINANCE ADOPTING THE QUEZON CITY TRICYCLE
MANAGEMENT CODE OF 2014.**

Introduced by Councilor Raquel S. Malañgen.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Dorothy A. Delarmente, Lena Marie P. Juico, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ranulfo Z. Ludovica, Ramon P. Medalla, Estrella C. Valmocina, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Marvin C. Rillo, Vincent DG. Belmonte, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julianne Alyson Rae V. Medalla, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Karl Edgar C. Castelo, Candy A. Medina, Diorella Maria G. Sotto, Marivic Co-Pilar, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, Quezon City with an estimated population of 3,179,536 in 2012 is the most populated city in the Philippines. It has an annual growth rate of 2.92%, which is way above the country's average of 1.7% growth rate as reflected in the 2010 census. Consequently, Quezon City faces major transportation challenges. In terms of the local public transport sector, the city currently manages around 150 Tricycle Operators and Drivers Associations (TODA) that involve the operation of more than 24,700 tricycle units within the city's six Congressional Districts;

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WHEREAS, over the years, the tricycle sector has become a major social policy concern due to the increasing number of traffic accidents involving tricycles, proliferation of colorum or illegal units, and an ever-increasing number of families that are dependent on tricycle operations for livelihood;

WHEREAS, the number of tricycles operating in Quezon City continue to increase exponentially without being sufficiently regulated and controlled;

WHEREAS, the operation of for-hire tricycles has been a good source of livelihood and income to thousands of our constituents and failure to control the mushrooming of tricycles could bring a disastrous effect, such as cut-throat competition among operators and drivers whose main source of income depend on these vehicles in which a large majority of the riding public continue to patronize;

WHEREAS, under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, certain functions of the Department of Transportation and Communication (DOTC) were transferred to the LGUs. Thus, Section 458. Powers, Duties, Functions and Compensation, states that:

x xx x xx x xx

(3) Subject to the provisions of Book II of this Code, 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 and pursuant to this legislative authority shall:

x xx x xx x xx

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

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WHEREAS, the Quezon City Council passed City Ordinance No. SP-15, S-92 entitled "An Ordinance Franchising and Regulating the Operation of Motorized Tricycles in Quezon City" known as the "Quezon City Tricycle Ordinance of 1992", which due to dramatic change contributed by the operation, regulation, and demographic aspects of the city through time, needs to be updated and amended;

WHEREAS, on October 18, 2013, the Office of the Vice Mayor spearheaded a "TODA Summit" attended by seven hundred fifty (750) participants from the citywide TODA officers in order to identify and assess the issues and challenges that confront the tricycle sector in Quezon City. To this end, and to effectively carry out the objectives of the summit, pre-consultations through Focus Group Discussions (FGDs) were conducted per congressional district in which three (3) representatives from each TODA were invited to participate;

WHEREAS, regulating the operation of tricycle will be to the best interest of the riding public for it will protect them from unsafe dilapidated units and abusive drivers, as well as decongest traffic;

WHEREAS, guided by the primordial consideration of serving the best interest of the riding public and the tricycle sector, it is now imperative for Quezon City to pursue improvements in the regulation of franchising and operations of tricycles.

NOW, THEREFORE,

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

BOOK I
GENERAL PROVISIONS

ARTICLE I
TITLE

This Ordinance shall be known as the QUEZON CITY TRICYCLE MANAGEMENT CODE OF 2014. X



ARTICLE II
DECLARATION OF POLICY

The Government of Quezon City recognizes the integral role of tricycles in the public transport system of the city and the Metropolis as a whole. The franchising and operation of tricycles shall be controlled and regulated with the end view of effectively managing these vehicles for basic services.

ARTICLE III
SCOPE OF APPLICATION

This Code applies to all Tricycle Operators and Drivers Associations (TODA) within the territorial jurisdiction of Quezon City, without prejudice to such TODA holding existing dual franchise, and those tricycles used for conveying goods or services.

ARTICLE IV
DEFINITION OF TERMS

1. CERTIFICATE OF PUBLIC CONVENIENCE (CPC) – is an authorization issued by the Tricycle Franchising Board (TFB) for the operation of tricycles for public use as required by law;
2. COLORUM – is a motorized tricycle, whether for hire or utility service, operating without the appropriate franchise issued by the City;
3. DRIVER – is the duly licensed person assigned by the owner to drive a specific tricycle;
4. FRANCHISE – is defined to be a special privilege to do certain things conferred by government on an individual or corporation, and which does not belong to citizens generally of common right;
5. ID'S ISSUED BY THE DPOS – TRU – are those I.D.s issued by the DPOS – TRU to official drivers of tricycles issued with franchise/ MTOP; X

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6. **ILLEGAL TERMINAL** – is a space and/or area where tricycles queue but have not been officially designated by the City as tricycle terminals, and those officially designated as such but terminal permit for which have not been renewed on time;
7. **LANE MARKINGS/MARKINGS FOR TERMINALS** – are the markings to be made by the DPOS – TRU and TODAs where tricycles can queue while waiting for passengers;
8. **MOTORIZED TRICYCLE** – is a motor vehicle duly registered with the LTO composed of motorcycle fitted with a single wheeled side car or two wheeled cab, close van or open cart whether powered by gasoline or electricity;
9. **MOTORIZED TRICYCLE OPERATORS PERMIT (MTOPI)** – is a document granting permit or license to operate issued to a person, natural or juridical, allowing him to operate a tricycle over zones specified therein;
10. **OUT OF ROUTE/LINE** – tricycles operating beyond their designated zone or authorized area of operation.
11. **OWNER/OPERATOR** – is the registered owner of a tricycle as shown by the Certificate of Registration or other document.
12. **PUBLIC MOTORIZED TRICYCLE-FOR-HIRE** – is a tricycle for hire rendering transport services to the general public;
13. **RESIDENT** – refers to a natural person who is a registered voter of the City/Municipality and residing in the City/Municipality for at least six (6) months; y









