

Excerpt from the

MINUTES OF THE 9th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BAYBAY, LEYTE HELD IN THE SESSION HALL ON MARCH 1, 2005.

PRESENT:

HON. ERNESTO M. BUTAWAN.....	Sangguniang Bayan Member & Acting Presiding Officer
HON. DEOGRACIAS E. PERNITEZ.....	Sangguniang Bayan Member
HON. JOSE C. GO.....	-do-
HON. EDGARDO R. OMPOY.....	-do-
HON. JUANITO B. MODINA.....	-do-
HON. REX A. RETANA.....	-do-
HON. EDUARDO S. GUINOCOR, JR.....	-do-
HON. MICHAEL L. CARI.....	-do-
HON. GUALBERTO B. PICAL, JR.....	-do-

ABSENT:

HON. FLORANTE M. CAYUNDA.....	Municipal Vice Mayor, OB, Cebu
HON. VICENTE G. VELOSO.....	SB Member, OB, Cebu

RESOLUTION NO.053

A RESOLUTION ENACTING AN ORDINANCE REQUIRING ALL TRISIKADS (POT-POT) OPERATING WITHIN THE MUNICIPALITY OF BAYBAY TO ACQUIRE A THIRD PARTY LIABILITY AND PERSONAL ACCIDENT INSURANCE PRIOR TO REGISTRATION.

WHEREAS, the people of Baybay have relied on "trisikads" or pot-pot for their means of transportation within the municipality;

WHEREAS, these trisikads or pot-pot are considered public utility vehicle and are duty bound to help their passengers financially whenever these accidents happen;

WHEREAS, it is the desire of this body to help these operators to lessen their financial burdens during these times;

WHEREFORE, on the motion of Hon. Deogracias E. Pernitez, duly seconded by Hon. Jose C. Go; be it

RESOLVED, as it is hereby RESOLVED, that the following ordinance be as it is hereby adopted to wit:

MUNICIPAL ORDINANCE NO. 002 s. 2005

AN ORDINANCE REQUIRING ALL TRISIKADS [(POT-POT) OPERATING WITHIN THE MUNICIPALITY OF BAYBAY TO ACQUIRE A THIRD PARTY LIABILITY AND PERSONAL ACCIDENT INSURANCE PRIOR TO REGISTRATION.

Be it ordained by the Sangguniang Bayan of the Municipality of Baybay, Province of Leyte.

SECTION 1. - This act shall be known and cited as an ordinance requiring

etc.

Cont'd. Mun. Ord. No. 002-205

SECTION 2.- Scope of this Ordinance - This ordinance embraces all three wheeled utility vehicles which is operated by foot otherwise known as trisikads or pot-pot operating within the Municipality of Baybay;

SECTION 3. - Declaration of Policy - It is the policy of the state and of this municipality to give protection as well as safety to all its constituents especially in traveling to and from place of origin.

The state knowing the needs of its constituents especially during emergencies have required all trisikads or pot-pot to acquire a third party insurance prior to its registration to ensure that passengers and operators of these vehicles can be properly compensated whenever necessary.

SECTION 4 - Definition of Terms.-

Third Party Liability - An insurance policy for death or bodily injuries arising from vehicular accident

Trisikads or Por-pot - 3 wheeled passenger vehicle driver by means of foot.

SECTION 5. - Transitory - No permit shall be issued if there is no Insurance Policy for their respective units.

SECTION 6. Penal Provision- Any operator or person who fails to comply with the provision of this ordinance shall be meted out the following penalty-

- 1) For First Offense - a fine of 500 pesos but not more than 800 pesos;
- 2) For second Offense - a fine of 800 pesos but not more than 1,000 pesos.
- 3) For Third Offense - a fine of 1,000 pesos but not more than 1,500 pesos and cancellation of its privilege to operate within the municipality of Baybay

SECTION 7. - This ordinance shall take effect on January 31, 2006.

ENACTED, March 1, 2005

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on March 1, 2005.

*W. Borneo*  
**AMELITO V. BORNEO**  
Secretary to the SB

*ATTESTED AND CERTIFIED TO BE  
DULY ADOPTED.*

*[Signature]*  
**ERNESTO M. BUTAWAN**  
SB Member &  
Actg. Presiding Officer

*APPROVED BY HIS HONOR:*

**JOSE CARLOS L. CARI**  
Municipal Mayor