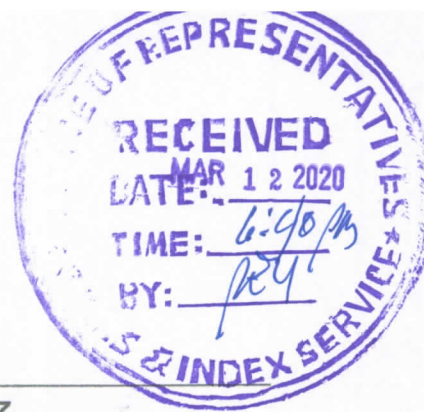


EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Res No. 797

A RESOLUTION

URGING THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT TO EXCLUDE PRIVATELY USED TRICYCLES AND TRICABS FROM THE COVERAGE OF DILG MEMORANDUM CIRCULAR 2020-036 WHICH, IN PART, BANS TRICYCLES AND PEDICABS FROM NATIONAL HIGHWAYS

WHEREAS, last February 17, 2020, the Department of Interior and Local Government issued Memorandum Circular 2020-036 prohibiting tricycles, tricabs, pedicabs and motorized pedicabs from operating on National Highways;

WHEREAS, according to the MC, said prohibition is in order to better ensure safety of drivers and passengers of all motor vehicles;

WHEREAS, according to DILG Secretary Eduardo Año, "Matagal na nating ipinagbabawal ang mga tricycles at pedicabs sa national highway ngunit ang daming pasaway. Hindi lang ito nakakasagabal sa daan kundi nagiging sanhi ng sakuna sa kalye. Kaya dapat nang maging mahigpit ang mga mayor at ang pulis at siguruhing maipapatupad ang ban na ito";

WHEREAS, Secretary Año further stated that "the DILG is only enforcing the law that was enacted way back in the 1960s and that the MC he issued is based on sound legal footing";

WHEREAS, there should be some exceptions to this prohibition particularly for those tricabs and tricycles which are being used privately by some families and not being used for hire;

WHEREAS, tricabs are sold legally by duly authorized dealers, and many buyers use them to transport their children to school, to buy goods for family consumption or to use it to transport agricultural products to the market;

WHEREAS, from certain barangays of the cities or municipalities, the national highway is the only road to connect them to the poblacion of the cities or municipalities;

WHEREAS, a total prohibition would be confiscatory and a violation of Section 1, Article III of the 1987 Philippine Constitution which provides that, "No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws";

WHEREAS, a total prohibition would be a deprivation of property without due process of law.

NOW THEREFORE BE IT RESOLVED, by the House of Representatives to urging the Department of Interior and Local Government to exclude privately used tricycles and tricabs from the coverage of DILG Memorandum Circular 2020-036 which, in part, bans tricycles and pedicabs from national highways

Adopted,


RUFUS B. RODRIGUEZ