

Excerpt from the

MINUTES OF THE 33rd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BAYBAY, LEYTE HELD IN THE SESSION HALL ON SEPTEMBER 6, 2005.

MUNICIPAL ORDINANCE NO. 011 S. 2005

AN ORDINANCE REGULATING THE OPERATION OF MOTOR TRICYCLE PLYING THE ROUTE WITHIN THE POBLACION OF BAYBAY, LEYTE AND PRESCRIBING PENALTIES THEREOF AND FOR OTHER PURPOSE SUCH AS FIXING THE TARIFF FOR ITS MINIMUM FARE.

INTRO. & SPONSORED BY: SBM ERNESTO M. BUTAWAN & SBM JOSE C. GO

WHEREAS, the motor tricycles are considered partners in the day to day economic activities of the people of Baybay being one of the most sought after public transport operating within the Poblacion of Baybay conveying passengers and cargoes;

WHEREAS, the numbers of motor tricycle plying within the poblacion area of Baybay, Leyte are increasing rapidly every year and as such various problems arises in its operation which need to be addressed and regulated;

NOW, THEREFORE, be it RESOLVED, as it is hereby RESOLVED, that an Ordinance be adopted as it is hereby adopted the herein Municipal Ordinance No. 011 s. 2005, to wit:

SECTION 1. Definition of Terms;

- a. Poblacion - for purposes of this Ordinance, the term poblacion is referred to the territorial boundaries where it limits the operation of motor tricycle and the territorial boundaries are as follows:
 1. To Eastern part of the national highway going to Tacloban City, the boundary is up to the Office of LEYECO IV.
 2. To Southern part of the national highway going to Maasin City, the boundary is up to the public cemetery.
 3. To Northern part of the national highway going to Ormoc City, the boundary is in the foot of Dungcaan bridge.
- b. Motor tricycle - any motorized tri-wheel vehicles used for transporting passengers and cargoes and offered to the public.

SECTION 2. Prohibited acts or omissions - The following are the prohibited acts or omissions in the operation of motor tricycle.

1. Refusal to convey passengers or choosing a passenger over the other for more consideration or convenience;
2. Driving under the influence of any intoxicating liquor or drugs;
3. Driving without license or permit;
4. Motor tricycles without the assigned body number or plate number;

SECTION 3. Fix rate or fare. The fix rate or fare shall be P5.00. However, students and senior citizens are entitled to 20% discount;

SECTION 4. Penalty - A penalty of fine in the amount of P100.00 plus suspension from driving for five (5) consecutive days shall be imposed to any violators of any provisions of Sections 2 and 3 hereof for the first violations and for the succeeding violations an

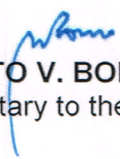
- more over -

imprisonment of not more than fifteen (15) days shall be imposed in addition to the fine. However, those operators who allow their motor tricycles to ply at anytime of the day without plate number, body number, or permit shall in addition to the foregoing penalties the vehicle shall be impound until such time the operators can comply the deficiency.

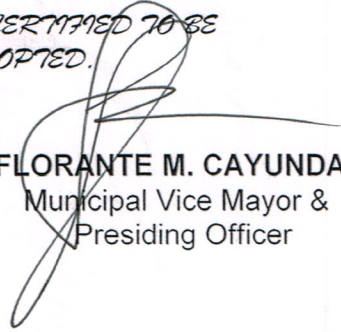
SECTION 5. Effectivity - This ordinance shall take effect ten (10) days from its approval.

Enacted, September 6, 2005.

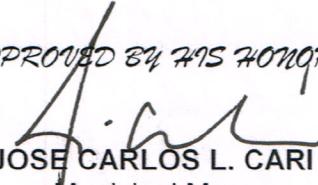
I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on September 6, 2005.


AMELITO V. BORNEO
Secretary to the SB

*ATTESTED AND CERTIFIED TO BE
DULY ADOPTED.*


FLORANTE M. CAYUNDA
Municipal Vice Mayor &
Presiding Officer

APPROVED BY HIS HONOR:


JOSE CARLOS L. CARI
Municipal Mayor