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Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

P093-392

113th Regular Session

ORDINANCE NO. SP-151, S-94

AN ORDINANCE AMENDING SECTION 15 OF ORDINANCE NO. SP-15, S-92 ENTITLED "AN ORDINANCE FRANCHISING AND REGULATING THE OPERATION OF MOTORIZED TRICYCLES IN QUEZON CITY TO BE KNOWN AS THE QUEZON CITY TRICYCLE OF 1992", SO AS TO AMEND THE IMPOSITION OF PENALTIES FOR VIOLATION THEREOF.

Introduced by Councilors VICTOR V. FERRER, JR., JOSEPH PETER S. SISON and BAYANI V. HIPOL.
Co-Introduced by Councilors Alberto M. Galarpe, Herminio "Butch" C. Bautista and Connie S. Angeles.

WHEREAS, Ordinance No. SP-15, S-92 already provides for the rules and regulations of motorized public utility tricycles but does not impose any exact penalty for a specific violation thereof;

WHEREAS, without any specific penalty imposed upon violations of the aforesaid rules and regulations, there is no legal sanction to assure compliance of the same by tricycle operators and/or drivers and many difficulties would be encountered in implementing the same rules and regulations;

WHEREAS, the fines and penalties presently imposed by the Implementing Guidelines Governing Tricycle Operations in Quezon City are impracticably high for tricycle operators and/or drivers, who are charged even more in terms of fines, than taxi operators/drivers and other similar public utilities;

WHEREAS, the strict enforcement of said rules and regulations is primarily for the protection of the public, particularly the riding public;

NOW, THEREFORE,

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

SECTION 1. Section 15 of Ordinance No. SP-15, S-92, entitled "An Ordinance Franchising and Regulating the Operation of Motorized Tricycles in Quezon City to be known as The Quezon City Tricycle of 1992", is hereby amended to read as follows:

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"Section 15. PENAL PROVISIONS - Violation of any of the provisions of the rules and regulations as provided for in this Ordinance by the tricycle operator and/or driver as the case may be shall be penalized as follows:

Operating without franchise	₱500.00
Operating with expired franchise	₱300.00
Operating without or incomplete body color or coding	₱100.00
Operating without or incomplete body numbering, name of Toda and Quezon City	₱100.00
Tricycles operating without, or with defective lights	₱100.00
Tricycles operating without, or with defective mufflers	₱100.00
Tricycle unit without interior lights	₱100.00
Tricycle unit installed with unusually large decoration or fixture tending to obstruct from the view of side car number	₱100.00
Allowing unlicensed and/or improperly licensed persons to drive	₱500.00
Dirty and unsightly or dilapidated unit	₱100.00
Use of unauthorized sidecar body number, change color configuration of unit	₱100.00
Unregistered substitute or replacement of engine/chassis	₱300.00
Unconspicuously displayed sticker	₱100.00
Defective or broken sidecar windshield	₱100.00
No informative sticker displayed when required	₱100.00
Failure to attach current annual sticker on the sidecar windshield	₱100.00
Operating out of line	₱200.00
Driving without license	₱500.00
Driving without driver's license in possession or delinquent driver's license	₱100.00
Driving without LTO Certificate of Registration and OR in possession	₱100.00
Driving without MTOP in possession	₱100.00
Charging excessive fare more than the prescribed rate	₱200.00
Driving under the influence of liquor or prohibited drugs	₱1,000.00
Driving in shorts or sando/ slippers	₱100.00

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SECTION 2. Any existing ordinance, rule, instruction, executive order contrary to the foregoing are hereby amended, repealed or modified accordingly.

SECTION 3. This ordinance shall take effect immediatley upon its approval.

ENACTED January 20, 1994.

CHARITO L. PLANAS
Vice Mayor
Presiding Officer

ATTESTED:

EUGENIO V. JURILLA
City Secretary

APPROVED: 2-3-94

ISMAEL A. MATHAY, JR.
City Mayor

AAA/nfj*

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IMPLEMENTING GUIDELINES GOVERNING TRICYCLE
OPERATIONS IN QUEZON CITY
(CITY ORDINANCE NO. SP-15, S-92)

XX. PENAL PROVISIONS

Violation of any of the provisions of this Ordinance shall be penalized by a fine of not less than One Hundred Pesos (₱100.00) but not more than One Thousand Pesos (₱1,000.00) or imprisonment for a period not exceeding six (6) months or both such fine and imprisonment at the discretion of the Court.

Unless otherwise herein specifically provided, violations of the Ordinance No. SP-15, S-92 by tricycle drivers and operators shall be meted out with the penalties for such violations as provided for in R.A. 4136 as amended by B.P. No. 398 and City Ordinance No. NC-128, S-89 which are hereby adopted.

