



Republic of the Philippines
Province of Cavite
MUNICIPALITY OF BACOR
Office of the Sangguniang Bayan

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ROLANDO S. REMULLA

Acting Vice-Mayor/Presiding Officer

AVELINO B. SOLIS

Councilor

HUBERT V. GERVACIO

Councilor

REYNALDO M. FABIAN

Councilor

NORMITA D. CELESTINO

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AVELINO S. DE CASTRO

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MIGUEL N. BAUTISTA

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CATHERINE H. MARINO

Councilor - ABC President

GLAISE LOUISE A. OLEGARIO

Councilor - SK President

Attested by:

ATTY. KHALID A. ATEGA JR.

Secretary to the Sanggunian

Certified by:

ROSETTE MIRANDA FERNANDO

Acting Municipal Mayor

Approved by:

Official Leave

STRIKE REVILLA

Municipal Mayor

Municipal Ordinance No. 01
Series of 2009

**AN ORDINANCE REGULATING THE
OPERATION OF TRICYCLES WITHIN THE
MUNICIPALITY OF BACOR, CAVITE.**

Sponsored by Councilor Avelino Solis and
Councilor Reynaldo Fabian.

WHEREAS, pursuant to Article 447, paragraph 3, (vi), of Republic Act No. 7160 (otherwise known as the "Local Government Code of 1991"), every Local Government Unit is authorized to regulate the operation of tricycles and to grant the appropriate franchise for the operation thereof;

WHEREAS, pursuant to the aforesaid provision of the Local Government Code 1991, the Land Transportation Franchising Regulatory Board (LTFRB) has delegated the power to regulate tricycle operations to local government units within their respective jurisdictions;

WHEREAS, it is imperative to regulate the operation of tricycles operating within the municipality of Bacoor, Cavite for the safety and convenience of the riding public and to maintain the orderly flow of traffic within the municipality;

NOW, THEREFORE:

Be it ordained by the Sangguniang Bayan of Bacoor, Cavite in regular session assembled that:

ARTICLE I

INITIAL PROVISIONS

Section 1. *Title.*-- This Ordinance shall be known as the "Bacoor Tricycle Franchise Code of 2009".

Section 2. *Declaration of Policy.*-- It shall be the policy of the municipal government of Bacoor to help the tricycle operators maintain a viable business without sacrificing the safety and well-being of the riding public and the orderly flow of vehicular traffic within the municipality. To this end, the following provisions shall be strictly enforced and any municipal employee or official who is proven, after due process, to have abetted any violation of this Ordinance shall be held administratively accountable by the municipal government.

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Section 3. Scope.— This Ordinance shall apply to the operation of all motorized three-wheeled conveyances that are for hire to the public operating within the Municipality of Bacoor which shall include, but shall not be limited to, tricycles.

Section 4. Definition of Terms.— The following terms as used in this Ordinance shall be defined as follows:

a. **Motorized three-wheeled conveyance/s**— refers to three-wheeled vehicles powered by an engine, whether or not the same is for hire to the public.

b. **Tricycle/s**— refers to three-wheeled vehicles rigged with a motor or engine, and offered for hire to the general public.

c. **Driver**— refers to the person who operates the public conveyances covered by the Ordinance.

d. **Operator**— refers to the owner of the public conveyances covered by this Ordinance.

e. **Local Tricycle Operators and Drivers Association (Local TODA)** – duly accredited association of tricycle operators and drivers operating within a specified geographical unit within the municipality of Bacoor such as a particular residential subdivision or barangay.

f. **Federation of Tricycle Operators and Drivers Association of Bacoor (FETODAB)** – association of all the Local TODA's operating within the municipality of Bacoor.

Section 5. Construction. – Any conflict in the interpretation of any provision under this Ordinance shall be strictly construed in favor of the municipal government and of the people of Bacoor, Cavite.

Section 6. Implementation.— This Ordinance shall be implemented primarily by the Tricycle Franchise and Regulatory Unit (TFRU) of the municipality of Bacoor and other agencies and units of the municipal government as the need arises including the pertinent elements of the Philippine National Police and the duly deputized officials of all the barangays of Bacoor, Cavite.

