

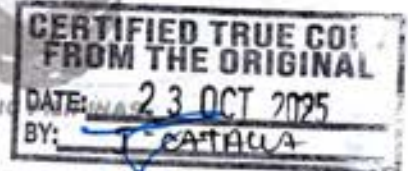


Republic of the Philippines
Province of Cavite

CITY OF BACOOR
Office of the Mayor

BAGONG

CGBCR-MO-05-F 3
04-05-2024



EXECUTIVE ORDER No. 94 - 2024
Series of 2024

AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 349-2024, OTHERWISE KNOWN AS THE PASSING THROUGH FEES BAN ORDINANCE OF BACOOR

WHEREAS, Section 16 of Republic Act No. 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, the Sangguniang Panlungsod enacted and passed City Ordinance No. 349-2024, entitled "AN ORDINANCE SUSPENDING THE COLLECTION OF PASS-THROUGH FEES FROM ALL MOTOR VEHICLES TRANSPORTING GOODS ON NATIONAL ROADS AND CITY ROADS, INCLUDING SOLIDARITY ROUTES WITHIN PRIVATE RESIDENTIAL SUBDIVISIONS IN THE CITY OF BACOOR, CAVITE AND IMPOSING PENALTIES FOR VIOLATIONS HEREOF. (PASSING THROUGH FEES BAN ORDINANCE OF BACOOR," with the end in mind of implementing the suspension of the collection of pass-through fees upon all types of vehicles transporting goods aimed at alleviating the economic burdens on transportation of goods and consequently, curb inflation;

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

WHEREAS, the Office of the City Mayor of Bacoor, in coordination with the concerned city government offices, issued the above-mentioned Implementing Rules and Regulations that shall govern the said Ordinance.

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, 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 of City Ordinance No. 349-2024 herein attached.

Section 1. Implementing Rules and Regulations (IRR). Attached herein is the Implementing Rules and Regulations of City Ordinance No. 349-2024 which shall form part of this Executive Order. This shall be known as the "Implementing Rules and Regulations of the Passing Through Fees Ban Ordinance of Bacoor"

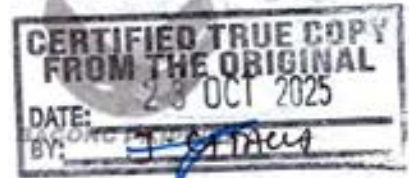
All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly. Strict compliance and observance of this IRR by all city government officials and employees is hereby ordered.



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Section 2. Repealing Clause. All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked, or amended accordingly.

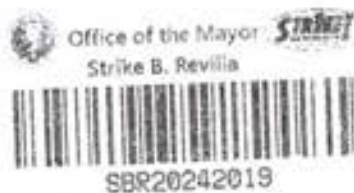
Section 3. Separability Clause. In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

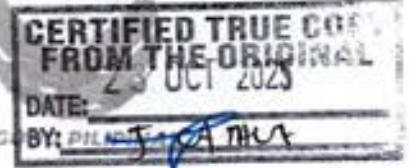
Section 4. Effectivity Clause. This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked, or amended accordingly.

SO ORDERED.

Done this 2nd day of May 2024 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor





**IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 349-2024, OTHERWISE KNOWN AS THE PASSING
THROUGH FEES BAN ORDINANCE OF BACOOR**

**RULE I
GENERAL PROVISIONS**

Section 1. TITLE. These Rules shall be known and cited as the "Implementing Rules and Regulations of the Passing Through Fees Ban Ordinance of Bacoor."

Section 2. PURPOSE. These Rules and Regulations are promulgated to prescribe the procedures and guidelines for the effective implementation of Bacoor City Ordinance No. 349-2024 governing the implementation of suspension of the collection of pass-through fees upon all types of vehicles transporting goods aimed at alleviating the economic burdens on transportation of goods and consequently, curb inflation.

