Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
22nd City Council

PO22CC-464

109th Regular Session

ORDINANCE NO. SP-3394, S-2025

AN ORDINANCE GRANTING ADDITIONAL FRANCHISE TO 1 PETITIONER FROM T.S. CRUZ NOVALICHES TRICYCLE OPERATORS AND DRIVERS ASSOCIATIONS, INC. (TSCN TODA) TO OPERATE A MOTORIZED TRICYCLE-FOR-HIRE WITHIN THEIR DESIGNATED ZONES/ROUTES AND AUTHORIZING THEIR SPECIFIED ROUTE MEASURED CAPACITIES (RMCs) THEREBY PARTIALLY LIFTING QUEZON CITY ORDINANCE NO. SP-1479, S-2005, OTHERWISE KNOWN AS THE "ORDINANCE DECLARING MORATORIUM IN THE FRANCHISE OF PUBLIC UTILITY TRICYCLES IN QUEZON CITY AND FOR OTHER PURPOSES"

Introduced by Councilors RAM V. MEDALLA and JOSEPH JOE VISAYA

Co-Introduced by Councilors Bernard R. Herrera, Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Imee A. Rillo, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Alfred Vargas, MPA, Shaira "Shay" L. Liban, Aiko S. Melendez, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, RN, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, Jose Maria M. Rodriguez and Jhon Angelli "Sami" C. Neri

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WHEREAS, in 2005, the Quezon City Council passed 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" (hereinafter referred to as the Moratorium Ordinance, for brevity). The passage of the said Moratorium Ordinance was due to the proliferation of tricycles in practically all streets and roads of Quezon City, encroaching even the main thoroughfares, congesting the road network and complicating further the already complex traffic situation of the City;

WHEREAS, after the passage of the aforementioned Moratorium Ordinance, there are some tricycle associations, such as the herein applicants, that are left with pending applications for franchise before the Tricycle Franchising Board (TFB). With that, they still exist and operate for the main reason that their existence and operation are very much necessary in their respective areas; otherwise, transportation would be paralyzed;

WHEREAS, Section 3 of the Moratorium Ordinance states that "the Committee on Transportation and Communication [now Committee on Transportation] of the City Council shall conduct a study on the present state of operation of public utility tricycles in the City in aid of legislation with the end view of coming up with an ordinance that will rationalize the authorization and deployment of tricycles on the roads, streets and thoroughfares in Quezon City";

WHEREAS, Section 4 of the Moratorium Ordinance further states that the "City Planning and Development Office [now City Planning and Development Department], in coordination with the Committee on Transportation and Communication [now Committee on Transportation], shall likewise conduct a study on the operation of tricycles and other transportation modes, the City's transport corridors and road networks, traffic demands and projections and other relevant economic and transport matters, in view of coming up with a comprehensive transportation/traffic plan for Quezon City";

WHEREAS, in 2014, the Quezon City Council enacted Ordinance No. SP-2337, S-2014, otherwise known as the Quezon City Tricycle Management Code of 2014, recognizing 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;

WHEREAS, the Quezon City Tricycle Management Code of 2014 implemented the "One-Strike Policy" against apprehended colorum tricycles in order to address the proliferation of colorum or illegal units;

WHEREAS, under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, certain functions of the Department of Transportation (DOTr) were transferred to the Local Government Units (LGUs). Thus, Section 458 of the Local Government Code of 1991 provides for the corporate powers of the City, which include:

> *"(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 x x*
>
> *(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."*

WHEREAS, in 1992, the Quezon City Council passed Ordinance No. SP-15, S-1992 entitled "An Ordinance Franchising and Regulating the Operation of Motorized Tricycles in Quezon City" known as the "Quezon City Tricycle Ordinance of 1992," but due to the dramatic change contributed by the operation, regulation and demographic aspects of the City through time, the said Ordinance was therefore considered as outdated, thus the need to update the same;

WHEREAS, pursuant to the mandates provided for by the Moratorium Ordinance, the City Planning and Development Department (CPDD) and the Committee on Transportation of the Quezon City Council conducted a tricycle study using an on-board passenger origin-destination (O-D) and tricycle mapping survey using an on-board data collection device equipped with sensor and Global Positioning System (GPS) capable of recording passenger boarding and alighting times and locations;

WHEREAS, as a result thereto, the CPDD submitted the final report to the Phase 2 program of the Tricycle Route Measured Capacity (RMC) Study for Unserved Routes in Quezon City;

WHEREAS, it is the primordial concern of the Quezon City Government to update the existing Routes/Zones of tricycles in Quezon City and uphold the livelihood of the tricycle sector by granting herein tricycle associations legitimate franchise;

WHEREAS, pursuant to Quezon City Ordinance No. SP-387, S-96 entitled "An Ordinance Instituting Tricycle Zones/Routes in Quezon City, Designating Their Numbering Scheme and Fixing their respective Route Measured Capacities (RMC) thereof," for the T.S. Cruz Novaliches Tricycle Operators and Drivers Associations, Inc. (TSCN TODA) to operate 244 Motorized Tricycles-for-Hire to ply the route within Barangay Novaliches Proper and San Agustin via Gen. Luis Avenue, to Millionaire Subdivision, T.S. Cruz Subdivision, and vice versa, there is a need for an authorization from the City Council;