14. *ROUTE MEASURED CAPACITY (RMC) – is the number of tricycle for hire units allowed in each route/zone as set by the City Council;*
15. *SATELLITE/SUB-TERMINAL – is the temporary space designated and duly approved by the DPOS and the City Council other than the main terminal within the zone of operation where tricycle units can queue on a limited standby basis only;*
16. *TERMINAL – is the temporary space designated and duly approved by the DPOS and the City Council where the tricycles may be allowed to queue while waiting for passengers;*
17. *TERMINAL PERMIT – a permit issued annually by the DPOS to a TODA authorizing the said association to manage the terminals in their zone of operation subject to the terms and conditions specified therein;*
18. *TODA – refers to the Tricycle Operators and Drivers Association.*
19. *TRICYCLE FRANCHISING BOARD (TFB) – is created pursuant to City Ordinance No. SP-15, S-92 entitled, An Ordinance Franchising and Regulating the Operation of Motorized Tricycles in Quezon City to be known as the "Quezon City Tricycle Ordinance Of 1992" authorized to issue Certificates of Public Convenience or franchise to Motorized Tricycle for hire and utility tricycle;*
20. *TRICYCLE REGULATORY UNIT (TRU) – a unit created pursuant to Executive Order No. 31, Series of 1984 and whose mandate was subsequently transferred to the Department of Public Order and Safety (DPOS) pursuant to City Ordinance No. SP-1700, S-2006. TRU is tasked to regulate the operation of tricycles, and is in charge of enforcing the implementation of this Code;*

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21. *UTILITY MOTORIZED TRICYCLE* – is a tricycle rendering transport services for legitimate and registered business entity;
22. *ZONE* – is a contiguous land area or block, e.g. a subdivision or a barangay, where a tricycle-for-hire may operate without a fixed origin and destination.

ARTICLE V
TRICYCLE REGULATORY UNIT

Section 1. *DUTIES AND FUNCTIONS* – The Tricycle Regulatory Unit (TRU) under the Department of Public Order and Safety shall perform the following duties and functions:

1. To process TFB approved Tricycle franchise applications/tricycle franchise certificates for the issuance of Motorized Tricycle Operators Permit (MTO).
2. To recommend suspension or cancellation of Tricycle franchise, for violations that warrant such cancellation.
3. To provide technical support to the Tricycle Franchising Board (TFB).
4. To issue Ordinance Violation Receipts (OVR) Tickets and impose fines and penalties to violators of any provision of this Code, or laws and other ordinances relative to tricycle operation.
5. To initiate towing and impounding procedures to violators of administrative violations and recommend the suspension/cancellation of vehicle registration/driver's licenses to the LTO.
6. To initiate the filing of complaints against Tricycle drivers/operators for violations of any provisions of this Code or any laws or other ordinance relative to tricycle operation. ✓

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7. To take charge of the issuance of Order of Payment for tricycle regulatory fees, release of MTOP, issuance of annual stickers, and other related documents.
8. To recommend the designation or allocation of certain portions of the streets or spaces for terminals.
9. To implement and enforce provisions of relevant laws and ordinances pertaining to the operation of tricycles.
10. To receive public complaints and take action against complained tricycle drivers/operators and tricycle association in accordance with the provisions of this Code.

ARTICLE VI
TRICYCLE FRANCHISING BOARD

Section 1. COMPOSITION OF THE BOARD – The Tricycle Franchising Board shall be composed of the following:

1. The Chairman of the Committee on Transportation, as Chairman;
2. The Chairman of the Committee on Barangay Affairs and Community Relations, as Member;
3. The Head of the Department of Public Order and Safety, as Member;
4. The Head of the Tricycle Regulatory Unit, as Member;
5. The Head of the City Legal Office, or his/her duly authorized representative, as Member;
6. A representative from the non-governmental organizations duly accredited by the city government, as Member (to be determined by the City Council); ¶



7. The President of the Quezon City Tricycle Operators and Drivers Association (TODA) Federation, as Member.

Section 2. DUTIES AND FUNCTIONS – The Tricycle Franchising Board shall have the following duties and functions:

1. To issue tricycle franchise and renewal thereof to qualified tricycle operators, upon confirmation by the City Council.
2. To amend, cancel, or suspend any franchise/s for any violation of this ordinance, rules and regulations, and implementing guidelines thereof.
3. To prescribe and regulate the zone/area of tricycle operation.
4. To endorse any fare increase for tricycles to the City Council for an appropriate Ordinance.
5. To fix, impose, collect and periodically review reasonable fees and other related charges in the regulation of both motorized tricycle for hire and utility motorized tricycle but such review shall not be more than once every three (3) years;
6. To issue resolutions and propose amendments to the implementing guidelines pursuant to this Code;
7. To invite erring TODA officers, members, franchisees and all concerned persons when necessary.

Section 3. MEETING AND HEARINGS – The Board shall have a regular weekly meeting to be held at the TFB Session Room. A special meeting of the Board may be called as the need arises. X



Section 4. QUORUM – A majority of the Board or their authorized representatives duly appointed for such purpose in writing signed by the Board member sought to be represented shall be necessary to constitute a quorum. In the absence of the Chairman, members of the Board present can elect among themselves a Chairman. Majority of those present shall be required to render a valid decision.

Section 5. HONORARIUM – Each member of the board shall be entitled to honoraria based on existing government accounting and auditing rules and regulations.

BOOK II
QUEZON CITY TODAs AND TODA FEDERATION

ARTICLE I
TRICYCLE OPERATORS AND
DRIVERS ASSOCIATION (TODA)

Section 1. DUTIES AND FUNCTIONS - The Tricycle Operators and Drivers Association shall have the following duties and functions:

1. Monitor, supervise and discipline their respective members.
2. Oversee authorized terminal operations and maintain cleanliness, peace and order in their respective zones.
3. Coordinate and assist the City Government and the Barangay in monitoring and managing traffic within their respective zone.
4. Require that only duly elected and qualified TODA President shall represent the TODA to the Federation.
5. Notify the Barangay Council the TRU and TFB of the date, time and place of election of officers, 15 days prior to the date of election.
6. Prevent entry and operation of "colorum" tricycle in their local TODA and in their areas of operation. ✕



Section 2. *TODA ACCREDITATION* – All bona fide TODA in Quezon City may renew their accreditation with the Quezon City Community Relations Office (CRO) and City Council every three (3) years pursuant to the Local Government Code requirement for Local Special Bodies; All QC TODA are mandated to be accredited as members of the Quezon City TODA Federation.

