

ORDINANCE NO. SP1277, S-2003

AN ORDINANCE AMENDING ORDINANCE NO. SP-1104, S-2002, OTHERWISE KNOWN AS "THE QUEZON CITY PEDICAB ORDINANCE OF 2002".

Introduced by Councilors WENCEROM BENEDICT C. LAGUMBAY, RESTITUTO B. MALAÑGEN, DANTE M. DE GUZMAN, WILMA AMORANTO-SARINO, VINCENT P. CRISOLOGO, VICTOR V. FERRER, JR., ELIZABETH A. DELARMENTE, BERNADETTE HERRERA-DY, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, AIKO MELENDEZ, RAMON P. MEDALLA, ALLAN BUTCH T. FRANCISCO, ERIC Z. MEDINA, MARY ANN L. SUSANO, JORGE L. BANAL, JULIAN M. L. COSETENG, FRANZ S. PUMAREN, DIORELLA MARIA SOTTO-DE LEON, JESUS MANUEL C. SUNTAY, ALMA F. MONTILLA, ANTONIO E. INTON, JR., JANET M. MALAYA, RICARDO R. DEL ROSARIO, XYRUS L. LANOT and JUNIE MARIE L. CASTELO.

WHEREAS, the popularity and increase of pedicabs as a means of transportation has undeniably provided additional income to some and provided convenience to the public. Since this involves the public, the government saw the need of regulation through the issuance of franchise;

WHEREAS, the operation of pedicabs has been legalized so that the public will be assured of their safety and that public order will be promoted by the City government through Ordinance No. SP-1104, S-2002;

WHEREAS, Section 458 (3) of Republic Act 7160, otherwise known as the Local Government Code of 1991 provides, that: "(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 x x x;"

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WHEREAS, to intensify said regulations, the following amendments to the above-mentioned ordinance must be incorporated.

NOW, THEREFORE,

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

SECTION 1. Ordinance No. SP-1104, S-2002, is hereby amended by providing additional section after Section 1 thereof, to read as follows:

“SECTION 2. Scope. - This Ordinance shall cover all pedicabs operating within the jurisdiction of Quezon City as public conveyance.”

SECTION 2. Section 2 of said Ordinance is hereby adjusted accordingly as Section 3 and to include the following definition of terms:

“Pedicab Operator’s Permit - the document granting permit/license to operate issued to a person, allowing him to operate a pedicab unit.

Driver’s Permit - an authorization to drive pedicab, usually in the form of a card, issued to pedicab drivers upon submission of requirements and after attendance to a seminar on pedicab operation. This is different from the driver’s license issued by the Land Transportation Office.”

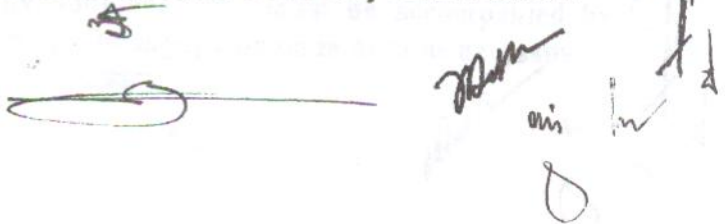
SECTION 3. An additional provision on the duty and responsibility of the TRU in Ordinance No. SP-1104, S-2002, is hereby inserted as Section 4 which reads as follows:

“SECTION 4. Duty and Responsibility. - The Tricycle Regulation Unit (TRU), Office of the City Administrator, is hereby authorized and tasked to supervise, regulate and control the operation of all pedicabs in Quezon City.”

SECTION 4. The provisions in Sections 3, 4, 5 and 6 of Ordinance No. SP-1104, S-2002, are hereby adjusted accordingly as Sections 5, 6, 7 and 8 respectively.

SECTION 5. Section 7 of Ordinance No. SP-1104, S-2002 shall be adjusted as Section 9 which shall read as follows:

“Section 9. Procedure for Application. - An applicant must file the application form together with all the supporting documents required under Section 9 hereof with the TRU, Office of the City Administrator.

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Once the application form is approved, the applicant must pay the following registration fees to the City Treasurer's Office before the issuance of the necessary permit to operate and the plate number, to wit:

- a. Pedicab Operator's Permit Fee - P50.00 per unit payable annually
- b. Supervision Fee - P50.00 payable upon renewal of permit
- c. Annual Sticker - P75.00 per unit payable upon renewal of permit"

SECTION 6. Additional provisions are hereby inserted in Ordinance No. SP-1104, S-2002, which shall read as follows:

"SECTION 10. Pedicab Driver. - No person may drive a pedicab regulated under this Ordinance, unless he has applied for a driver's permit and has paid the corresponding driver's permit fee.

