Quezon City
19th City Council

PO19CC-616

93rd Regular Session

ORDINANCE NO. SP-2514, S-2016

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. SP-2337, S-2014, "THE QUEZON CITY TRICYCLE MANAGEMENT CODE OF 2014".

Introduced by Councilor RAQUEL S. MALAÑGEN.
Co-Introduced by Councilors Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Dorothy A. Delarmente, Lena Marie P. Juico, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ranulfo Z. Ludovica, Ramon P. Medalla, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Jessica Castelo Daza, Bayani V. Hipol, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Allan Butch T. Francisco, Karl Edgar C. Castelo, Candy A. Medina, Diorella Maria G. Sotto, Marivic Co-Pilar, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

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

SECTION 1. Article V, Section 2 of Book I entitled DUTIES AND FUNCTIONS an additional item shall be inserted :

8. All matters and issues falling within the jurisdiction of the Tricycle Franchising Board shall be raised before the Board during its regular meetings to be decided or resolved, as the case may be, and indorsed to the City Council for its proper action.

SECTION 2. Article II, Section 1 (2) of Book IV prescribing Requirements for Application of New Franchise is hereby amended to read as follows:

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2.) Certification from the Barangay where: a) the applicant is a bonafide resident of the barangay and a qualified voter within Quezon City and the unit applied for is actually operating within the said barangay; or b) In case the TODA where the applicant is a member operates in several contiguous barangays, the clearance may be applied in any of the said barangays.

SECTION 3. Article XVI of Book IV under Prohibited Acts of Drivers the following words shall be included in the first paragraph of this article, to wit:

The following acts constitute sufficient grounds for the revocation and confiscation of the drivers permit/ID Card, confiscation of the driver's license and/or impounding of the tricycle unit as the case may be.

SECTION 4. Article XVII Section 6 of Book IV shall include the following clause as item No. 4, to wit:

4. TODA officers and members allowing colorum tricycle units to utilize their terminal.

SECTION 5. Article XIX, the first paragraph of Section 7 relating to Transfer and/or Dropping of Franchise is hereby amended, the remaining paragraphs under said section shall remain as is, which shall now read as:

Section 7. The franchisee must notify the Tricycle Franchising Board (TFB) in writing within ten (10) days prior to the intended sale of the tricycle unit with franchise stating therein the reason/s. As a consequence, the vendor/franchisee is barred from applying another franchise. In no case shall the franchisee be allowed to be granted a franchise under his name more than two (2) tricycle franchises.

SECTION 6. Article XX, Section 1 (23) and (24) relating to Violations and Penalties is hereby amended, also to be inserted is Item No. 40 to which said provision shall now be read as:

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23.	Overcharging of tricycle fare	2,000
24.	Overloading –carrying more than four (4) Passengers including the driver for public Tricycles-for-hire	500
40.	Tricycle operating with small and/or lowered sidecar	1,000

SECTION 7. Article XX, Section 2(23) and (24) relating to Impounding shall include additional items to be read as:

8. Operating a tricycle without a franchise (Colorum Operation)

9. Operating a tricycle with, and expired/delinquent franchise/MTOP and expired/unregistered LTO/TRU registration

10. For other violations not indicated above, the driver's license may be confiscated

SECTION 8. ARTICLE XX, Section 4 of Book IV relating to Public Auction is hereby amended to read as follows:

Section 4. PUBLIC AUCTION – All sidecars of tricycles impounded by the City Government in accordance with the preceding section shall be subject to public auction. The rules promulgated by the City government in public auctions shall apply. Fifty percent (50%) of the proceeds of said auction shall be utilized for special funds to finance livelihood projects and assistance under Book V of this Code. The other half of the proceeds shall be used for the operating and incidental expenses of the Tricycle Regulations Unit.

Further, all tricycle units impounded for operating without franchise (colorum operation) for one (1) year or more from the date of apprehension prior to the enactment of this Ordinance, regardless of the frequency of the offense committed, are covered by this Code and are subject to the mandatory removal of sidecar. The same shall be subject to public auction.

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SECTION 9. 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 10. REPEALING CLAUSE - All previous issuances, ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Code are hereby repealed or modified accordingly.

SECTION 11. EFFECTIVITY - This Ordinance shall take effect fifteen (15) days after its approval

ENACTED: June 20, 2016.

MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 20 JUL 2016

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on June 20, 2016 and was PASSED on Third/Final Reading under Suspended Rules on the same date.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

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