BAGONG BACOR!
ARTICLE II
Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...

THE TRICYCLE FRANCHISE

Section 7. Franchise.— No three-wheeled public conveyance such as-- but shall not be limited to-- tricycles, will be allowed to ferry passengers within the Municipality of Bacoor without the necessary franchise.

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Section 8. Qualifications for Franchise. – Only Filipino citizens, of legal age, who has been residing at Bacoor for not less than six (6) months prior to the filing of the application for franchise, and who has not been previously convicted by final judgment of a crime involving reckless imprudence and/or violation of the Clean Air Act are entitled to have a tricycle franchise.

Section 9. Procedure. – Hereunder are the various steps and requirements that a prospective applicant for tricycle franchise must undertake and submit before he can obtain a franchise. However, the Sangguniang Bayan reserves the right to revise the following procedural steps and documentary requirements as it deems fit, to wit:

Step 1. The prospective applicant for a franchise must first submit the original copies or certified true copies of the following documents to the TFRU plus a photocopy of all the documents he submitted, to wit:

- a. Endorsement of certification of bonafide membership from the Local Tricycle Operators and Drivers Association (TODA);
- b. Endorsement of Federation of Tricycle Operators and Drivers Association of Bacoor (FETODAB) of the Local TODA;
- c. Certification of good moral character of the prospective operator issued by the barangay chairperson who has jurisdiction over the place of residence of such prospective operator;
- d. Bacoor Voter's ID or Voter's Affidavit with 2X2 picture;
- e. Photocopy of latest Official Receipt of Registration (Certificate of Registration (CR) of the tricycle;
- f. Community Tax Certificate of the operator;
- g. Updated Police or NBI Clearance of the operator;
- h. Photocopy of Driver's License (Note: the original of the Driver's License must be shown to the examining officer of the TFRU for proper comparison with the photocopy thereof.); and
- i. Drug and Alcohol Testing Results from a municipal health center or a duly-authorized drug and alcohol testing center operating within the municipality of Bacoor. The tests should have been taken within one week prior to the filing of the application. The person to be tested must be the prospective driver of the tricycle unit.

BAGONG BACOOR!

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Step 2. After all the said documents have been submitted, the examining officer of the official TFRU will place the official TFRU rubber stamp on the upper right hand corner of all the photocopied documents submitted by the applicant. The examining officer must also write on the said rubber stamp mark, the date and time when he received the said documents. The examining officer must then return all the photocopied documents that bear the TFRU rubber stamp and keep the original or certified true copies thereof. The examining officer must tell the applicant to return after two days.

Step 3. The TFRU examining officer concerned shall only have 24 hours from the time he received the documents submitted by the prospective operator and/or driver within which to either approve or disapprove the application. The examining officer must immediately submit his findings and the documents he examined to the TFRU Head or Officer-in-Charge, if any.

Step 4. The TFRU Head or Officer-in-Charge, if any, must approve the application within 24 hours after he received the above-mentioned documents and findings from the examining officer concerned.

Step 5. All applications for tricycle franchise must either be approved or denied within 48 hours after such application was received by the examining officer concerned.

Step 6. (For applicants whose application were denied) In case the application is denied, the applicant is not precluded from filing another application.

Step 7 (For applicants whose application was approved) In case the application is approved, the applicant must bring his tricycle unit to the TFRU then pay the following fees and dues for Tricycle Operation Permit (TOP) to the Municipal Treasurer's Office, to wit:

1. Local Supervision fee	Php 75.00
2. Filing Fee: Regular Franchise	350.00
Special Permit	450.00
3. Side car number fee	100.00
4. Dropping Fee	200.00
5. Certified Xerox copy of Franchise	20.00
6. Cost of spraypainting notice to public	100.00

Aside from the foregoing fees, no other fees shall be charged to any prospective operator. Any TFRU employee proven to have asked or to have received any other fees or consideration, which may be in cash, in kind, or in the form of favors, shall be subjected to the proper administrative sanctions as provided under prevailing civil service laws.

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The said fees may be adjusted as the Sangguniang Bayan may deem fit.