WHEREAS, the 1st update of the existing RMCs of TSCN TODA was under Quezon City Tricycle Franchising Board (QCTFB) Case No. 99-243 entitled, "Petition for additional Route Measured Capacity (RMC) and fixing the same for the next three (3) years from January 1, 2000 to December 31, 2002," for the additional 15 motorized tricycles-for-hire from 244 to 259 units to operate for the aforesaid TODA;

WHEREAS, upon perusal of the Petition for Accreditation, it was revealed that TSCN TODA is registered with the Securities and Exchange Commission (SEC) and is a Civil Society Organization accredited by the Quezon City Council and the Barangay and Community Relations Department (BCRD);

WHEREAS, TSCN TODA Board Resolution No. 3, Series of 2024 sought the legalization of their existing 1 colorum;

WHEREAS, the District V TODA Presidents Federation, Inc. endorsed to the Tricycle Franchising Board (TFB) the request for additional 1 tricycle unit of the TSCN TODA for regular franchise in support of the application for the issuance of franchise for certain TODA in District V, Quezon City;

WHEREAS, the Tricycle Regulation Division (TRD) of the Traffic and Transport Management Department (TTMD), in coordination with Barangay Novaliches Proper, transmitted the attached list of operators or members of TSCN TODA for physical inventory of 1 unit to operate additional RMCs to underserved areas in this City;

WHEREAS, the TTMD, in coordination with the Committee on Transportation of the Quezon City Council and the City Administrator for Operations, transmitted the Tricycle RMC Revalidation and Survey Result of various TODAs in Quezon City for the RMC Recommendation. The TTMD recommended the following underserved TODA including its maximum required number of units;

WHEREAS, the CPDD with the TTMD, in coordination with the Committee on Transportation of the Quezon City Council, transmitted the RMC recommendation of various TODAs in Quezon City. The CPDD recommended the following RMC Revalidation to be updated including its maximum required number of units;

WHEREAS, the applicant has complied with all the necessary requirements prescribed by laws, ordinances and administrative issuances.

NOW, THEREFORE,

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

SECTION 1. The tricycle zones/routes of hereunder T.S. Cruz Novaliches Tricycle Operators and Drivers Association, Inc. (TSCN TODA) and the additional Route Measured Capacities (RMCs) are hereby approved and granted, to wit:

ZONES/ROUTES	***RMCs***	***Additional RMCs***
Within Barangay Novaliches Proper and San Agustin via Gen. Luis Avenue to Millionaire Subdivision and vice versa.	*259*	*1*

SECTION 2. The partial lifting of the Moratorium is hereby granted to the following 1 additional petitioner, subject to existing laws, rules and regulations that are now and may hereinafter be promulgated, with their respective routes and body numbers and other motor vehicle specifications, to wit:

Additional 1 petitioner for TSCN TODA (see attached).

SECTION 3. The individual applications for franchise should be filed and approved by the TFB and TRD.

SECTION 4. All tricycle zones/routes and additional RMCs herein approved and granted shall be governed by Quezon City Ordinance No. SP-2337, S-2014, otherwise known as the Quezon City Tricycle Management Code of 2014, and its corresponding amendments.

SECTION 5. MORATORIUM ORDINANCE, PARTIALLY LIFTED. – Quezon City Ordinance No. SP-1479, S-2005 (hereinafter referred to as the Moratorium Ordinance, for brevity) is hereby partially lifted for 1 petitioner only. However, any request for additional franchise and RMC of any existing TODAs in Quezon City shall undergo Tricycle Study to be conducted by the TRD, the TFB and the City Planning and Development Department (CPDD).

A Tricycle Study includes using an on-board passenger origin-destination (O-D) and tricycle mapping survey using an on-board data collection device equipped with sensor and Global Positioning System (GPS) capable of recording passenger boarding and alighting times and locations.

SECTION 6. TRICYCLE BODY NUMBER CODING SCHEME. – The implementation of the Tricycle Body Number Coding Scheme in TSCN TODA is hereby adopted in the following manner:

Body Numbers Ending In	***No Operation***
1 and 2	*Monday*
3 and 4	*Tuesday*
5 and 6	*Wednesday*
7 and 8	*Thursday*
9 and 0	*Friday*

SECTION 7. THE QUEZON CITY LOCAL PUBLIC TRANSPORT ROUTE PLAN (LPTRP). – In situations when the tricycle route is impacted by the implementation of LPTRP, it is important to prioritize the development and maintenance of the public transport system over the tricycle routes. In such a case, the livelihood of the affected or displaced tricycle drivers due to the implementation of the LPTRP shall be given preferential attention.

SECTION 8. PENALTY CLAUSE. – Any TODA violating this Ordinance and the guidelines that shall be implemented subsequently shall be penalized under Quezon City Ordinance No. SP-2337, S-2014, as amended.

SECTION 9. 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.

SECTION 10. SEPARABILITY CLAUSE. – If for any reason, any section or provision of this Ordinance is declared illegal or unconstitutional, other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 11. EFFECTIVITY CLAUSE. – This Ordinance shall take effect after its publication in a newspaper of general circulation, and after posting of copies in conspicuous locations within Quezon City.

ENACTED: February 24, 2025.

GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:

ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: APR 2 4 2025

MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 24, 2025 and was PASSED on Third/Final Reading on March 3, 2025.

ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)