Section 3. *LIMITATION TO THE PAYMENT OF MEMBERSHIP FEES AND DAILY DUES* – In no case shall a TODA charge more than Five Thousand pesos (P5,000.00) as membership fees, and Ten Pesos (P10.00) as daily dues per member, respectively.

Section 4. *SANCTIONS* – The Officer/s of any Tricycle Operators and Drivers Association who collect/s any amount in excess of what is prescribed in this Code shall be liable for a fine of not more than Five Thousand (P5,000.00) pesos or imprisonment of not more than six (6) months, or both, at the discretion of the Court.

ARTICLE II

QUEZON CITY TODA FEDERATION (QC TODA FED)

Section 1. *PURPOSE* – The Federation of Tricycle Operators and Drivers Association is an organization composed of the various Tricycle Associations (local TODA) in the six (6) congressional districts of Quezon City duly organized to protect the interest of their members and oversee the operation of the TODA as a whole. The CRO and City Council shall accept and accredit only one TODA Federation for Quezon City.

The QC TODA Federation shall be required to renew their accreditation with the QC CRO and City Council every three (3) years pursuant to existing laws, rules, and regulations.

Section 2. *OFFICERS OF THE QC TODA FED.* - The Federation Officers and Board of Directors shall elect from among the presidents of the respective local TODA hailing from the six (6) Congressional Districts of Quezon City who will serve for a term of two (2) years. The City Mayor, through the TRU and TFB should be notified on the date, time, and place of the election of its officers. γ



BOOK III
TRICYCLE OPERATIONS

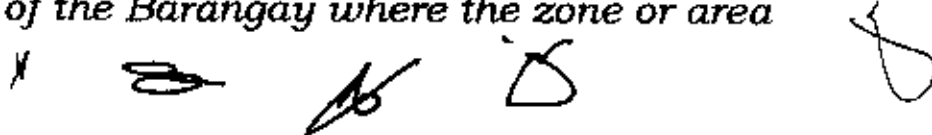
ARTICLE I
ROUTE RATIONALIZATION OR ROUTE INTEGRATION

Section 1. **RMC DETERMINATION** – In the determination of the Route Measured Capacity (RMC) or subsequent amendments thereof, the City Planning and Development Office (CPDO) and the Committee on Transportation shall take into consideration the participation of the Barangays, Homeowners Associations and other concerned stakeholders.

Section 2. **MAXIMUM NUMBER OF MOTORIZED TRICYCLES ALLOWED TO OPERATE** – The number of motorized tricycles allowed to operate within the City shall not exceed the number of tricycles currently registered with the TFB and TRU but may be reduced when necessary. The number of tricycles may be increased only in an area/zone if there is a clear showing that there is an actual need for such increase or decrease. However, this is without prejudice to City Ordinance No. SP-1479, S-2005 entitled, “An Ordinance Declaring a Moratorium in the Franchise of Public Utility Tricycles in Quezon City and for other purposes”. Any additional number of tricycles or additional area/zone of operation must be recommended by the City Planning and Development Office (CPDO) in coordination with the Committee on Transportation of the Quezon City Council with its justification for its approval.

ARTICLE II
ROUTE MEASURED CAPACITY (RMC)

The City Planning and Development Office (CPDO) shall formulate a standard Route Measured Capacity (RMC) in accordance with existing standards and implement the same for each zone or area of operations of tricycles indicating among others, the following:

1. The zone or area where tricycles can operate in consonance with existing laws, rules, and regulations.
2. The name of the Barangay where the zone or area is located. 

3. The present number of authorized tricycles allowed to operate in a zone or area.
4. Estimated number population of the zone or area.
5. Recommended number of tricycles needed by the population.
6. Difference between the present number of tricycles operating within the zone or area and the recommended number of tricycles needed for the population.
7. Average level of profitability of tricycle operations of the zone or area.
8. Socio-economic conditions of the zone or area established through household profiling survey.
9. Patterns of origin and destination of the zone or area established through tricycle mapping survey.
10. Justification in case there is a need for an increase in the number of tricycles in a particular zone or area.

BOOK IV
GOVERNMENT REGULATION

ARTICLE I
FRANCHISE REGISTRATION

Section 1. PUBLIC MOTORIZED TRICYCLE FOR HIRE – All public motorized tricycles for hire operating within the territorial jurisdiction of Quezon City shall apply for a Franchise with the City Council, through the Tricycle Franchising Board created for the purpose, to operate a motorized tricycle for hire, and register with the Tricycle Regulation Unit (TRU).

Section 2. UTILITY MOTORIZED TRICYCLE – All utility motorized tricycles utilized to convey specific goods to and from a particular destination shall apply for a Franchise with the City Council, through the Tricycle Franchising Board created for the purpose, to operate a utility motorized tricycle, and register with the Tricycle Regulation Unit (TRU).









ARTICLE II
REQUIREMENTS FOR APPLICATION OF TRICYCLE FRANCHISE

Section 1. PUBLIC MOTORIZED TRICYCLE FOR HIRE – The following shall be the requirements for the registration of public motorized tricycles for hire:

1. Documents attesting to the applicant's Filipino citizenship.
2. Certification from the Barangay where: (a) the applicant is a bonafide resident of the Barangay within the city, and the unit applied for is actually operating within the said barangay; or (b) In case the TODA operates in several contiguous barangays, the clearance shall be applied in the barangay where the main terminal of said TODA is situated and where the applicant is a bonafide resident.

Should the barangay fail to issue the herein required clearance without fault of the TODA member applicant and without valid or lawful cause to refuse to issue the same within seven (7) days upon application thereof shall be deemed to have been issued a clearance in favor of the TODA member-applicant.