Section 3. SCOPE AND APPLICATION. The provisions of these Rules shall be the following:

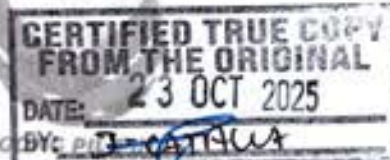
- 1. Types of Vehicles.** All motor vehicles transporting goods, merchandise, or cargo on any national road, city road, or through private residential subdivision roads included in the Solidarity Route within the territorial jurisdiction of the City of Bacoor. This includes, but is not limited to, trucks, vans, trailers, and other similar motor vehicles designated for goods transportation.
- 2. Types of Fees.** All types of pass-through fees, as defined in Section 4 of City Ordinance No. 349-2024 and Section 8(1) of these Implementing Rules and Regulations, including toll fees, sticker fees, discharging fees, delivery fees, market fees, entry fees, and Mayor's Permit fees, that are imposed upon motor vehicles transporting goods by residential subdivisions and the City Government. However, these shall not apply to fees not classified as pass-through fees as defined herein, such as fees imposed for regulatory purposes, to wit: licensing, inspections, or compliance with safety and environmental standards, and other fees or levies of similar nature.
- 3. Type of Roads.** National roads, city roads, and private residential subdivision roads are included in the Solidarity Route.

Section 4. . IMPLEMENTING OFFICE. The Office of the City Mayor, in coordination with the Bacoor Traffic Management Department, shall be responsible for





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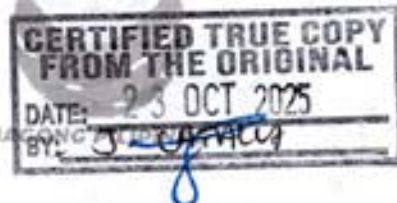
the implementation of the Passing Through Fees Ban Ordinance and its Rules. Further, under the direction of the City Mayor, other departments, units, and offices of the city government, as may be directed by the City Mayor, other city government departments, units, or offices shall likewise assist in the implementation of the City Ordinance No. 349-2024 and this IRR.

Section 5. Rules of Construction. In construing the provisions of this Code, the following rules of construction shall be observed unless inconsistent with the manifest intent of the provision, or when applied, they would lead to absurd or highly improbable results.

1. **General rule.** — All words and phrases shall be construed and understood according to the standard and approved usage of the language, but technical words and phrases and such others which may have acquired a peculiar appropriate meaning in this Code shall be construed and understood according to such technical, peculiar, or appropriate meaning.
2. **Gender and number.** — Every word in this Code importing the masculine gender shall extend to both females and males. Every word importing the singular number shall extend and apply to several persons or things, and every word importing the plural number shall also extend and apply to one person or thing.
3. **Computation of time.** — The time within which an act is to be done as *provided* in this code or in any rule or regulation issued pursuant to the provisions thereof when expressed in days shall be computed by excluding the first day and including the last day, except if the last day falls on a Sunday or a holiday in which case the same shall be excluded from the computation, and the next business day shall be considered the last day.
4. **References.** — All references to Chapter, Articles, Sections are to the Chapter, Articles, Sections in this Code, unless otherwise specified.
5. **Conflicting provisions of the section.** — If the provisions of different sections conflict with or contravene each other, the provisions of each section shall prevail as to all specific matters and questions involved therein.

RULE II
DECLARATION OF POLICY AND DEFINITIONS





Section 6. RATIONALE. These Rules are founded on the following basic economic facts:

1. Pass-through fees, such as tolls and various levies on motor vehicles transporting goods, significantly increase transportation and logistics costs.
2. Added costs in the transportation chain are often passed on to consumers in the form of higher prices. These costs, therefore, contribute to inflationary pressures, thereby affecting the cost of living and placing a financial burden on consumers.
3. Fees imposed by the City of Bacoor or the Barangays within the City of Bacoor and the residential subdivisions on motor vehicles transporting various goods create additional economic barriers that disrupt market efficiency and lead to an increase in the cost of basic commodities.
4. Stabilizing commodity prices through reduced logistical and operational costs ultimately benefits consumers and public welfare.

Section 7. DECLARATION OF POLICY. It is the policy of the City Government of Bacoor to:

1. Carry out policies that foster public welfare and sustainable economic growth by minimizing financial strains on the supply chain of goods;
2. Safeguard the welfare and interest of its constituents from undue financial distress and economic burdens on both suppliers and consumers and foster a more equitable and efficient market environment;
3. Recognize the compelling necessity to curb inflation, which is exacerbated by increased transportation and logistical costs, directly impacting the living and financial well-being of consumers;
4. Ensure efficient and effective implementation and enforcement of the Ordinance.

