



**Republic of the Philippines
CITY COUNCIL
City of Manila**

REGULAR SESSION NO. 196

8TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the sixteenth day of February, Two Thousand Twelve

ORDINANCE NO. 8291

AN ORDINANCE SETTING GUIDELINES FOR THE REGISTRATION AND OPERATION OF TRICYCLES AND PEDICABS IN THE CITY OF MANILA OR OTHERWISE KNOWN AS THE "MANILA TRI-WHEEL VEHICLE ORDINANCE OF 2012" AND FOR OTHER PURPOSES

PRINCIPAL AUTHORS:

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M. Robles, Hon. Edward M. Tan, Hon. Salvador H. Lacuna, Hon. Marlon M. Lacson,
HON. MARIA SHEILAH H. LACUNA-PANGAN, Majority Floor Leader and
HON. FRANCISCO "Isko Moreno" DOMAGOSO, Vice-Mayor and Presiding Officer

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Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. TITLE. - This Ordinance shall be known as the "**MANILA TRI-WHEEL VEHICLE ORDINANCE OF 2012**".

SEC. 2. DEFINITION OF TERMS. - as used in this Ordinance:

- a) **TRICYCLE** is a motor vehicle composed of a motorcycle fitted with a single wheel sidecar or motorcycle with a two wheeled cab.
- b) **PEDICAB** is a bicycle with a sidecar or cab powered by human loco motor.
- c) **TRICYCLE - FOR - HIRE AND PEDICAB-FOR-HIRE** are instruments of common carriers engaged in the business of transporting or carrying of persons or goods or both for compensation, offering their services to the public.
- d) **UTILITY TRI-WHEEL SERVICES** are Tricycles and/ or Pedicabs owned and used by a business or private entity for business related or personal use.
- e) **GOVERNMENT TRI-WHEEL SERVICES** can be a Tricycle or Pedicab, owned by the government which use is exclusive for public and official use.
- f) **PEDICAB OWNER'S PERMIT (POP)** is a legal document issued to a pedicab-for-hire unit to legally engage in the business of common carriage which is valid for one (1) year from date of issuance.
- g) **MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOPO)** is a requirement prior to issuance of franchise/s by the Sangguniang Panlungsod issued to a tricycle-for-hire unit by the Manila Tricycle Regulatory Office (MTRO) to legally engage in the business of common carriage which is valid for one (1) year commencing from the date of issuance.
- h) **FRANCHISE** or Certificate of Public Convenience and Authority to Operate (CPCAO) refers to a special privilege granted by the Sangguniang Panlungsod to a person, natural or juridical, to operate tricycle-for-hire within the territorial jurisdiction of Manila.
- i) **ROUTE MEASURE CAPACITY** is the limit of the number of tricycle-for-hire units and pedicab-for-hire units that can operate in a particular area or route.
- j) **TRICYCLE OPERATORS AND DRIVERS ASSOCIATION (TODA)** or **PEDICAB OPERATORS AND DRIVERS ASSOCIATION (PODA)** are lawful associations of operators and drivers which members operate in the same area or route. It is accredited by the City Council and is registered with the Securities and Exchange Commission (SEC).
- k) **MTRO PLATE NUMBER** is issued by the Manila Tricycle Regulatory Office to a tricycle-for-hire unit, pedicab-for-hire unit, utility tri-wheel service and government tri-wheel service, which shall contain the corresponding control number of each unit, whether numerical or alpha numerical. In no way will the plate number contain other texts or images aside from the control number of the unit, MTRO sticker, the name and the great seal of the City of Manila.
- l) **MTRO STICKER** is issued annually by the Manila Tricycle Regulatory Office which shall contain the year of registration and shall be placed on the MTRO Plate Number.



CHAPTER II
IMPLEMENTING AND ENFORCING OFFICE

SEC. 3. The Manila Tricycle Regulatory Office (MTRO), in pursuance to Ordinance No. 8071 is mandated to implement the provisions of this Ordinance without prejudice to the functions of existing offices and/ or departments.