3. TODA Clearance issued by their respective president.

Should the TODA President fail to issue the herein required clearance without fault of the TODA member applicant and without valid or lawful cause to refuse to issue the same within seven (7) days upon application thereof shall be deemed to have been issued a clearance in favor of the TODA member applicant.

4. Land Transportation Office (LTO) Certification of Registration (CR) and latest official receipt of registration payment issued in the name of the applicant.)



5. Insurance coverage for any liability it may incur to passengers and third parties in case of accidents.
6. Other necessary documents required by the concerned city government departments.

Section 2. UTILITY MOTORIZED TRICYCLE – The following shall be the requirements for the registration of utility motorized tricycles:

1. Barangay Certificate of Clearance in area/s of operation.
2. Land Transportation Office (LTO) Certification of Registration (CR) and Official Receipt (OR) in the name of the applicant.
3. Annual safety inspection report.
4. Business permit issued by the Business Permit and Licensing Office (BPLO) and Department of Trade and Industry (DTI) Business Name.
5. DPOS Traffic Clearance.
6. Route service map.

**ARTICLE III
DURATION**

Section 1. PUBLIC MOTORIZED TRICYCLE FOR HIRE – Franchise for public motorized tricycle for hire shall be valid for three (3) years, renewable for the same period. The Franchise Certificate issued by the TFB shall be submitted to the TRU for the corresponding issuance of MTOP. The said MTOP should be registered yearly with the TRU and confirmed yearly also by the Land Transportation Office (LTO). Such MTOP will indicate that the tricycle was registered as “For-Hire” classification.

Section 2. UTILITY MOTORIZED TRICYCLE – Franchise for utility motorized tricycle shall be valid for one (1) year, renewable yearly. The Franchise Certificate shall be submitted to the TRU for the issuance of the Utility Tricycle Operators Permit. x



ARTICLE IV
PRESCRIBED FEES

The following prescribed fees are in accordance with the existing Quezon City Revenue Code which shall be paid by the applicant:

Public Motorized Tricycle Franchise Fees

Tricycle Franchise Fee	-	Php 100.00
Supervision Fee	-	100.00
Annual Sticker	-	50.00
Informative Sticker	-	25.00
Driver's ID Card	-	25.00
Terminal Fee	-	100.00

TOTAL Php 400.00/year

Utility Motorized Tricycle Franchise Fees

Franchise Fee	-	Php 350.00
Supervision Fee	-	175.00
Annual Sticker Fee	-	50.00
Driver's ID Card	-	10.00

TOTAL Php 600.00/year

Confirmation fee of One Hundred Pesos (P100.00) will be charged when the tricycle operator fails to register the unit within the 30 days prescribed period at the designated LTO agency. Utility Motorized Tricycles not using any terminal are exempted from paying the terminal fee of One Hundred Pesos (P100.00).

ARTICLE V
RENEWAL OF FRANCHISE AND LATE REGISTRATION

The Tricycle Franchising Board (TFB) shall start to accept renewal of the franchise one (1) month before the date of the expiration. A surcharge of 25% plus 2% interest monthly from the annual supervision and processing fees but not to exceed 36 months shall be collected from the operators with expired franchises who will apply for renewal. x

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ARTICLE VI
COLOR CODING AND TRICYCLE BODY
NUMBERING SPECIFICATION

Section 1. PUBLIC MOTORIZED TRICYCLE FOR HIRE – The existing color scheme assigned by the TRU shall be adopted to identify the areas of operation of the different tricycle associations. The sidecar must be painted totally and uniformly with only one designated color scheme. The tricycle shall bear a body number assigned by the TRU beginning with '001' to be painted in front, back, and inside the sidecar. The size of the body number must be at least 6 inches in height, 3 ½ inches in width and 1 inch thick. The name of the TODA must be printed above the number and 'Quezon City' below the number. Sidecar body made of stainless sheet plate shall not be allowed due to paint resiliency.

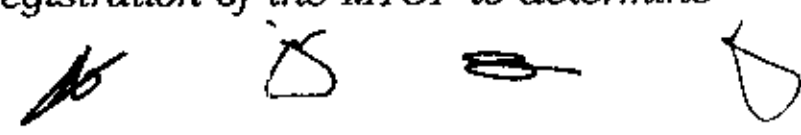
Section 2. UTILITY MOTORIZED TRICYCLE – The sidecar shall be painted with yellow for the upper half, while the lower half shall be painted with dark green. The numbering scheme shall be assigned by the TRU depending on the ordinal number of applicants/operators.

ARTICLE VII
SPECIAL PERMIT

Motorized tricycles granted with a CPC or MTOP desiring to travel to a fixed destination outside its assigned zone must secure a Special Permit from the TRU which shall be valid only on the date specified therein.

The fee of One Hundred Pesos (P100.00) shall be payable with the City Treasurer's Office upon presentation of an Order of Payment issued by the TRU. The special permit is without prejudice to existing laws prohibiting tricycles to traverse on national roads and major thoroughfares.

ARTICLE VIII
INSPECTION BY THE TRICYCLE REGULATORY UNIT (TRU)

The TRU shall conduct actual inspection of the Motorized Tricycle in the initial registration of the vehicle or renewal of franchise and the annual registration of the MTOP to determine the following: 

1. *Physical requirement/specification of the Motorized Tricycle.*
2. *Physical condition of the vehicles if roadworthy.*
3. *Test for the smoke belching and noise emitted by the tricycle.*

ARTICLE IX
PHYSICAL REQUIREMENTS OF TRICYCLE UNIT

No motorized tricycle shall be registered unless the following physical requirements are complied with and certified by the Tricycle Regulation Unit, to wit;

1. *Durable transparent plastic or any similar contrivance must be used as sidecar windshield and must be free from unauthorized sticker/s and paintings that will obstruct the outside of the passenger.*
2. *Garbage receptacles.*
3. *Functioning horn (no siren or any sound producing gadget or instrument other than the standard horn).*
4. *Two (2) signal lights, front and back for turning right or left or for emergency purposes (no flashing emergency blinkers normally used for emergency vehicles).*
5. *Tail light including license plate light.*
6. *Top chain extending to rear wheel.*
7. *White headlights in front and red tail light with functioning stop light in the rear visible at least fifty (50) meters from the front and rear of the tricycle and functioning under all-weather condition and lighted starting 6:00pm until 6:00am. γ*

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8. Lights installed inside their sidecars and kept lighted while plying their routes.
9. Fully operating mufflers and/or anti-noise equipment or silencer.
10. Driver's roof and windshield for sun and rain protection.