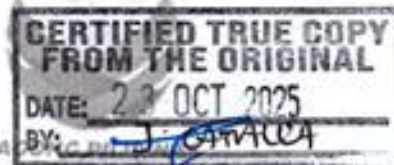
Section 8. DEFINITION OF TERMS. As used in these Rules, the following terms are defined as follows:

1. **Pass-Through Fees** – are charges imposed on motor vehicles transporting goods using public or private roads. This includes, but is not limited to, toll fees, sticker fees, discharging fees, delivery fees, market fees, entry fees, and Mayor's Permit Fees.





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2. **Toll Fees** - charges imposed on vehicles for using a particular stretch of road, usually a highway or a bridge. They are typically collected to recover the cost of road construction and maintenance. Toll fees can be fixed or vary based on vehicle type, distance traveled, or time of day.
3. **Sticker Fees** - Fees charged for issuing a sticker or decal that authorizes a vehicle to access certain areas, use specific facilities, or denote payment of certain dues. These are often used in residential areas, schools, or business complexes to manage parking or traffic within these zones.
4. **Discharging Fees** - Charges levied for unloading goods or merchandise from a vehicle at a designated area, such as a warehouse, market, or dock. These fees are typically imposed to cover the costs associated with the unloading process, including labor and use of equipment.
5. **Delivery Fees** - Fees charged for transporting goods from one location to another. Delivery fees can vary based on the distance, size, and weight of the goods, the urgency of delivery, and the type of vehicle used.
6. **Motor Vehicles** - Any self-propelled vehicles used for transporting passengers or goods on roads. This includes cars, trucks, buses, motorcycles, and other similar vehicles.
7. **Goods, Merchandise, or Cargo** - These terms generally refer to items being transported for commercial purposes. 'Goods' and 'merchandise' often refer to items or products that are sold or traded, including consumables, food, raw materials, manufactured items, and other tangible items intended for trade or sale. 'Cargo' is a broader term encompassing all types of freight a vehicle carries, including goods, merchandise, and other items such as personal belongings or equipment.
8. **Motor Vehicles Transporting Goods** - Any motorized vehicle transporting goods, merchandise, or cargo. This encompasses a range of vehicles, including trucks, vans, trailers, and other similar vehicles designated for goods transportation. This definition extends to motor vehicles used for transporting goods or merchandise, regardless of whether they are currently loaded with goods or, on their way to pick up goods or returning to their designated garage.
9. **National Roads** - Public roads that are constructed, maintained, and administered by the national government or its designated agencies.
10. **City Roads** - Roads that are constructed, maintained, and administered by the city government or its designated local authorities, including the





roads within the private residential subdivisions covered under the Solidarity Route.

11. **Residential Subdivisions** - Privately owned housing developments that consist of residential lots and commonly shared spaces, including internal roads and amenities already owned by the City Government and/or being fully or partly maintained by the City Government using public funds.
12. **Inflationary Pressures** - Economic conditions characterized by an increase in prices, in which increased costs may influence production, transportation, and other related services.
13. **Market Efficiency** - The optimal allocation and utilization of resources within the market, characterized by an equitable distribution of goods and services and minimal barriers to trade and transportation.
14. **Operational Costs** - Expenditures incurred in the process of transporting goods, including fuel, vehicle maintenance, and other related expenses.
15. **Executive Order** – refers to Executive Order No. 41 dated 25 September 2023, entitled "Prohibiting the Collection of Pass-Through Fees on National Roads and Urging Local Government units to suspend the collection of any form of fees upon all types of vehicles transporting goods under Section 153 or 155 of R.A. No. 7160 otherwise known as the Local Government Code of 1991.