- 1. An applicant must:
 - a) at least 18 years of age;
 - b) undergo a seminar on road courtesy, traffic laws, driver's responsibility and such other similar topics conducted by the TRU personnel.
- 2. An applicant must submit the following requirements:
 - a) Certificate of residency from the Barangay Chairman;
 - b) Certificate from the pedicab owner that he has been employed as pedicab driver;
 - c) Certified true copy of birth certificate;
 - d) Police clearance;
 - e) Two (2) latest 1x1 ID picture.

SECTION 11. Boundaries and Limits of Operation. - Operations of pedicabs shall be limited to side roads and subdivision roads only, with the approval of the homeowners association, which are not serviced by any mode of transportation and only within the area applied for. Pedicabs will not be allowed to traverse on national roads and highways.

SECTION 12. Number of Allowable Operating Units. -

- a) In areas and routes with existing pedicab association, said association shall be allowed to operate, however, will be limited to the current operating units. Any additional unit must be accompanied by request and certification from the Barangay Chairman as to its necessity.



b) New areas and routes open for pedicab operation shall be allowed to accommodate up to a maximum number to be determined by the TRU depending on the number of existing units. Request for increase in the number of units must be accompanied by a certification from the Barangay Chairman and the homeowners association as to its necessity and exigency.

SECTION 13. Terminals and Routes/Areas of Operation. - Only pedicab units duly registered with the TRU will be allowed to operate in routes/areas and terminals allocated for pedicab operations as determined and authorized by the Quezon City government thru the recommendation of the Barangay Council, Department of Public Order and Safety, the Central Police District Traffic Command and any homeowners association.

SECTION 14. Color Coding and Sidecar Identification. - Pedicab owners who have been granted with a permit to operate must comply with the assigned color code and sidecar number. The Tricycle Regulation Unit shall formulate implementing guidelines for color coding and body numbering of the units.

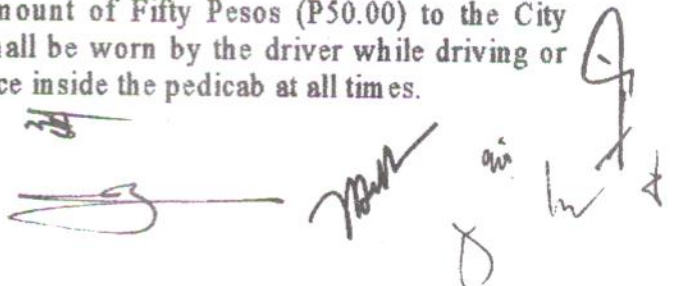
SECTION 15. Fare Rate. - A passenger shall be charged of so much to be determined by the Pedicab Section of the TRU, through public hearing.

SECTION 16. Change of Route and Cessation of Operation. - Should a pedicab owner wish to change his routes/areas of operation, he must present to the TRU a formal request together with the certification from the Barangay Chairman of the barangay where he desires to transfer his operation that he is being allowed to operate in said route and that the operation in that area has not yet reached its maximum limit as provided in Section 12 (b) hereof.

If the operator wishes to cease his operation, he must surrender the pedicab plate issued to him together with the letter informing that he wishes to stop his operation.

SECTION 17. Miscellaneous Provisions. -

a) Driver's ID Card - No person shall be allowed to drive a pedicab unit without the current driver's identification card issued by TRU. ID card will be issued to the applicant after payment of the driver's permit fees in the amount of Fifty Pesos (P50.00) to the City Treasurer's Office. The ID shall be worn by the driver while driving or displayed in a conspicuous place inside the pedicab at all times.



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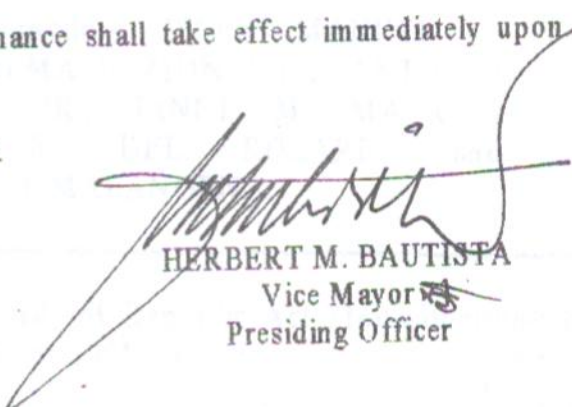
b) Driver's Clothing - Pedicab drivers must wear t-shirts, rubber shoes and pants while driving to maintain a respective look. Shorts may be allowed, however, it must be knee length."

SECTION 8. The provision on the formulation of the implementing guidelines in Section 8 of Ordinance No. SP-1104, S-2002, is hereby adjusted as Section 18.


SECTION 9. All ordinances, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SECTION 10. This ordinance shall take effect immediately upon its approval.

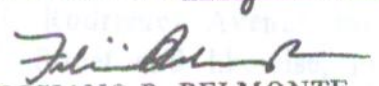
ENACTED: July 15, 2003.


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary

APPROVED: August 21, 2003


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on July 15, 2003, was finally PASSED on Third Reading by the City Council on July 29, 2003.


EUGENIO V. JURILLA
City Council Secretary