**ARTICLE X
TRICYCLE CONFIGURATION AND TYPE**

Section 1. **CONFIGURATION** - A tricycle is a motor vehicle composed of a motorcycle with not more than two cylinders or 500cc engine capacity fitted with a single-wheel sidecar designed to accommodate four (4) passengers including the driver provided that the backride of the passenger shall be required to be installed a protective guard and adequate handles for passengers seated on the back portion of the motorcycle.

Section 2. **STANDARD MEASUREMENT** - The standard measurement of the Tricycle Sidecar Passenger Seat should be no less than fifteen (15") inches in width and thirty-two (32") inches in length. The ceiling height should be no less than thirty nine (39") inches from the passenger seat to the ceiling/roof. The under chassis ground clearance should not be less than ten (10") inches.

**ARTICLE XI
NOISE EMISSION TEST**

Section 1. **NOISE EMISSION TEST** - No application for a permit, license, or franchise for the use or operation of a motorized tricycle within the territorial jurisdiction of Quezon City, shall be allowed unless the same is equipped with a muffler or silencer, passed noise pollution testing, and was found to emit sound of not more than 90 dB measured at a distance of three (3) meters from the tip of the muffler or silencer to the sound level meter. χ









ARTICLE XII
GARAGE FOR UTILITY MOTORIZED TRICYCLE AND
PUBLIC MOTORIZED TRICYCLES FOR HIRE

Section 1. REQUIREMENT FOR RENEWAL OF FRANCHISE
- All Utility Motorized Tricycle shall not be allowed to renew their application for renewal without complying with the provision of a garage or in the absence of any, a parking area, public or private, but not on a side street, nor sidewalk and public playground, barangay/local, national road, where the tricycle must be parked. A certification to this effect that will include the size of the garage, the site and address, and also a location map of the garage or a proposed garage must be submitted upon application for registration.

Section 2. - SIZE OF GARAGE - For each tricycle, the prescribed size of garage is as follows:

WIDTH - 2.50 meters
LENGTH - 2.50 meters

Section 3. GARAGE FOR PUBLIC MOTORIZED TRICYCLES FOR HIRE - The barangays within the territorial jurisdiction of Quezon City where such TODA member is a resident thereof may designate for an adequate parking area to be determined by the barangay upon conditions that will not be in contravention with existing laws, rules and regulations and shall provide the necessary rules for the effective and orderly parking of said tricycles. Said barangay shall not charge fees for such permission, authority granted to TODA members to park their tricycles.

ARTICLE XIII
DRIVER'S IDENTIFICATION CARD

Section 1. MOTORIZED TRICYCLES DRIVERS PERMIT/ ID - The TRU shall issue motorized tricycle drivers ID card which shall contain among others the following:

1. Name and address of the driver.
2. Picture of the driver.
3. Contact number/s. ✓









4. Name and address of TODA to which the driver is a member.
5. It shall also contain, in bold and very visible letters, a TRU Complaint Telephone Number which shall exclusively be used for receiving complaints and suggestions from the public.

Section 2. REQUIREMENTS – All applicants for Driver's Identification Card shall submit the following documents:

1. Certification of the owner-operator in favor of the applicant as authorized to drive the tricycle unit.
2. Clearance from the Punong Barangay with jurisdiction over his residential address.
3. Copy of the driver's computer-validated Professional Drivers License duly issued by the Land Transportation Office (LTO).
4. Medical certificate from any duly DOH accredited hospital/clinics or from the City Health Department certifying that he is not suffering from any contagious disease or ailment which might render such person unfit for the safe operation of the motorized vehicle.
5. An applicant or tricycle driver's permit must undergo a seminar on road courtesy, traffic laws, drivers responsibility and other seminar topics, to be conducted by a national or local government unit or any accredited private entity authorized to conduct seminars on road safety.
6. TODA clearance/certificate of membership.

Section 3. PROPER USE – All drivers of motorized tricycles for-hire plying within the boundaries of Quezon City are required to post their Driver's Identification Card at the windshield portion inside the tricycle cab which is easily visible to the passenger/s. The Tricycle driver's ID shall be renewable annually. ✓



ARTICLE XIV
TRICYCLE DRIVER'S UNIFORMS

Tricycle drivers are required to wear only the prescribed uniforms for proper identification, neatness and professionalization of the trade by eliciting trust, respect and confidence of passengers, thereby promoting convenience and comfort among the riding public. No driver shall be allowed to operate unless he is wearing the prescribed uniform. To conform with the district color scheme namely:

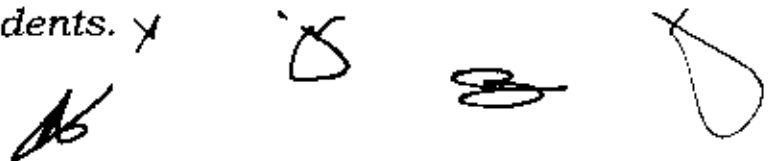
District I	BLUE
District II	ORANGE
District III	RED
District IV	GREEN
District V	YELLOW
District VI	FUCHSIA PINK

ARTICLE XV
TRICYCLE FARE

The fares shall be established at a level that will provide the operator a reasonable income, and still be affordable to the general public. The fare structure may either be flat (single are regardless of distance) or a minimum amount plus a basic rate per kilometer. The table of fares should be posted prominently at the tricycle terminal and in a conspicuous part of the vehicle.