Rule III IMPLEMENTING PROVISIONS

Section 9. Suspension of Pass-Through Fees for Motor Vehicles Transporting Goods – Pursuant to Section 1 of Executive Order No. 41, and to promote economic stability and reduction of inflationary pressures, the collection of all pass-through fees, as defined in Section 3(A) of City Ordinance No. 349-2024 and Section 3(A) and 8(A) of these Rules, is hereby suspended effective immediately. This suspension applies to all motor vehicles transporting goods, merchandise, or cargo, as stated in detail in Section 8 (8) of this IRR.

This suspension encompasses all national roads and city roads, including private residential subdivision roads comprising the Solidarity Route within the territorial jurisdiction of the City of Bacoor, as defined in Section 8(9) and Section 8(10) of these Rules.





The suspended fees include toll fees, sticker fees, discharging fees, delivery fees, market fees, entry fees, Mayors Permit fees, and any other fees imposed on mere use of roads.

The suspension will not apply to similar pass-through fees for vehicles transporting goods that may be imposed by homeowners' associations of private residential subdivisions, imposed in the exercise of their right under the Magna Carta for Homeowners' Associations, and on roads not covered by Solidarity Route.

Section 10. Monitoring Mechanism. To ensure the effective implementation of the pass-through fees suspension as outlined in the City Ordinance No. 349-2024, a monitoring mechanism shall be established by the City Government of Bacoor, which shall have the following components:

1. **Data gathering.** Gather information on current pass-through fees from government records and pertinent sources, such as toll booths and road checkpoints situated on national and city roads, including designated solidarity routes within private residential communities.
2. **Formation of a Monitoring Committee.** The City Mayor may form a committee that shall be responsible for monitoring the implementation of the Passing-Through Fees Ban Ordinance. It may include representatives from the Philippine National Police Bacoor Station, Bacoor Traffic Management Department, Business Permit and Licensing Department, City Inspection and Compliance Unit, and Liga ng mga Barangay.
3. **On-site Inspection.** Conduct periodic on-site inspections at toll booths, checkpoints, and other relevant locations to verify the accuracy of fee collection practices and compliance with these Rules. Observations and findings during inspections, including any evidence of non-compliance or irregularities, shall be documented.

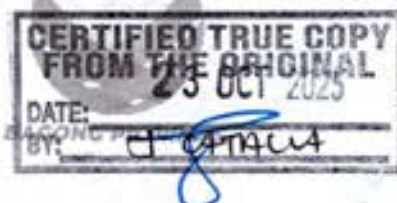
Motor vehicles engaged in the transportation of goods must ensure they carry and have readily available for inspection pertinent documents during transit operations. These documents include but are not limited to any of the following: bill of lading, delivery receipts, purchase orders, commercial invoices, carrier's license or transport operator's license, and business registration.

4. **Stakeholder's Participation.** Engage with relevant stakeholders, including transport operators, businesses, association officers of residential subdivisions included in the Solidarity Route system, community leaders, and barangay officials, for information dissemination, involvement in monitoring activities, and solicit input for implementation improvement.





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5. **Reporting and Evaluation.** Prepare regular monitoring reports, evaluate implementation methodologies, and adjust them to improve compliance with the mandated suspension of collection based on the report outcomes.

Section 11. Information Dissemination. Promote public awareness of monitoring efforts and facilitate community participation by encouraging the reporting of non-compliance or providing feedback on the implementation of these rules.

Section 12. Period of Suspension. The suspension shall remain in effect unless there is a subsequent executive issuance from the President of the Philippines lifting the suspension or revoking Executive Order No. 41, Series of 2023. Other issuances of relevant government agencies on the matter shall also be taken into consideration.

RULE IV
PENALTIES, LIABILITIES, AND COMPLAINT MECHANISM

Section 13. Penalties - Any individual, entity, or subdivision that engages in the unauthorized collection of pass-through fees on motor vehicles transporting goods and cargo shall be subject to a fine of Two Thousand Pesos (PHP 2,000.00). Each instance of fee collection or imposition in contravention of the Passing Through Fees Ban Ordinance shall constitute a separate violation.

Section 14. Forfeiture in favor of the Government. All money that was collected as pass-through fees or similar fees on mere use of the road by motor vehicles transporting goods or merchandise shall be forfeited in favor of the City Government.