Step 8. The applicant must present the official receipt issued by the Municipal Treasurer's Office to the TFRU desk/window specifically created to examine the official receipt of the applicant and to release the franchise in favor of the applicant. After examination, the TFRU personnel assigned to the said desk/window, or his assistant, must then spraypaint the following notice on the inside portion of the tricycle sidecar windshield, to wit:

"ANG TAMANG PAMASAHE AY P7.00 LAMANG SA UNANG 1 KILOMETRO KADA PASAHERO O P14.00 SA SPECIAL TRIP NA MAYROON LAMANG DI HIHIGIT SA 2 PASAHERO. SAMANTALALANG ANG BAYAD NG SENIOR CITIZEN AT ELEMENTARY/HIGH SCHOOL STUDENT AY P5.00 LAMANG. ISUPLONG ANG ANUMANG OVER-CHARGING SA BACOOR TFRU TEL. NO. (046) _____ O KAYA AY SA MAYOR'S OFFICE SA TEL. NO. _____ --- BACOOR TFRU"

Step 9. After spraypainting the afore-quoted notice, the TFRU shall give the applicant a copy of the franchise issued in his favor.

Section 8 of this Ordinance, in its entirety, must be reproduced by the TFRU and must be placed in conspicuous places outside the TFRU office for the information of applicants for franchise.

Section 9. *Special Period of Application*—All new applicants for franchise and all applicants for franchise renewal shall be given until 15 February 2009 within which to apply for a new franchise or to renew an existing franchise. No further extension on the said period shall be granted.

Section 10. Effectivity, Duration, and Additional Requirements—

10.1. All franchises issued under this Ordinance shall only be effective for one (1) year from the date of its issuance.

10.2. The franchise must be renewed within thirty (30) days before the expiration of the LTO registration.

10.3. Applicants for renewal of franchise should follow the procedure under Section 8 of this Ordinance and should submit a copy of the franchise previously issued.

10.4. Once the approved franchise is issued to the operator, the franchise owner must register their motorized tricycle with the Land Transportation Office (LTO).

10.5. The TFRU assigned body number will be installed to the motorized tricycle after it is registered with the LTO.

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10.6. Failure to the operator to register his motorized tricycle within the prescribe period of time could be a ground for the cancellation of the issued franchise.

Section 11. Limitations. -- Every applicant for a franchise shall only be granted one (1) franchise. No franchise shall be granted to any applicant who has not received the proper endorsement from the Local TODA and the FETODAB.

Section 12. Selling of a Tricycle with a Valid Franchise or its Conversion to Private Use.--

12.1. In cases wherein the operator intends to sell his motorized tricycle with a valid franchise or to convert the said tricycle to private use, the operator concerned must secure a "Certificate of Dropping of Franchise" from the TFRU after paying a dropping fee of P200.00 to the Municipal Treasurer's Office.

12.2. If the buyer of the motorized tricycle intends to use the tricycle as a public conveyance, he is considered as a new applicant and should comply with the requirements and procedure specified in Section 8 of this Ordinance.

Section 13. Replacement of motorbike of tricycle. -- In cases wherein the operator with a tricycle franchise intends to replace the motorbike of his tricycle, he must secure a Certificate of Dropping from the TFRU after paying a dropping fee of P200.00 to the Municipal Treasurer's Office and apply for a new franchise for his new motorbike.

ARTICLE III.**ACCREDITED TODA, COLOR CODE AND TERMINALS**

Section 14. List of accredited local TODA's in the Municipality of Bacoor and their assigned color codes and terminals. -- The Head of the TFRU is hereby given the power to determine the location of the terminals of each local TODA and the assigned body color of all tricycle units belonging to a particular local TODA. Provided, that the said power is subject to the approval of the Sangguniang Bayan. Provided, further, that the Head of the TFRU must first submit a report to the Sangguniang Bayan with regard the terminals and body colors assigned by the TFRU to the local TODA's before such report is disseminated to the public. Provided, lastly, that the list of terminals and color codes for each local TODA must be approved by the Sangguniang Bayan and then posted by the TFRU in billboards to be placed in at least four (4) highly-visible locations within the municipality for the information of the public.