Pursuant to City Ordinance No. SP-2006, S-2011, the Official Tricycle Fare Rate in Quezon City are the following:

1. Regular Trip – P8.50 per passenger for first kilometer plus P 1.00 for every kilometer in excess thereof.
2. Special Trip – P17.00 for single passenger use for the first kilometer plus P1.00 for every kilometer in excess thereof.
3. 20% discount on Senior Citizens, Persons with Disability, and Students. ✓

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ARTICLE XVI
PROHIBITED ACTS OF DRIVERS

The following acts constitute sufficient grounds for the revocation and confiscation of the drivers permit/ ID Card:

1. Driving without license or with invalid/expired/delinquent License.
2. Driving an unregistered tricycle unit or colorum unit.
3. Driving while under the influence of liquor, drugs or any other intoxicating substance.
4. Failure to observe traffic rules and regulations.
5. Carrying passengers more than that allowed by law.
6. Not wearing proper uniform while plying his route.
7. Failure to observe proper respect and courtesy to passengers.
8. Reckless driving.
9. Overcharging of fares.
10. Carrying of firearms, explosives or other deadly weapons while plying his route.
11. Loading baggage on top.
12. Such other acts may be prohibited by law or ordinance.
13. No tricycle unit shall be allowed to operate beyond their designated or allocated area of operation, except otherwise provided herein.
14. No driver of public motorized tricycle for-hire shall refuse to convey passengers to their destination within their allocated or designated route or area of operation.

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ARTICLE XVII
TERMINALS FOR MOTORIZED TRICYCLES

Section 1. REQUIREMENTS FOR APPLYING FOR TRICYCLE TERMINAL FOR MOTORIZED TRICYCLES – The following are the requirements for the establishment of terminals for motorized tricycles:

1. The terminal should be established by a legitimate association of tricycle operators and drivers.
2. The association is recognized as legally existing by the DPOS-TRU.
3. A proof that the terminal will not hinder the smooth flow of traffic.
4. A proof that the terminal is adequately managed by the association.
5. The management of the terminal shall see to it that the tricycle drivers using the terminal are following all the ordinances, rules and regulations related to the operation of Motorized Tricycle.
6. The terminal must be clearly identified by billboard and yellow lanes prescribed by the DPOS-TRU.
7. The presence of clean rest rooms for the general public.
8. Submission of Barangay Clearance/Endorsement for the terminal location/s.
9. Tricycles shall stop engine while on queue.
10. Terminals should not be used for repair work on tricycle units.
11. Gambling and other vices are prohibited within the terminal. x

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Section 2. **TERMINAL OPERATING SYSTEM AND STANDARDS** – The DPOS-TRU may prescribe additional requirements for the operating system and standards in the establishment of terminals for tricycles. All tricycles terminals are temporary in nature subject to infrastructure improvements thereon for the benefit of the general public.

Section 3. **TERMINAL PERMIT** – The DPOS-TRU shall issue Terminal Permit to the TODA upon compliance with all the requirements provided for by this Code.

Section 4. **RENEWAL OF TERMINAL PERMIT** – The Terminal Permit shall be renewed before the date of expiration of said permit.

Section 5. **INSPECTION OF TERMINAL** – The terminal shall be subject to regular inspection by the TRU to determine that all requirements for the operation of the terminals are being complied with.

Section 6. **CANCELLATION OF TERMINAL PERMIT** – The grant of Terminal Permit is not a right but only a privilege and may be cancelled under any of the following grounds:

1. The management of the terminal is violating any provision of this Code and/or any of the terms and conditions stated in the Terminal Permit.
2. Public interest and welfare demand that the terminal should be abolished.
3. Expiration of the Terminal Permit and failure to renew the permit.

ARTICLE XVIII
UPGRADING OF VEHICLE AND OPERATING STANDARDS FOR
TRICYCLES AND USE OF CLEAN FUEL TECHNOLOGY



The DPOS-TRU and TFB in coordination with the EPWMD shall undertake a continuing study and submit appropriate recommendation to upgrade vehicle and operating standards for tricycles with safety and comfort of passengers and environmental impact as primordial concerns. The DPOS-TRU shall implement and enforce updated vehicle and operating standards for tricycles duly approved by the Mayor. For this purpose, and as the component of the campaign to improve the ambient air quality, and to improve the income of motorized tricycle drivers, the EPWMD and DPOS-TRU shall conduct a comprehensive study on the use of cleaner fuel and other engine technology options, and subject to the result of the study, accordingly recommend appropriate measures. The EPWMD and DPOS-TRU shall closely coordinate with the TODAs and other concerned sectors to provide assistance as necessary.

ARTICLE XIX
OTHER OPERATING CONDITIONS

All operators of public motorized tricycle for-hire and utility motorized tricycle must comply with the following operating conditions.

Section 1. RULES OF ENTRY – Only Filipino citizens and partnerships, corporations, or associations with only Filipino equity are qualified to be operators of public motorized tricycle for hire and utility motorized tricycle.

Section 2. RESTRICTION OF OPERATION – For safety reasons, no tricycle shall be allowed to operate/traverse along national roads, highways, and major thoroughfares utilized by 4-wheel vehicles greater than 4 tons and where a normal speed exceed 40 kph, except when crossing the same if it is provided. Motorized tricycles are authorized to operate along Secondary and Tertiary roads only.

Section 3. DUAL FRANCHISE – Public Motorized Tricycle-For-Hire and Utility Motorized Tricycles from the adjacent cities and municipalities which operate within a portion of the territorial jurisdiction of Quezon City must secure a franchise from the Quezon City government in addition to their existing franchise granted by the said adjacent cities and municipalities upon prior consultation with affected sector/s. X









Section 4. ZONE TRANSFER - Transfer to another zone, shall be permitted upon written application by the registered owner with the DPOS-TRU stating his willingness to surrender/terminate his tricycle franchise, body number of the unit and his intention to apply for a new franchise to another zone. The franchising requirements for new application shall be required.

Section 5. SUSPENSION OF OPERATION - An operator wishing to stop service completely, or suspend service for more than one (1) month, should report in writing such termination or suspension to the TFB, through the TRU, which originally granted the Franchise/ MTOP prior thereto.

Section 6. NON-TRANSFERABLE - The Certificate of Public Convenience, Franchise and the Motorized Tricycle Operators Permit are hereby declared strictly non-transferable and therefore cannot be the subject of Sale. The transfer of franchise or sale thereof shall be null and void.

