



Office of the Sangguniang Panlungsod

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5TH SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 07, S. 2019

AN ORDINANCE REGULATING THE USE OF ELECTRIC TRICYCLES OR E-TRIKES WITHIN THE CITY OF BAYBAY AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.

Authored by: Hon. Vicente Victor G. Veloso and Hon. Jose Rommel A. Peñaranda

WHEREAS, the use of electronic tricycles or e-trikes have become popular such that citizens of all ages use them for everyday transportation within and outside of the City of Baybay;

WHEREAS, there are numerous reasons why e-trikes have become so popular and the reasons are listed below:

1. There is no national law regulating the use of e-trike.
2. Anyone with or without driver's license can use, drive or operate an e-trike on streets or thoroughfare just like any motorized vehicle.

WHEREAS, despite the advantages with the use of e-trikes issues concerning the safety of its users and other motorist including pedestrians have been raised and has caught the attention of government authorities;

WHEREAS, in order to address the aforementioned safety concerns, an ordinance must be enacted regulating the use of e-trikes within the City of Baybay;

NOW THEREFORE, the Sangguniang Panlungsod of Baybay, in a session duly assembled, hereby enacts this Ordinance.

Section 1. Title. This Ordinance shall be known as "AN ORDINANCE REGULATING THE USE OF ELECTRONIC TRICYCLE OR E-TRIKE WITHIN THE CITY OF BAYBAY AS PUBLIC TRANSPORTATION AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF."

Section 2. Declaration of policy. It is the policy of the City to allow the use of e-trikes as a mode of transportation. Provided, however, that e-trikes used for public transportation shall comply with the regulatory requirements set forth in this ordinance.

Section 3. Coverage. This Ordinance applies only to three-wheeled electronic tricycles or e-trikes used as a mode of public transportation and operating within the city proper.

Section 4. Rules in the Use of E-trikes.

- a. All three-wheeled electronic tricycles or e-trikes, used as a mode of public transportation, shall be duly registered with the City Franchising and Permit

Processing Unit and when necessary, with other concerned government agencies. After complying with the requirements for registration as set forth hereunder, the City shall issue the necessary Certificate of Public Conveyance (CPC). The CPC shall be renewable every two (2) years. A corresponding license plate shall be issued to the registered owner. The franchise area for all registered public transport e-trikes shall only cover the city proper.

- b. All existing public trisikad or potpot operators with duly issued CPC's who wish to migrate to public transport e-trikes shall be allowed to do so provided, however, that their trisikad or potpot CPC's shall automatically be revoked upon the issuance of new license for their e-trikes. No registration fees shall be collected for a period three (3) years for those who wish to migrate. Conversion to e-trikes is encouraged.

- c. The following are the fees to be charged for registration and its renewal:

Registration Fee (New)

Plate Fee	P200.00
Regulatory Fee	40.00
Mayor's Permit	80.00
Total	P320.00

Renewal after two (2) years

Sticker Fee	P 20.00
Regulatory Fee	40.00
Mayor's Permit	80.00
Total	P140.00

- d. The following documents shall be submitted for registration and/or renewal;
1. Duly accomplished registration form
 2. Community Tax Certificate (Cedula)
 3. Government Issued ID/Barangay Certificate
 4. Proof of Ownership/Affidavit of Ownership
 5. Picture of E-Bike with the Owner
- e. All public transport e-trikes shall have a green body with the plate number duly reflected on the front and back body of the vehicle.
- f. The number of passengers on board public transport e-trikes shall not exceed the maximum seating capacity of three (3) passengers excluding the driver.
- g. Drivers of all registered public transport e-trikes shall be at least eighteen (18) years of age. Driver shall also be duly registered with the City Franchising and Permit Processing Unit, and shall submit a barangay clearance and a medical certificate attesting to the driver's fitness to drive the vehicle.
- h. No limit shall be imposed as to the number of e-trikes CPC's that will be used.
- i. In case the national government requires mandatory registration of public transport e-trikes, the local registration system implemented by the City through this ordinance, in so far as it is consistent with the policy of the City, shall continue to be effective until sooner or later revoked or expired.

Section 5. The standard fare for the public transport e-trikes shall be as follows:

Regular Fare
P 7.00

Senior Citizen/Student Fare
P 5.00

Section 6. Schedule of Penalties.

- a. Violation of Section 4, subparagraph (a), (b), (e), (f) and (g) of this Ordinance.