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Upon approval of the said list by the Sangguniang Bayan, the said list of local TODA's, the respective terminals of the said local TODA's and the color codes assigned for each local TODA shall then be considered an integral part of this Ordinance.

Section 15. Routes of motorized tricycles. --

- A. The routes of tricycles with a valid franchise shall be limited to the respective areas as contained in the franchise issued to them and by the color code assigned to them.
- B. The side car or the tricycle shall be painted by the color code assigned to the TODA.
- C. No tricycle will be allowed to cross or use the entire length of the Aguinaldo Highway within the jurisdiction of Bacoor --except in cases of medical or similar emergencies-- at anytime so as not to impede the smooth flow of vehicular traffic in the said major thoroughfare. Any violation of this section may be used as a ground for the revocation of the franchise issued to the operator and the imposition of other penalties under this Ordinance.

Section 16. Exemption.-- Those holding special permits and those using their units for personal functions and emergency cases are exempted from complying with paragraphs (A) and (B) of Article 3, Section 15 of this Ordinance.

Section 17. Accreditation of TODA. --

(A) Applicants for accreditation as a local TODA must submit their documents with the office of the Mayor thru TFRU for evaluation. The TFRU will submit their recommendation with the Sangguniang Bayan for approval.

(B) The Sangguniang Bayan through a Municipal Ordinance will designate the route, color code and the terminal of the TODA.

Section 18. TODA Terminals.

(A) Accredited TODAs must have a terminal from their point of origin. The terminal must have the following conditions, to wit:

1. Enough parking space for tricycle units belonging to the said TODA;
2. Waiting shed for commuters or passengers;
3. TODA office;
4. Bulletin Board for posting of Notices and Announcement of TODA and other government agencies; and
5. Public toilet for tricycle drivers.



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(B) The office of the Mayor and Sangguniang Bayan shall have the right to designate/change the location of TODA terminals.

(C) TODA Sub- Terminals are subject to the approval of the TFRU and the Sangguniang Bayan.

ARTICLE IV**TRICYCLE FARES AND OPERATIONS**

Section 19. Fares.-- The Sangguniang Bayan hereby empowers the TFRU to prepare the implementing rules and guidelines for tricycle fares, based on routes, point of origin and their destination. Such implementing rules, however, shall be subject to the approval of the Sangguniang Bayan. Provided, that such implementing rules and guidelines must take the following into consideration:

1. Basic fare for the first kilometer of every trip coming from the terminal is Seven Pesos (PhP 7.00) and an additional fare of One Peso (PhP 1.00) for every succeeding kilometer from the terminal of the tricycle concerned. However, if the trip is headed towards the terminal, the basic fare shall be Seven Pesos (PhP 7.00) for the first kilometer and Fifty Centavos (PhP .50) for every succeeding kilometer going back to the terminal of the tricycle concerned.
2. A Senior Citizen passenger with a valid Senior Citizen ID shall be charged a fare of Five Pesos (P5.00) for the first kilometer plus an additional Fifty Centavos (PhP .50) for every succeeding kilometer. The basic fare of senior citizens for the first kilometer of every trip coming from and going back to the terminal is Five Pesos (PhP 5.00) and an additional fare of Fifty Centavos (PhP .50) for every succeeding kilometer regardless of the destination.
3. The basic fare of primary school and high school students with a valid school ID shall also be charged a fare of Five Pesos (PhP 5.00) plus an additional Fifty Centavos (PhP .50) every succeeding kilometer regardless of destination. The fare of any adult accompanying the said students shall be in accordance with paragraph 1 of this section.



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4. The basic fare for a group ride/family ride that begins from the terminal of the tricycle concerned shall be Fourteen Pesos (Php14.00) for the first kilometer of the trip plus an additional One Peso (Php 1.00) for every succeeding kilometer. tricycle fare and One Peso additional P1.00 for every succeeding kilometer. However, if the trip is headed towards the terminal, the basic fare shall be Fourteen Pesos (Php 14.00) for the first kilometer and Fifty Centavos (Php .50) for every succeeding kilometer going back to the terminal of the tricycle concerned. Provided, however, that in case of a special trip, the maximum number of passengers per trip shall only be two persons excluding the driver and that no backrider shall be allowed.