A. OPERATOR'S OFFENSES

CODE		VIOLATIONS	FINES	REMARKS
		Pertaining to franchise		
OWF	1.	Operating without franchise	₱ 500.00+200.00 for Driver	(No change)
OWEF	2.	Operating with expired franchise	300.00	(Reduced)
		Pertaining to tricycle unit		
OWBCC	3.	Operating without or incomplete body color coding	100.00	(Reduced)
OWNQC	4.	Operating without or incomplete body numbering, name of TODA and "Quezon City"	100.00	(Reduced)
OWHT	5.	Tricycles operating without or defective headlight or taillight	100.00	(Reduced)
OWSL	6.	Tricycles operating without or defective signallight	100.00	(Reduced)
OWDM	7.	Tricycles operating without or defective muffler or silencer	100.00	(Reduced)
WIL	8.	Tricycles unit without interior light	100.00	(Reduced)
OSN	9.	Tricycle unit installed with unusually large decoration or fixture tending to obstruct view of sidecar No.	100.00	(Reduced)
DDU	10.	Dirty and unsightly or dilapidated tricycle unit.	100.00	(Reduced)
UBN	11.	Use of unauthorized sidecar body number	250.00	(No change)
UCCC	12.	Unauthorized change of color configuration of tricycle unit	100.00	(Reduced)
USE	13.	Unregistered substitute or replacement of engine or chassis	300.00	(No change)
BSW	14.	Defective or broken sidecar windshield	100.00	(Reduced)
RMV	15.	Unregistered MV with the LTO	420.00	(New)
	16.	Plate Number not attached	00.00	(New)

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Pertaining to Sticker /ID/OR/CR/DL

TTAS	17.	Tampering/unathorized transfer of Annual Sticker	1,000.00+ 1 mo. suspension for Driver	(No change)
ANL	18.	Allowing an unlicensed and/or improperly licensed person to drive tricycle unit (Related to DWDL No.13)	500.00+500.00 for driver	(No change)
			100.00	(Reduced)
UDS	19.	Unconspicuously displayed stickers	100.00	(Reduced)
NO/IS	20.	No informative sticker	200.00	(Reduced)
NO/AS	21.	Failure to attach current annual sticker on the side-car windshield		

B. DRIVER'S OFFENSES

Pertaining to franchise

DWF	1.	Driving without franchise	200.00+500.00 for operator	(No change)
			100.00	(Reduced)
NOFP	2.	Driving without MTOP in possession		

Pertaining to driver

O/LINE	3.	Operating out of line	250.00	(Reduced)
OLD	4.	Operating with overloaded passengers	200.00	(No change)
CEF	5.	Charging excessive fare the prescribed rate	250.00	(Reduced)
RCP	6.	Refusal to convey passengers within route	500.00	(No change)
I/LD	7.	Driving under the influence of liquor/prohibited drug	1,000.00	(No change)
US/SS	8.	Driving in shorts and/or sando	100.00	(Reduced)
ARR	9.	Reckless/arrogant/discourteous driver	200.00	(No change)
POS	10.	Permitting any person to ride on the outside and/or on top of a sidecar	200.00	(No change)
PIM	11.	Parking within an intersection or at the middle of the street or road.	100.00	(Reduced)
OBS	12.	Obstruction of free passage of other vehicles on the road or highway while loading unloading passengers	100.00	(Reduced)
DWDL	13.	Driving without first securing an appropriate driver license (Related to ANL No. 18)	500.00+500.00	(No change)
			200.00	(Reduced)
UDDL	14.	Driving with non-prof. license or suspended, revoked, delinquent professional driver's license		
NOCO	15.	Driving without LTO Certificate of Registration and Official Receipt in possession	100.00	(Reduced)

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NOID	16. Driving without or with unauthorized/delinquent TRU issued Driver's Identification Card.	300.00	(Reduced)
USID	17. Failure to sign TRU issued Driver's Identification Card.	100.00	(Reduced)
FSML	18. Failure to show MTOP, OR/CR, ID card or Driver's License for cause upon demand, to person with authority to confiscate it.	100.00	(Reduced)
FKL	19. Using fake MTOP, ID Card OR/CR Drivers License Annual Sticker	1,000.00	(No change)
OPDL	20. Use of TRU ID Card, DL of other persons	300.00	(New)
ILLT	21. Use of unauthorized/illegal terminal	100.00	(New)
	22. Commission of any three (3) offenses in one (1) year, commencing from the anniversary date of the franchise	Cancellation/ Revocation of Driver's ID	

C. MISCELLANEOUS PENAL PROVISIONS

1. Traffic enforcement officers, Tricycle Regulation Unit enforcers and its deputized agents shall impound or cause the impounding of motorized tricycle upon their determination that any of the aforesaid violations have been committed.

2. In case violations where the Driver's ID Card cannot be confiscated because the driver left the vehicle unattended or has been absconded, the apprehending officer may impound the tricycle unit involved and hold the same pending the resolution of the case; The owner/operator may be ordered to surrender the TRU issued ID card of his driver to the TRU.

3. When there are defects in the tricycle unit/sidecar that have to be repaired or remedied or certain required markings have to be painted thereon, the Certificate of Registration and the Official Receipts shall be held by the TRU until defects are removed and/or required markings have been properly made.

4. Failure of the driver/operator to settle his case within fifteen (15) days from date of apprehension will cause suspension of his TRU issued Driver's ID Card and/or franchise.

5. The TRU may use all reasonable means to enforce all provisions of the Implementing Guidelines, including the impounding of the tricycle unit to prevent further violations or disregard of applicable laws, rules and regulations.

6. If, as a result of negligence or recklessness or unreasonable fast driving, any accident occurs resulting in death or injury of any person, the motorized tricycle operator/driver at fault shall

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upon conviction be punished under the provisions of the Revised Penal Code.

7. Using the tricycle unit in the commission of a crime shall likewise cause the impounding of the tricycle unit.

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