First and Second Offense - P300.00 per violation
Third and Succeeding Offense - P300.00 plus impounding of vehicle

The impounded e-trikes shall be released to its owner or authorized representative only upon payment of fines or unpaid charges and after a finding by the City Franchising and Permit Processing Unit officials that the e-trike driver or operator shall not commit the same mistake again. In the event that the driver or operator continues to violate the provisions of this Ordinance, the City Franchising and Permit Processing Unit shall revoke the CPC issued.

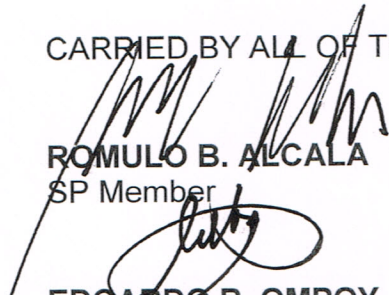
Section 7. Separability Clause. – If any provision of this Ordinance is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

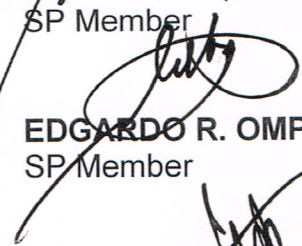
Section 8. Repealing Clause. – Pertinent provisions of all other laws, ordinances, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 19. Effectivity Clause. – This Ordinance shall take effect fifteen (15) days upon its approval by the Sangguniang Panlalawigan and after due compliance with all the requirements provided under R.A. 7160, otherwise known as the Local Government Code of 1991.

Enacted: November 7, 2019
Baybay City, Leyte, Philippines.

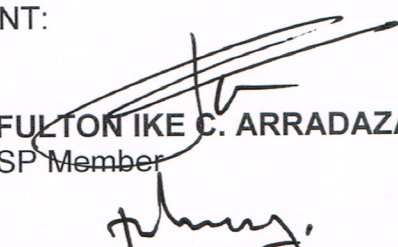
CARRIED BY ALL OF THE MEMBERS PRESENT:

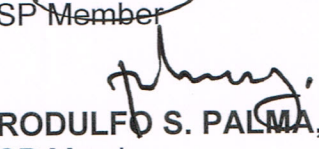

ROMULO B. ALCALA
SP Member

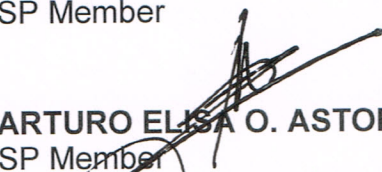

EDGARDO R. OMPOY
SP Member


VICENTE VICTOR G. VELOSO
SP Member


ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member



FULTON IKE C. ARRADAZA
SP Member

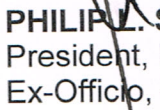

RODOLFO S. PALMA, JR.
SP Member

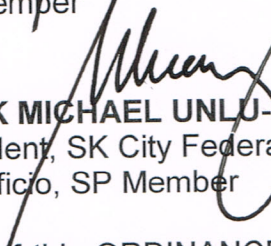

ARTURO ELISA O. ASTORGA
SP Member



DOMINADOR K. MURILLO, DM
SP Member


FILEMON F. AVILA
SP Member



JORGE V. REBUCAS
SP Member


PHILIP L. SIU
President, LIGA Ng Mga Barangay
Ex-Officio, SP Member

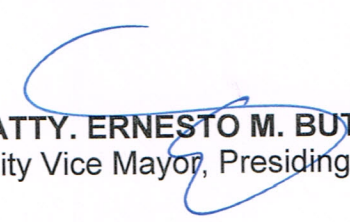

MARK MICHAEL UNLU-CAY
President, SK City Federation,
Ex-Officio, SP Member


RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Deogracias E. Pernitez; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Evelinda A. Oppus; City Treasurer Evelyn P. Relente, CLGOO Estela I. Creer, and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

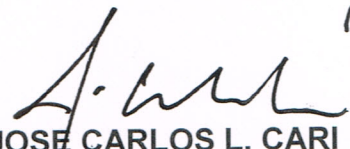
I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


VERULINA A. FERNANDEZ
Records Officer II / Acting SP Secretary


Attested & Certified True & Correct:


ATTY. ERNESTO M. BUTAWAN
City Vice Mayor, Presiding Officer

Approved by His Honor:


HON. JOSE CARLOS L. CARI
City Mayor

Date Approved: 11/12/19