Section 20. Posting of Tariff Fare and Notice to Public. – Every tricycle authorized to operate within the limits of the Municipality shall be required to post inside the tricycle unit a (A) schedule of fares payable by the passengers, and (B) the Notice to the Public specified under Step 8, Section 8, Article III of this Ordinance. Likewise, the said schedule of fares and the said Notice to the Public shall be required to be posted to conspicuous places of every tricycle terminals. Violation of this section may be used a ground for the revocation of the franchise of any operator or the revocation of the accreditation issued to the local TODA concerned.

Section 21. Number of Passengers.– Passengers of all tricycles operating within the Municipality of Bacoor—whether or not it has received a franchise from the TFRU—shall not exceed three (3) passengers per trip which shall exclude the driver. Backriding is expressly prohibited. No exemption from this section shall be allowed in order to ensure the safety of the riding public.

Section 22. Driving Under the Influence of Drugs or Alcohol/ Driving with Improper Clothing. – No driver shall be allowed to operate a tricycle—whether or not the said tricycle has a valid franchise—under the influence of drugs or alcohol. Moreover, all tricycle drivers are required under this Ordinance to wear a shirt with collar as well as long pants while driving.

The driver's license of tricycle drivers caught violating this Section may be confiscated by the TFRU, the elements of the Philippine National Police assigned to Bacoor, and any barangay official.

Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...

A tricycle driver suspected of driving under the influence of drugs and/or alcohol shall be required by the apprehending officer to give a sample of his urine or blood for drug and/or alcohol testing. Provided, that the suspected offender must first be read his rights before his urine or blood sample is taken. Provided, moreover, that a registered medical technologist, nurse, or doctor will supervise the taking of the said blood or urine sample. Provided, further, that the suspected offender shall be required to sign a waiver freeing the apprehending officer and the municipal government from any liability in connection with the said apprehension and the taking of the said urine or blood sample. Provided,

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lastly, that should the suspected offender refuse to give the sample of his urine or blood, he shall be provided a public attorney or he shall be allowed to engage the services of counsel who shall then explain to him his rights under the law.

The apprehending officer, in the case of tricycle drivers caught driving without the prescribed articles of clothing under this section, shall be required to take a picture of the suspected offender for evidentiary purposes.

Section 22. Special Trips.—A “special trip” is a trip from the terminal or point of origin to the intended destination without necessarily waiting for another passenger. The tricycle driver can only collect a maximum fare of P15.00 for the first three (3) kilometers plus an additional One Peso (P 1.00) for every succeeding kilometer. Moreover, a tricycle embarking on a special trip may not carry more than three (3) passengers per trip.

Section 23. Fare Increases. – All increase in tricycle fares shall take effect only upon a public hearing conducted by the Committee on Public Transportation and Committee on Ordinances and Legal Matters of the Sangguniang Bayan on the application for fare increase filed by the FETODAB wherein representatives of the riding public such as, but shall not be limited to, officers of homeowners associations based in Bacoor, consumers rights advocacy groups duly-accredited by the national government, or church-based groups, shall be in attendance and upon a majority vote of the Sangguniang Bayan. The said application for fare increase shall be filed with the TFRU who shall then submit its recommendations on the proposed fare hike to the Sangguniang Bayan together with the original copy of the application and its supporting documents, if any.

In granting the application for a fare hike, the members of the Sangguniang Bayan shall be guided solely by what it deems will be most beneficial to the municipal government and the riding public in general—and by no other consideration.

ARTICLE V

BAGONG BACOR!**SPECIAL PERMITS**

Tapat sa Serbisyo, Magkakaisa sa Pagbabago...

Section 24. Special Permit.— A special permit is one given to a tricycle operator who is not a resident of the Municipality of Bacoor, with a legal or valid franchise from another local government unit adjoining or proximate to Bacoor. A special permit is issued for the purpose of allowing passengers coming from outside Bacoor to ferry passengers into the jurisdiction of the municipality.



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MIGUEL M. BAUTISTA

Councilor

BAYANI M. DE LEON

Councilor

CATHERINE D. SARINO

Councilor - JRC President

GLYNNE LOUISE A. OLEGARIO

Councilor - SK President

Attested by:

ATTY. KHALID A. ATEGA JR.