Section 7. TRANSFER AND/OR DROPPING OF FRANCHISE - The franchisee must notify the Tricycle Franchising Board (TFB) in writing within ten (10) days prior to the intended sale of the tricycle unit with franchise stating therein the reason/s. As a consequence, the vendor/franchisee is barred from applying another franchise.

The vendee who wishes to operate in the same must apply with the TFB for the franchise under his/her name within the period of thirty (30) days from the date of sale, otherwise, the vendee loses the priority right over the said franchise and the franchise of the sold unit shall be automatically dropped in favor of the TFB.

A franchisee/tricycle operator who sold the tricycle unit without waiving his/her right/privilege to the franchise shall be given a period of thirty (30) days within which to file a substitution of unit at the TFB, otherwise, the franchise of the sold unit shall be automatically dropped in favor of the TFB. ✓









Section 8. EXPIRED FRANCHISE - Franchise issued to public motorized tricycle for-hire operators which had expired for more than six (6) months shall be automatically dropped from the service without a need for the notice of demand for its renewal and the franchisee shall be subject to surcharges and other fees as assessed by the TRU. The same rules shall apply with regard to franchise issued to utility motorized tricycle. Franchise slots which were automatically dropped, subject to the approval of the TFB upon terms and conditions in the interest of justice and equity, filled up by qualified applicants upon recommendation of the TFB with the confirmation of the City Council. Those persons without franchise shall be given priority and preference to the vacant slots heretofore mentioned provided that they possess all qualifications and none of the disqualifications mentioned in this Code for the issuance of tricycle franchise.

The same preference and priority with the same conditions for the same stated in the preceding paragraph shall likewise apply to open-slots in each Quezon City TODA.

Section 9. DEATH OF FRANCHISEE - the franchise of the deceased may be transferred to the immediate family member who is qualified under this code and may apply before the TFB, within thirty (30) days after the death of the franchisee, for the transfer of franchise ownership under his/her name provided that the same be made on or before the expiration thereof.

The beneficiary/ family member who wishes to continue the operation of the franchise in the same zone must apply with the TFB for a transfer thereof under his/her name.

In addition to the documentary requirements, the applicant must present the death certificate of the deceased and letter of intent to continue the franchise operation.

Section 10. MULTIPLE FRANCHISE - In case of sale of any but not all the units with franchise, franchise of sold unit/s will be automatically dropped from the service and the vendee who wishes to operate must apply with the TFB for a franchise under his name.

The franchisee shall be barred from applying for a new franchise but this is without prejudice to the franchise of other units unsold which may be the subject of renewal of application.

Section 11. FRANCHISE AMENDMENTS/CHANGE OF TRICYCLE UNIT – Change of ownership of unit or transfer of MTOP/Franchise shall be construed as an amendment to MTOP/franchise and shall therefor require appropriate approval of the TFB and confirmed by the City Council. Changing of units, as a condition precedent to the approval of the same require the submission of the evidence showing the condition of the motorcycle sought to be replaced-such as but not limited to: pictures, affidavits and certification of the TODA President and shall state the reason/s for such changing of unit.

Change of tricycle units due to dilapidation and/or being not roadworthy does not affect the franchise granted to the operator.

ARTICLE XX
PENAL PROVISIONS

Section 1. VIOLATIONS AND PENALTIES – Any violation committed by the driver or operator of motorized tricycles shall be subject to the following penalties, provided that for meritorious reason/s, humanitarian consideration, the Mayor may grant partial or total condonation thereof:

- 1. Carrying of explosives, firearms, or other deadly weapon. 5,000.00
- 2. Operating dirty or dilapidated unit 300.00
- 3. Driving a motorized tricycle with no LTO License Plate or with an improvised plate 500.00
- 4. Driving Tricycle on National Road 500.00



500.00

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| 5. <i>Driving tricycle without the required CPC, MTOP/Franchise (COLORUM OPERATION)</i> | 3,000.00 and mandatory removal of sidecar |
| 6. <i>Driving Tricycle, with expired CPC/MTOP/ Franchise</i> | 1,000.00 |
| 7. <i>Driving under the influence of liquors or prohibited drugs</i> | 1,000.00 |
| 8. <i>Driving without a valid I.D. issued by the DPOS - TRU</i> | 500.00 |
| 9. <i>Driving without license or with expired, delinquent or invalid Drivers License/OVR</i> | 1,000.00 |
| 10. <i>Driving with no city plates, no stickers, no plate number printed, etc.</i> | 300.00 |
| 11. <i>Failure to attach current annual sticker on the sidecar windshield.</i> | 300.00 |
| 12. <i>Failure to present CPC, MTOP.</i> | 500.00 |
| 13. <i>Illegal Parking/Terminal</i> | 500.00 |
| 14. <i>Improper Riding of tricycles.</i> | 500.00 |
| 15. <i>Inconspicuously displayed sticker</i> | 300.00 |
| 16. <i>Installed with undesirably large decoration fixture tending to obstruct from view the sidecar number</i> | 300.00 |
| 17. <i>Loading on top of tricycle</i> | 300.00 |
| 18. <i>No fare matrix displayed</i> | 500.00 |

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- 19. *Not wearing the prescribed uniform* 500.00
- 20. *Obstruction on road or sidewalks* 300.00
- 21. *Operating without body number, name of TODA and seal of (LGU)* 500.00
- 22. *Out of line/route* 1,000.00
- 23. *Overcharging of tricycle fare* 500.00
- 24. *Overloading - carrying more than four (4) passengers including the driver for public tricycles* 200.00
- 25. *Refusal to convey passengers to destination* 500.00
- 26. *Riding tricycles without regular or permanent seat* 400.00
- 27. *Smoke Belching* 500.00
- 28. *TODAs allowing colorum vehicles to use their terminal* 5,000.00
- 29. *Unregistered substitute or replacement of engine/chassis* 300.00
- 30. *Violation of any conditions of the CPC, MTOP* 500.00
- 31. *Violation of the prescribed color coding* 300.00
- 32. *Violation of the physical requirements of motorized tricycle* 300.00
- 33. *Without interior lights or interior lights not lighted during night time operation* 300.00
- 34. *Without the installed silencer/defective muffler* 500.00