Section 15. Persons Liable. The following persons may be held liable for violating the Passing Through Fees Ban Ordinance:

1. **Subdivision Administrators or Managers:** If a private residential subdivision imposes unauthorized fees, the individuals in charge of administering or managing the subdivision shall be held liable. This could include the head of the homeowner's association, property managers, or other officials responsible for decision-making within the subdivision.
2. **Toll Operators or Staff:** Except when they are acting under orders from higher management or as part of established subdivision homeowners'





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association policies, employees or operators of toll booths or similar setups on roads where these fees are collected shall be held liable.

3. **Individual Homeowners or Residents:** In cases where individual homeowners or residents of a subdivision take it upon themselves to impose or collect these fees, they shall be held personally liable.
4. **Security Personnel or Gatekeepers:** If security personnel or gatekeepers are involved in collecting pass-through fees upon vehicles transporting goods at the entrances or exits of subdivisions or specific roads, they shall be liable. This shall not apply if they are enforcing these fees upon orders or as part of their job responsibilities, and their employment will be at risk of termination if they do not comply with such orders or responsibilities.
5. **Barangay Officials:** If barangay officials are found to be involved in authorizing or enforcing the collection of pass-through fees on motor vehicles transporting goods, they shall be held accountable under this Rule.
6. **Corporate Entities or Business Owners:** If the subdivision is owned or operated by a corporate entity or a business owner, the legal entity itself shall be held liable.
7. **Any Other Individuals or Entities Involved in Collection:** This could include any other individuals or entities that are directly involved in the unauthorized collection of fees in any capacity.

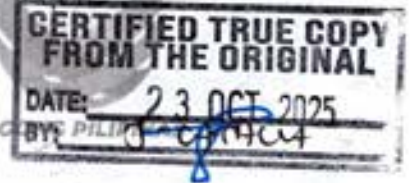
Section 16. ISSUANCE OF OVR AND FILING OF COMPLAINT. The following guidelines shall govern the apprehension and/or filing of complaint against violators of the Passing-through Fees Ban Ordinance and these Rules:

1. Any individual or entity caught to have violated the Ordinance or its accompanying rules shall be issued an Ordinance Violation Receipt (OVR) by a duly-authorized Bacoor Traffic Management Division (BTMD) personnel or duly deputized personnel, in accordance with City Ordinance No. 228-2024, as amended by City Ordinance No. 348-2024.
2. A driver or owner of motor vehicle transporting goods may file a written complaint with the Office of the City Mayor against any party identified in Section 7 of the Ordinance, or Section 15 of these Rules, who has violated its provisions. The complaint must provide detailed information including the date, location, and a comprehensive narrative of the alleged violation, along with supporting documents or evidence.





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3. Complaints against liable private individual or entity shall be forwarded by the Office of the City Mayor to the BTMD for the issuance of a notice of violation. Complaints against barangay officials or employees shall be forwarded to the Sangguniang Panlungsod, for appropriate action.
4. Upon receipt of a complaint, the BTMD shall notify the private individual or entity complained of violating the CO No. 349-2023 and require them to settle fines imposed under the ordinance with the City Finance Department (formerly City Treasurer's Office) within ten (10) days from receipt of notice. The notice shall include supporting documents such as photos or videos demonstrating the violation.
5. Should the accused private individual or entity choose to contest or appeal the notice of violation, they must file a letter of protest with the Office of the City Mayor within ten (10) days from receipt of the notice, for appropriate action to be taken.

RULE V
MISCELLANEOUS PROVISIONS

Section 16. Changes or Modifications of the Implementing Rules and Regulations. To appropriately administer the efficient and effective implementation of City Ordinance No. 349-2024, Series of 2024, the Office of the City Mayor, after consultation with the concerned offices, may recommend to the Sangguniang Panlungsod amendments to said Ordinance, and consequently, this IRR.

Section 17. Repealing Clause. All local rules or regulations which are inconsistent or contrary to the provisions of this IRR are hereby repealed and modified accordingly.

Section 18. Separability Clause. If any section or provision of this Implementing Rules and Regulations is declared invalid or unconstitutional by a court of competent authority, the remaining provision not affected thereby shall remain valid.

Section 19. Effectivity - This Implementing Rules and Regulations shall take effect upon its approval.