Secretary to the Sanggunian

Certified by:

ROSETTE MIRANDA FERNANDO

Acting Municipal Mayor

Approved by:

Official Leave

STRIKE REVILLA

Municipal Mayor

Section 25. Qualifications.-- Only Filipino citizens with a valid tricycle franchise from the local government unit where he resides may qualify to apply for special permit.

Section 26. Requirements for the Issuance of a Special Permit.--

Applicants for a Special Permit must submit the following documents to the TFRU, to wit:

1. Copy of the valid franchise from the Local Government Unit where he resides;
2. Certificate of Registration (CR) and latest Official Receipt (OR) of Registration of motorize tricycle;
3. Copy of the compulsory motor vehicle liability insurance of the tricycle;
4. Barangay Certification of good moral character of the applicant;
5. Bio-data of the applicant with 2X2 picture;
6. Police Clearance; and
7. Membership Certificate from a Local TODA.

Section 27. Fees and Payment for Special Permit.-- An applicant for a special permit shall pay the following with the Municipal Treasurer's Office of Bacoor, to wit:

a. Special Permit Fee	Php 450.00
b. Sidecar Body Nos.	100.00
c. Local Supervision Fee	75.00

Section 28. Effectivity and Duration.-- A special permit shall be effective only for one (1) year, which period shall be reckoned from the date of issuance of the said special permit. A special permit can be renewed within thirty (30) days before the expiration of the LTO registration.

Section 29. Limitation.-- Every applicant for a special permit shall only be granted one (1) permit .

ARTICLE VI

BAGONG BACOR!
MANDATORY REGISTRATION OF TRICYCLE DRIVERS

Section 30. Mandatory Registration of Tricycle Drivers.-- All operators and drivers of a tricycle operating as a public conveyance within the Municipality of Bacoor must register with the TFRU for the issuance of a Tricycle Driver's Registration and Permit and a Tricycle Driver's ID. Such Tricycle Registration and Permit and Tricycle Driver's ID shall be valid from the date of issuance until the expiry date of his professional driver's license. The said Tricycle Registration and Permit must be kept within the tricycle unit while the Tricycle Driver's ID must be hung or pinned within the sidecar in such a way that it can be readily seen by the passenger.



ROLANDO S. REMULLA

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Councillor

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Violation of this section may be used as a ground for the revocation of the franchise issued in favor of the operator as well as the Tricycle Registration and Permit and Tricycle Driver's ID issued to the driver and operator.

Section 31. Requirements for the Issuance of Tricycle Driver's ID.-- The following are requirements for the issuance of Tricycle Driver ID, to wit:

- a. Endorsement of certification of bonafide membership from the Local TODA issued in favor of the driver;
- b. Endorsement of the FETODAB in favor of the driver;
- c. Certification of good moral character of the prospective driver issued by the barangay chairperson who has jurisdiction over the place of residence of such prospective driver;
- d. Bacoor Voter's ID or Voter's Affidavit with 2X2 picture;
- e. Community Tax Certificate of the driver;
- f. Updated Police or NBI Clearance of the driver;
- g. Photocopy of Professional Driver's License (Note: the original of the Driver's License must be shown to the examining officer of the TFRU for proper comparison with the photocopy thereof.);
- h. Drug and Alcohol Testing Results from a municipal health center or a duly-authorized drug and alcohol testing center operating within the municipality of Bacoor. The tests should have been taken within one week prior to the filing of the application. The person to be tested must be the prospective driver of the tricycle unit;
- i. Completely filled-up application form from the TFRU; and
- j. Receipt of payment from the Municipal Treasurer's Office.

Section 32. Number of Drivers Per Tricycle Unit.-- Every tricycle unit that has been granted a franchise by the municipality can not have more than two (2) drivers registered with the TFRU.

Section 33. Mandatory Drug and Alcohol Testing.-- Aside from the mandatory drug-testing conducted by the LTO every time a drivers license is renewed, the driver's of tricycles covered by this Ordinance shall also agree to subject himself to a mandatory drug-testing to be conducted by a municipal health center or a duly-accredited drug testing facility located and operating within the Municipality of Bacoor. Only drivers who pass the said drug test shall be issued a Tricycle Driver's ID.