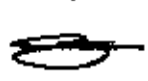
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- 35. *Tricycle unit not functioning stoplight/ taillight, headlight, signal light, license plate light and horn* 300.00
- 36. *Tricycle without drivers roofing/ windshield protection* 300.00
- 37. *Sidecar without clear/ transparent windshield* 300.00
- 38. *Allowing persons to ride on top and outside of sidecar* 300.00
- 39. *No garbage receptacle inside the sidecar* 300.00

Section 2. IMPOUNDING – The following violations shall be sufficient grounds for the impounding of the tricycle:

- 1. *Operating the tricycle without license plates, painted body number or prescribed color.*
- 2. *Allowing a person who is underage, unlicensed, with an expired license without a driver's ID or under the influence of drugs and liquor to operate a tricycle.*
- 3. *Tricycle involved in an accident resulting to serious physical injuries or homicide.*
- 4. *Involved in illegal or criminal activities.*
- 5. *Tricycle illegally parked or is obstructing the flow of traffic.*
- 6. *Operating a tricycle while not in proper color-coded driving uniform.*
- 7. *Failure to settle fines and penalties provided in this code. **









Aside from the penalties imposed, the owner shall pay the following rates on impounding.

*Impounding fee - P200.00
Storage Fee - P50.00 per day*

Section 3. MANDATORY REMOVAL OF SIDECAR – To discourage the proliferation of colorum tricycle units operating in city streets and major thoroughfares in Quezon City and to safeguard the interest of the legitimate units, mandatory removal of sidecar shall be implemented plus a fine of Three Thousand Pesos (Php3,000.00).

Section 4. PUBLIC AUCTION – All sidecars of tricycles removed by the City Government in accordance with the preceding section shall be subject to public auction. The rules promulgated by City Government in public auctions shall apply. The proceeds of said auction shall be utilized for livelihood projects under Book V of this Code.

Section 5. TOWING – All of the above violations shall likewise subject the Tricycle to towing. Tricycles subjected to towing shall pay the towing fee of One Thousand pesos (Php1,000.00) aside from the penalty prescribed in the preceding sections.

Section 6. LIABILITIES OF TRICYCLE DRIVERS AND OPERATORS – For violation of any of the provisions of this Code in connection with the operation of tricycle units, the driver and operator shall be held jointly and severally liable for the amount of fine corresponding to the violations listed above.

**BOOK V
SOCIAL PROTECTION
ARTICLE I
LIVELIHOOD PROMOTIONS**

The Quezon City Sikap-Buhay Entrepreneurship and Cooperative Office (SB ECO) shall conduct extensive consultations with TODA and wives of tricycle drivers on: /

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1. *Alternative livelihood options; and*
2. *Arrangements for managing the alternative livelihood options.*

**ARTICLE II
EDUCATION OPPORTUNITIES**

The Quezon City SYDP shall provide scholarship grants to qualified family members of the tricycle drivers and operators subject to the guidelines as provided by the SYDP.

**ARTICLE III
SSS AND PHILHEALTH**

All TODA are hereby encouraged to:

1. *Enrol and register with the Social Security System (SSS) and avail of the SSS "AlkanSSSya Program;" and*
2. *Enrol and register with the Philhealth.*

**BOOK VI
MISCELLANEOUS PROVISIONS**

**ARTICLE I
ESTABLISHMENT OF TODA DATABASE**

The Tricycle Regulatory Unit, in coordination with the Tricycle Franchising Board, shall establish and develop a centralized database system to provide timely and relevant information for policy formulation and policy concerns relative to the TODAs in Quezon City. The TRU shall regularly update the said centralized database system.









ARTICLE II
CREATION OF A TRICYCLE PLANNING AND FRANCHISING
INFORMATION SYSTEM

The Tricycle Regulatory Unit, in coordination with the City Planning and Development Office, Committee on Transportation and Quezon City Information Technology (QCIT) Department shall spearhead the creation of a tricycle planning and franchising information system. The information system will capture tricycle planning and franchising data that will provide a solid basis for RMC determination, route rationalization and integration. Once established, the information system will enable the periodic evaluation of factors that warrant a review of RMC.

ARTICLE III
IMPLEMENTING RULES AND REGULATIONS

The Tricycle Regulatory Unit under the Department of Public Order and Safety (DPOS) and the Tricycle Franchising Board, in coordination with the City Planning and Development Office and Quezon City TODA Federation, shall within ninety (90) days after the effectivity of this Ordinance, formulate the necessary rules and regulations for its effective implementation.

ARTICLE IV
APPROPRIATIONS

The annual fund necessary for the operation and implementation of this Code shall be included in the yearly appropriations from the General Fund of the Quezon City Government.

ARTICLE V
REPEALING CLAUSE

All Ordinances, Resolutions, Executive Orders, Memorandum Circulars and Administrative Orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly. ✓










**ARTICLE VI
SEPARABILITY CLAUSE**

If, for any reasons, any part or provisions of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

**ARTICLE VII
EFFECTIVITY**

This Ordinance shall take effect immediately upon its approval.

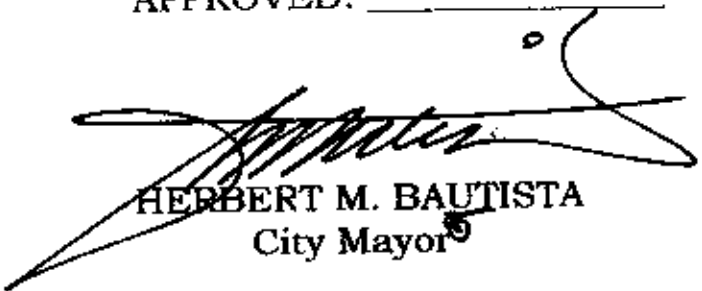
ENACTED: July 14, 2014.


MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 20 OCT 2014


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on July 14, 2014 and was PASSED on Third/Final Reading on July 21, 2014.


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III 