



Republic of the Philippines
Province of Cavite
CITY OF BACOR
Office of the Mayor

EXECUTIVE ORDER No. 65
Series of 2022

**AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF THE
"TRICYCLE FRANCHISING REGULATORY UNIT UNDER THE BACOR TRAFFIC
MANAGEMENT DEPARTMENT"**

WHEREAS, Section 16 of RA 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...xxx;

WHEREAS, on September 22, 2022, the Sangguniang Panlungsod enacted and passed City Ordinance No. 2022-209 entitled, **"An Ordinance Creating the Tricycle Franchising Regulatory Unit under the Bacor Traffic Management Department"**;

WHEREAS, the City Government of Bacor recognizes the need to issue an Implementing Rules and Regulations pertinent to the above-mentioned Ordinance;

WHEREAS, the Office of the City Mayor in coordination with the concerned departments and agencies, issued the above-mentioned Implementing Rules and Regulations that shall govern the **"Tricycle Franchising Regulatory Unit under the Bacor Traffic Management Department"**;

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacor, Cavite, by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Implementing Rules and Regulations for City Ordinance No. 2022-209 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulation of City Ordinance No. 2022-209 which shall form part of this Executive Order. This shall be known as the **"Implementing Rules and Regulations of the Tricycle Franchising Regulatory Unit under the Bacor Traffic Management Department"**.

All Affected offices and department are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

Strict compliance and observance of all city government officials and employees to this IRR is hereby ordered.

Section 2. Repealing Clause.

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly

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Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

SO ORDERED

Issued this 07 day of December 2022 in the City of Bacoor, Province of Cavite.

STRIKE B. REVILLA
City Mayor

cc:

Sangguniang Panlungsod
Bacoor Traffic Management Department
Tricycle Franchising Regulatory Unit
Liga ng mga Barangay
Federation of TODA of Bacoor
Philippine National Police - Bacoor



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Official Website



**THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO.
2022 – 209 TRICYCLE FRANCHISING REGULATORY UNIT UNDER THE BACOR
TRAFFIC MANAGEMENT DEPARTMENT**

**RULE 1
GENERAL PROVISIONS**

SECTION 1 TITLE.

This shall be known and cited as **"THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 2022 - 209 TRICYCLE FRANCHISING REGULATORY UNIT UNDER THE BACOR TRAFFIC MANAGEMENT DEPARTMENT"**.

SECTION 2 PURPOSE

These Implementing Rules and Regulations are promulgated for the effective implementation and enforcement of City Ordinance No. 2022 - 209.

SECTION 3 CONSTRUCTION

The Implementing Rules and Regulations shall be liberally construed to carry out the proper implementation and operation of the TRICYCLE FRANCHISING REGULATORY UNIT UNDER THE BACOR TRAFFIC MANAGEMENT DEPARTMENT.

**RULE 2
DECLARATION POLICY**

SECTION 4 DECLARATION POLICY

Under the General Welfare Clause of the Local Government Code, the LGU is empowered to apply regulatory measures to ensure order and safety of all who live and sojourn in the city, to wit:

"Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants."



This includes necessarily the regulations of all tricycle operating in the city of Bacoor to ensure order and safety of all our constituents, patron, and motorist in general.

RULE 3 DEFINITION OF TERMS

SECTION 5 DEFINITION OF TERMS.

1. **FRANCHISE** – refers to a special privilege conferred by the Municipal government to an individual or corporation which does not belong to the citizens by common right. It is in the nature of a private contract between the municipal government and an individual or corporation which cannot be amended by implication.
2. **MOTORIZED TRICYCLE** – is a kind of a transport vehicle composed of a motorcycle fitted with a single wheel sidecar or motorcycle with a two wheel cab operated to render transport service to the general public for a fee.
3. **MOTORIZED TRICYCLE OPERATOR'S PERMIT** – is a document granting franchise or license to a person, natural or juridical, allowing such person to operate motorized tricycle for hire over specified zones.
4. **ZONES** – is a continuous land area or block, say a subdivision or a barangay, where tricycle for-hire may operate without a fix origin or destination.

RULE 4 THE TRICYCLE FRANCHISING AND REGULATORY UNIT

SECTION 6 TRICYCLE FRANCHISING AND REGULATORY UNIT.

The Tricycle Franchising Regulatory Unit (TFRU) shall form part of the Traffic Engineering and Planning Unit of the BTMD and shall be headed by the Head of the BTMD under the direct control and supervision of the City Mayor.

SECTION 7 POWERS AND DUTIES OF TFRU.