**MUNICIPALITY OF BACOOR****Office of the Sangguniang Bayan**

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Councilor

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Councilor

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Councilor

CATHERINE H. MARINO

Councilor - AB President

GLADINE LOUISE A. OLEGARIO

Councilor - SK President

Attested by:

ATTY. KHALID A. ATEGA JR.

Secretary to the Sanggunian

Certified by:

ROSETTE MIRANDA FERNANDO

Acting Municipal Mayor

Approved by:

Official Leave

STRIKE REVILLA

Municipal Mayor

Section 34. *Period of Validity of Tricycle Driver's ID.* - A Tricycle Driver's ID issued under this Ordinance shall only be valid for one (1) year from its date of issuance.

ARTICLE VII**TRICYCLE VIOLATION AND PENALTIES**

Section 35. *Penalties.* - Aside from the revocation of franchise, Tricycle Driver's Registration and Permit, and Tricycle Driver's ID mentioned in the foregoing provisions of this Ordinance, the following fines and penalties shall be imposed upon anyone found violating this Ordinance after conviction by the proper court, to wit:

1. The operator of the motorized tricycle shall be fined Two Thousand Five Hundred Pesos (PhP 2,500.00) plus impounding of the tricycle unit if found operating without the necessary permit.
2. The operator of the motorized tricycle shall be fined One Thousand Pesos (PhP 1,000.00) for the delayed renewal of an expired franchise.
3. The tricycle driver shall be fined Five Hundred Pesos (P500.00) if found violating the established routes of the tricycle as indicated in the franchise.
4. Both the Operator and the driver shall be fined One Thousand Pesos (PhP 1,000.00) each for every instance that they have violated Sections 19, 20, and 21 of this Ordinance.
5. The operator shall be fined One Thousand Pesos (P 1,000.00) if his tricycle unit is found operating with a Body Number different from the one assigned to his tricycle unit by the TFRU
6. The operator shall be fined One Thousand Pesos (P1,000.00) if found operating without a Special Permit
7. The operator and the Tricycle Driver shall be both fined Three Hundred Pesos (P300.00) if found operating without the Tricycle Drivers ID or without a properly displayed Tricycle Driver's ID as provided under Section 20 of this Ordinance.
8. The operator and the tricycle driver shall be both fined Two Thousand Five Hundred Pesos (P2,500.00) each if found operating with a fake Tricycle Drivers ID

BAGONG BACOOR!



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MIGUEL N. BAUTISTA

Councillor

BAYANI M. DE LEON

Councillor

CATHERINE D. SARINO

Councillor A/C President

GREENE LOUISE A. OLEGARIO

Councillor - SK President

Attested by:

ATTY. KHALID A. ATEGA JR.

Secretary to the Sanggunian

Certified by:

ROSETTE MIRANDA FERNANDO

Acting Municipal Mayor

Approved by:

Official Leave

STRIKE REVILLA

Municipal Mayor

9. The operator and the tricycle driver shall be both fined One Thousand Five Hundred Pesos (P1,500.00) each if the tricycle driver is found operating without a Professional Driver's License.

10. The operator and the tricycle driver shall both be fined Two Thousand Pesos (P2,000.00) each if the driver is found driving without a valid driver's license.

11. The tricycle driver shall be fined Five Hundred (P 500.00) if found operating with more than three (3) passengers. The tricycle must have three passengers only exclusive of the driver.

12. The tricycle driver shall be fined One Thousand Pesos (P1,000.00) for refusing to carry a passenger for any reason. Provided, that this provision shall not apply to drivers who refused to carry passenger so as not to violate the provisions of this Ordinance on overloading, or if the tricycle unit is having mechanical problems.

13. The tricycle driver shall be fined Five Hundred Pesos (P500.00) each if found loading and unloading passengers in the non-loading and unloading zones identified by the Bacoor Traffic Management Office (BTMO).

Section 36. Tricycle Violation Receipt.-- A Tricycle Violation Receipt (TVR) will be issued to anyone found violating the provisions of the Ordinance. The violation will be reflected on the TVR.