SEC. 4. The MTRO shall include in their functions the following:

- a) Receive and process the application for a franchise of tricycle-for-hire prior to the submission to the Sangguniang Panlungsod. As well as receive, process and issue Motorized Tricycle Operator's Permit (MTO) for tricycle-for-hire and Pedicab Operator's Permit (POP) for pedicab-for-hire together with the corresponding MTRO Plate Number;
- b) Receive, process, commence, investigate and submit to the Sangguniang Panlungsod the suspension or revocation of franchise/s or permit/s of erring operators;
- c) Conduct and submit to the Sangguniang Panlungsod an annual study and review on existing conditions of tricycle and pedicab operations including fare structures;
- d) Oversee and administer all utility tri-wheel service, government tri-wheel service, tricycle-for-hire with franchise and pedicab-for-hire throughout the city;
- e) Receive and process applications for utility tri-wheel service, government tri-wheel service registration and issue after registration the MTRO Plate Number and MTRO Sticker;
- f) Conduct ocular inspections in areas of tricycle-for-hire, pedicab-for-hire, utility tri-wheel service and government tri-wheel service of their operations;
- g) Implement and enforce all laws, rules and regulations on the operations of all types of tricycles and pedicabs indicated herein;
- h) Disseminate information regarding new laws and regulations and ordinances relative to its powers and functions;
- i) Apprehend and/or impound all unauthorized pedicabs and tricycles operating in the city;
- j) Exercise direct supervision over all tricycle federations and associations in the city; and,
- k) Provide for the necessary Implementing Rules and Regulations necessary for the faithful compliance of this Ordinance, subject to the approval of the Sangguniang Panlungsod.

SEC.5. COORDINATION. - The MTRO will coordinate with the Manila Traffic and Parking Bureau (MTPB) relative to the apprehension of erring motorists but will possess original and exclusive jurisdiction over all tricycles and pedicabs plying the streets of Manila.



CHAPTER III REGISTRATION

SEC. 6. RULES OF ENTRY. -

- a.) Only units owned by Filipino citizens who are residents of Manila shall be allowed to apply for a Franchise, Motorized Tricycle Operator's Permit (MTOP) for tricycle-for-hire and Pedicab Owner's Permit (POP) for pedicab-for-hire, to be certified by their respective Punong Barangays or to be evidenced by a duly issued Voter's Identification Card;
- b.) Only tricycle units that are registered with the Land Transportation Office (LTO) shall be allowed to apply for all documents stated in this Ordinance; and,
- c.) Tricycles-for-hire and Pedicabs-for-hire that could be allowed to operate are those owned by bona fide members or endorsed by duly registered and accredited Tricycle Operators and Drivers Association (TODA) for tricycles and Pedicab Operators and Drivers Association (PODA) for pedicabs.

SEC. 7. All tricycle-for-hire units shall register and apply for a Franchise and MTOP with the MTRO. All tricycle-for-hire units should comply with the minimum standard requirements issued by the DILG, to wit:

- a) Clean windshield
- b) Garbage Receptacle
- c) Functioning horn that does not emit exceptionally loud or startling sound
- d) Two (2) signal lights, front and back
- e) Tail light, including plate number
- f) White headlight
- g) Light installed inside the sidecar
- h) Fully operating mufflers
- i) Anti-noise equipment

SEC. 8. All pedicab-for-hire units shall register and secure a POP from the MTRO to legally transport persons, goods or both.

CHAPTER IV FRANCHISE

SEC. 9. Franchise is mandatory for all Tricycles-for-Hire.

All operators of public tricycles-for-hire shall register with the MTRO and apply for a Franchise with the Sangguniang Panlungsod, before they are allowed to operate tricycles-for-hire for the general public for a fee within the territorial jurisdiction of Manila.

SEC. 10. Duration of Franchise: When to Apply. - a. A franchise of a tricycle-for-hire unit shall be valid for three (3) years from the date of issuance or the corresponding expiration described below, which ever comes first. The date of expiration of the franchise shall be the last day of the month to which the last digit of its LTO - issued public utility plate which corresponds, as follows:

Last Digit of LTO

Public Utility Plate Number	Month of Renewal of Franchise
One (1)	January
Two (2)	February
Three (3)	March
Four (4)	April
Five (5)	May
Six (6)	June
Seven (7)	July
Eight (8)	August
Nine (9)	September
Zero (0)	October

SEC. 11. Renewal of Franchise – A holder of Franchise shall apply for renewal thereof not earlier than the first (1st) day nor later than the last day of the corresponding month of renewal as provided in Section 15 hereof. An expired Franchise cannot be renewed. Holders of expired Franchise are required to undergo the same procedure as applications for new Franchise.