The TFRU shall have the following powers and duties:

- a. Make its internal rules of procedure subject to the approval of the City Mayor of the City of Bacoor, Cavite;
- b. Endorse applications for accreditation of transport organizations to the Sangguniang Panlungsod for approval;
- c. Set qualifications, fees and/or conditions, for the grant of a new/renewed application for franchise to operate any PUV within the territorial jurisdiction of the City of Bacoor;
- d. Revoke the franchise it issued to any PUT exclusively operating within the City of Bacoor for violation of the provisions of this Ordinance or any related ordinance passed by the Sangguniang Panlungsod or by the national legislature, or any of the rules and/or guidelines it passed;
- e. Determine and/or adjust the standard transport fare to be imposed by operators of PUTs operating exclusively within the City of

Bacoor on the riding public, subject to the approval of the Sangguniang Panlungsod;

- f. Determine the location, construction and operation of transport terminals for all public utility vehicles (PUVs) operating within the City of Bacoor, the terminal fees to be imposed by the tricycle operators and drivers associations (TODAs) on their respective members, the manner of operation of the said terminals, and the guidelines for passengers using the said terminals;
- g. Recommend the closure of any terminal violating this Ordinance or any of rules and/or guidelines of the TRFU to the City Mayor;
- h. Determine the routes to be used by PUTs operating within the City of Bacoor subject to the written approval of the City Mayor;
- i. Take cognizance and act on complaints filed by individuals or transport organizations concerning or relating to franchise, terminals, fares and routes; and
- j. Exercise any other power that may be granted to it by means of an ordinance.

RULE 5 MANDATORY RULES AND REGULATIONS

SECTION 8 MANDATORY RULES AND REGULATIONS.

1. Only Filipino Citizens and partnership or corporation with sixty percent (60%) Filipino equity, shall be granted the Motorized Tricycle Operator's Permit (MTOP).
2. No Motorized Tricycle Operator's Permit (MTOP) shall be granted unless the applicant is in possession of units with valid registration papers from the Land Transportation Office (LTO).
3. The grantee of the Motorized Tricycle Operator's Permit (MTOP) shall carry a common carrier insurance sufficient to answer for any liability it may incur to passengers and third parties in case of accident.
4. Operators of tricycle-for-hire shall employ only drivers duly licensed by the Land Transportation Office (LTO).
5. Operators who intend to stop service completely, or suspend device for more than one (1) month, shall report in writing such termination or suspension to the Sanggunian.
6. Operators of tricycle-for-hire or its drivers shall not operate in national highways dominated by four (4) wheel vehicle greater than four (4) tons and where normal speed exceeds forty (40) KPH.
7. Until such time that necessary zones are fixed, tricycle-for-hire shall be allowed to operate like a taxi service, i-e., service is rendered upon demand and without a fixed route;
8. Each tricycle unit granted a Motorized Tricycle Operator's Permit (MTOP) shall be assigned and bear an identification number, aside from its Land Transportation Number.
9. In addition to the drivers license issued by the Land Transportation Office, all tricycle-forhire are hereby required to register and secure an identification number from the office of the Chief of Police (PNP)
10. All drivers for tricycle-for-hire are hereby required to wear eye protection (glasses/shades/goggles), polo shirt, long pants and shoes.

11. All drivers and operators should undergo drug testing every year.
12. Pending the formulation of a prescribed fare structure for each zone or fixed route by the Sanggunian, the official fare to be initially adopted shall be a minimum of Thirty Pesos (P30.00) per kilometer in excess of four kilometers distance.
13. Tricycle-for-hire shall have five (5) passengers capacity only, including the driver.
14. Operators of tricycle-for-hire are hereby required to post in conspicuous but appropriate part of the tricycle the schedule or fares.
15. Additional rule and regulations shall be issued by the TFRU for the proper enforcement of this ordinance.

SECTION 9 AMENDATORY POWER BY SANGUNIAN

Nothing in this Ordinance shall be construed to diminish the authority of the Sanggunian to issue, amend, revise, renew, suspend, or cancel any Motorized Tricycle Operator's Permit (MTOP) and prescribe the appropriate terms and conditions therefore; determine, fix, prescribe, or periodically adjust fares, or rates for the service provided in a zone or fixed route after public hearing; prescribe and regulate zones or service in coordination with the barangay; fix, impose and collect and periodically review and adjust but not oftener than once every three (3) years reasonable fees and other related charges in the regulation of tricycle-for-hire; establish and prescribe the conditions and quality of service to the public.

RULE 6 MISCELLANEOUS PROVISIONS

SECTION 10 SEPARABILITY

In case any provision of this Ordinance is declared void by a court of law, the remaining provisions of this measure not affected by the said judicial declaration shall remain valid and enforceable.

SECTION 11 EFFECTIVITY

This Implementing Rules and Regulations shall become effective immediately.