Only duly deputized members of the BTMO on duty, authorized representatives of the TFRU, barangay officials, and any other person duly deputized by the Sangguniang Bayan can issue a TVR.

The tricycle driver's ID, after verification by the apprehending officer of the driver's Professional Driver's License and the tricycle TFRU assigned Body Number, shall be confiscated after the issuance of a TVR.

Copies of TVR's issued to offenders and confiscated Tricycle Drivers ID and Tricycle Body Numbers shall be surrendered to the TFRU.

The said confiscated Tricycle Drivers ID and Tricycle Body Numbers shall only be returned to the offending driver or operator upon payment of the fines/penalties mentioned above.

Section 37. The Three-Strike Rule.-- Any driver or operator found violating any provision of this Ordinance for three (3) separate occasions shall be deemed unqualified from ever applying for a franchise, Tricycle Driver's Registration and Permit, and/or Tricycle Driver's ID.

**MUNICIPALITY OF BACOOR****Office of the Sangguniang Bayan**

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CATHERINE H. SARINO

Councillor/ATC President

GUINE LOUISE A. OLEGARIO

Councillor - SK President

Attested by:

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Secretary to the Sangguniang

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ROSETTE MIRANDA FERNANDO

Acting Municipal Mayor

Approved by:

Official Leave

STRIKE REVILLA

Municipal Mayor

Section 38. Discount on account of confession of guilt.-- Any driver or operator who agrees to pay the fines mentioned above without having to go through the filing of a case in court, shall be granted a ten percent (10%) discount on the fines that they are supposed to pay. Provided, that payment of the said fine shall automatically exonerate the apprehending officer and the municipal government from any liability to the said offending driver or operator. However, any offending driver or operator who insist on proving their innocence before the proper court but is later found guilty by the said court shall be made to pay the fine in full.

Section 39. Payment of Fines.--

(A) All payment for tricycle violation penalties shall be made to the Municipal Treasurer's Office.

(B) Confiscated tricycle driver's ID and tricycle body numbers will be returned when receipt of payment is presented to the office of the TFRU.

(C) Failure to redeem the tricycle drivers ID and the Tricycle Body Numbers within thirty (30) days from the date of issuance of TVR could be a ground for cancellation/revocations of the issued franchise.

(D) An operator whose franchise was revoked shall no longer be eligible to future issuance of franchise to the tricycle unit and operator.

Section 40. Illegal or Non-Implementation of this Ordinance --

Any personnel of the TFRU or BTMO, or any barangay official, or any person duly-deputized by the Sangguniang Bayan to enforce this Ordinance, who are found to be illegally implementing any provision of this Ordinance or are found to be deliberately refusing to implement any provision of this Ordinance for whatever reason, shall be held liable to pay a fine of Two Thousand Five Hundred Pesos (PhP 2,500.00) plus revocation of the authority to enforce this Ordinance. Provided, that the payment of the said fine to the Municipal Treasurer's Office by such offender shall not preclude the municipal government from terminating the employment of the said offender or from filing any criminal action against him before the proper court of law.

BAGONG BACOOR!

Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...

Section 41. Separability Clause. --

Any provision of this Ordinance found void by a court of competent jurisdiction shall not affect the rest of this Ordinance not affected by the said judicial finding of invalidity.

Section 42. Effectivity. -- This Ordinance shall take effect within fifteen (15) days after it has been posted in at least two (2) conspicuous places within the Municipality of Bacoor, Cavite.



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Province of Cavite
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Office of the Sangguniang Bayan

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Section 43. Repealing Clause. – Any ordinance in conflict with this Ordinance is hereby repealed and/or modified.

ENACTED by Sangguniang Bayan of Bacoor, Province of Cavite
this 19th day of January, 2009.

Attested by:

ATTY. KHALID A. ATEGA JR.
Secretary to the Sangguniang Bayan

Certified by:

HON. ROLANDO S. REMULLA
Acting Vice Mayor/Presiding Officer

Approved by:

HON. ROSETTE M. FERNANDO
Acting Municipal Mayor

BAGONG BACOOR!
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Municipal Mayor