SEC. 12. Change of Plate from Private to Public Utility:

- a. Any applicant whose LTO-issued registration plate on his tricycle-for-hire is private (white and green) shall, upon compliance with other requirements and payments of proper fees, be issued a franchise by the Sangguniang Panlungsod, to enable him to cause the change of plate at the LTO from private (white and green) to public utility (yellow and black), within six (6) months from issuance of such franchise.
- b. Within such six (6) month period, upon obtaining the public utility plate from the LTO, the franchisee must submit to the MTRO, pertinent LTO registration papers and plate showing change of plate to public utility.
- c. Failure of the applicant to comply with such change of plate within such six (6) month period shall be a ground for revocation of franchise.

SEC. 13. Documentary Requirements for the Issuance and Renewal of Franchise. – All applicants for Franchise should accomplish the prescribed application forms and present the following original documents, together with photocopies to the MTRO who shall in turn submit the same to the Sangguniang Panlungsod:

A. Individual

1. LTO Certificate of Registration;
2. LTO Official Receipt for the current year;
3. Old Franchise, if applicable;
4. Authorization letter duly signed by applicant and his valid ID if Applicant/Owner is not available to personally submit his application;
5. Deed of Sale/Transfer or Certification of Sale;
6. Recent Community Tax Certificate;
7. Barangay Certification or Voter's Identification/Certification showing that the applicant is a bona fide resident of the barangay within the territorial jurisdiction of Manila; and,
8. TODA Certification or Endorsement.

B. If juridical entity

1. LTO Certificate of Registration;
2. LTO Official Receipt for current year;
3. Old Franchise, if applicable;
4. Notarized Secretary's Certificate of Board Resolution authorizing its representative to submit and cause the processing of application for Franchise and MTOP with the MTRO;
5. Deed of Sale/Transfer or Certificate of Sale;
6. Barangay Certification that the applicant juridical entity has a bona fide office at the said barangay within the territorial jurisdiction of Manila;
7. TODA Certification or Endorsement;
8. Sketch of Location of applicant's office;
9. Articles of Incorporation; and,
10. By-Laws.

SEC. 14. Imposition of Fees:

a. Annual Fees

Application Fee	P	15.00
Mayor's Permit		200.00
Registration Fee		10.00
Terminal Fee		100.00
License to Operate		50.00
Health Certificate Fee		50.00
Police Clearance		20.00
Occupational Tax		120.00
Sticker		100.00

b. Franchise and Special Fees

Franchise Fee	P	1,500.00
Dropping Fee		250.00
Replacement of Lost Franchise/Permit		300.00

c. Other Fees

MTRO Plate Number	P	300.00
Impounding Fee		500.00

SEC. 15. Grounds for Suspension or Revocation of Franchise -

The franchise granted by the Sangguniang Panlungsod can be cancelled or revoked by the latter for reasons stated hereunder and upon recommendation of the MTRO:

1. Violation of any provision of this Ordinance and the terms and conditions of the Franchise;
2. Violation of related laws and ordinances;
3. Operating outside the franchised area;
4. Overloading;
5. Tricycle not or has expired registration with the LTO;
6. Nonpayment of regulatory fees;
7. Non-renewal of Franchise.

8. Voluntary Request to Drop Franchise of the tricycle-for-hire by the operator; and,
9. Failure to apply with the LTO the conversion of the tricycle unit to a tricycle-for-hire public utility unit within six (6) months from the issuance of the franchise/s by the Sangguniang Panlungsod.

SEC. 16. The provisions of City Ordinance No. 7766, relative to color schemes shall be adopted, to wit:

- a) District I – Light Blue
- b) District II – White
- c) District III – Green
- d) District IV – Orange
- e) District V – Yellow
- f) District VI – Red

This color ordinance shall apply to all tricycle-for-hire units operating within the territorial jurisdiction of the City. All utility tri-wheel service and government tri-wheel service are not allowed to use the color schemes provided by this section.

SEC. 17. Body Number. – Each sidecar shall bear a body number for a minimum of six (6) inches in height and two (2) inches in width to be painted at the front and rear portion of the side car. The body number shall be determined and assigned by the MTRO and must be visible at all times and must not be covered by any obstruction.

SEC. 18. TODA. – The name of the TODA shall be painted above the body number with a minimum letter size of three (3) inches in height and two (2) inches in width to be painted at the front and rear portion of the side car or cab. The TODA name must be visible at all times and must not be covered by any obstruction.

SEC. 19. All tricycle-for-hire unit owners in the City must secure from the MTRO a plate number and sticker to be placed at the middle front portion of the vehicle.

SEC. 20. The identification card of operators shall be issued by the MTRO which shall bear the operator's name and name of the TODA of the operator. The identification cards shall be posted inside the side car or cab facing and in full view of the passengers.

CHAPTER V PEDICAB OWNERS PERMIT

SEC. 21. Permit is mandatory for all Pedicab-for-Hire Unit/s. – All operators of pedicab-for-hire unit/s shall register and secure from the MTRO a Pedicab Owners Permit (POP) for each pedicab they own and operate before they are allowed to legally operate as pedicab-for-hire unit/s.

SEC. 22. Duration of Permit. – A POP shall be valid for one (1) year and shall be renewed upon expiration.

SEC. 23. Documentary Requirements for the Issuance and Renewal of Pedicab Owners Permit. – All applicants for POP should accomplish the prescribed application forms and present the following original documents, together with photocopies, to the MTRO, to wit:



A. Individual

1. Picture of the Pedicab/s to be registered;
2. Authorization letter duly signed by applicant and his valid ID if Applicant/Owner is not available to personally submit his application;
3. Deed of Sale/Transfer or Certification of Sale, if applicable;
4. Recent Community Tax Certificate;
5. Barangay Certification or Voter's Identification/Certification showing that the applicant is a bona fide resident of the barangay within the territorial jurisdiction of Manila; and,
6. PODA Certification or Endorsement.

B. If juridical entity

1. Picture of the Pedicab/s to be registered;
2. Notarized Secretary's Certificate of Board Resolution authorizing its representative to submit and cause the processing of application for POP with the MTRO ;
3. Deed of Sale/Transfer or Certificate of Sale, if applicable;
4. Barangay Certification that the applicant juridical entity has a bona fide office at the said barangay within the territorial jurisdiction of Manila;
5. PODA Certification or Endorsement.
6. Sketch of Location of applicant's office;
7. Articles of Incorporation; and,
8. By-Laws.

SEC. 24. Imposition of Fees:

a. Annual Fees

Application Fee	P	15.00
Mayor's Permit		150.00
Registration Fee		10.00
Terminal Fee		50.00
License to Operate		10.00
Health Certificate Fee		50.00
Police Clearance		20.00
Occupational Tax		120.00
Sticker		100.00

b. Special Fees

Replacement of Lost Permit		300.00
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c. Other Fees

MTRO Plate Number	P	300.00
Impounding Fee		500.00

Initial Payment

Annual Fees		525.00
MTRO Plate Number		300.00

SEC. 25. Grounds for Suspension or Revocation of Pedicab Owners Permit – The permit granted by the MTRO can be cancelled or revoked for reasons stated hereunder:

1. Violation of any provision of this Ordinance and the terms and conditions of the permit
2. Violation of related laws and ordinances
3. Operating outside the authorized area
4. Overloading
5. Nonpayment of regulatory fees

SEC. 26. All pedicab-for-hire unit/s in the City must secure from the MTRO a plate number and sticker to be placed at the middle front portion of the vehicle.

SEC. 27. The identification card of operators shall be issued by the MTRO which shall bear the operator's name and name of the PODA of the operator. The identification cards shall be posted inside the side car facing and in full view of the passengers.

CHAPTER VI REGISTRATION OF UTILITY AND GOVERNMENT TRI-WHEEL SERVICES

SEC. 28. All utility tri-wheel service units shall be registered with the MTRO and shall be issued a plate number and sticker to be placed in the front middle portion of the side car. The words "NOT FOR HIRE" shall be painted at the front and rear portion of the side car.

SEC. 29. All government tri-wheel service shall be registered with the MTRO and shall be issued a plate number and sticker to be placed in the front middle portion. The words "FOR OFFICIAL USE ONLY" shall be painted at the front and rear portion of the side car.

SEC. 30. Imposition of Fees:

MTRO Plate Number	P	300.00
Sticker		100.00
Impounding Fee		500.00

CHAPTER VII OTHER PROVISIONS

SEC. 31. FARE STRUCTURE – The MTRO shall recommend to the City Council the computation of the table of fares for both Tricycle-For-Hire and Pedicab-For-Hire units for appropriate legislative action. In no case will the fare be unreasonable, excessive and exorbitant. The table of fares to be imposed by the latter shall be posted inside the side car or cab facing and in full view of passengers.

SEC. 32. FEDERATION. - There will only be one Federation for all TODA and PODA, respectively. Its officers will be elected by and from the officers of all the TODA and PODA in the City of Manila and shall represent the interests and concerns of all its members in all meetings, conferences, hearings to be called and other functions ordered by pertinent authorities.

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SEC. 33. Representatives from the TODA and PODA federations, Manila Philippine National Police Traffic Bureau and MTRO shall be invited in all committee hearings concerning Tricycles-For-Hire and Pedicabs-For-Hire to be conducted by the Committee on Utilities and Franchise.

**Chapter VIII
PENALTIES**

SEC. 34. Violation of any provision of this Ordinance shall be penalized accordingly, to wit:

- | | |
|--|------------|
| a) Driving without or using improvised MTRO plate | P 500.00 |
| b) Driving a tricycle with no body number and/or TODA name | P 500.00 |
| c) Driving without/expired permit and/or franchise
And/or driver's license & Impounding | P 1,000.00 |
| d) Out of Line | P 200.00 |
| e) Overloading | P 200.00 |

**Chapter IX
FINAL PROVISIONS**

SEC. 35. APPROPRIATION CLAUSE. – The budget for the faithful compliance of the provisions of this Ordinance shall be incorporated in the next annual executive budget of the City of Manila.

SEC. 36. TRANSITORY PROVISION. – All tricycles and pedicabs are hereby given six (6) months upon approval to abide and comply with the provisions governing the application and issuance of Franchise, MTOP and POP.

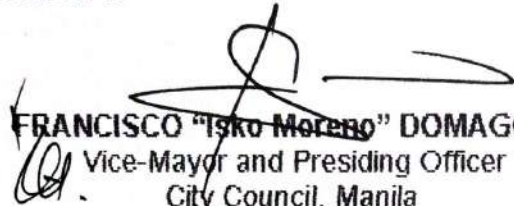
SEC. 37. REPEALING CLAUSE. – All ordinances, resolutions, local executive orders, rules and regulations or portions thereof which are contrary to the provisions of this Ordinance or portion hereof are hereby deemed modified and repealed.

SEC. 38. SEPARABILITY CLAUSE. – If for any reason, any provision, section, or part of this Ordinance is declared void, suspended or revoked by any competent authority or court, such judgment shall not affect or impair the remaining provisions, sections, or any parts thereof, which shall remain in full force and effect.

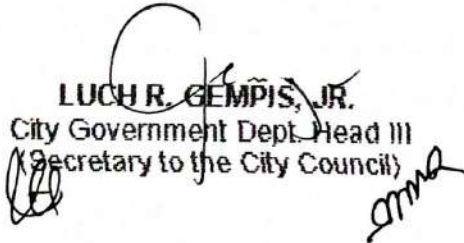
SEC. 39. EFFECTIVITY CLAUSE. – This Ordinance shall take effect immediately upon approval and its complete publication.

This Ordinance was finally enacted by the City Council of Manila on November 15, 2012.

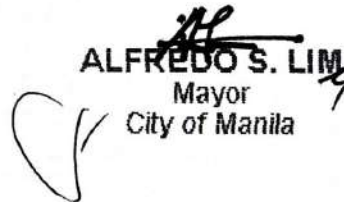
PRESIDED BY:


FRANCISCO "Isko Moreno" DOMAGOSO
Vice-Mayor and Presiding Officer
City Council, Manila

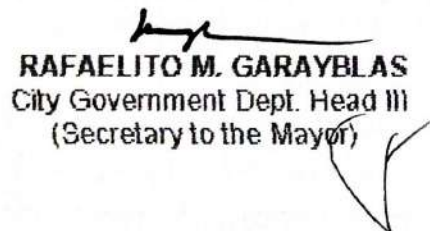
ATTESTED:


LUCH R. GEMPIS, JR.
City Government Dept. Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON DEC. 5, 2012


ALFREDO S. LIM
Mayor
City of Manila

ATTESTED:


RAFAELITO M. GARAYBLAS
City Government Dept. Head III
(Secretary to the Mayor)