

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18th CONGRESS
First Regular Session

HOUSE BILL NO. 2333



Introduced by **REP. EVELINA G. ESCUDERO**

EXPLANATORY NOTE

Section 447 (3) (vi) and Section 458 (3) (vi) of Republic Act No. 7160, otherwise known as the "*Local Government Code of 1991*," vest the Sangguniang Bayan and the Sangguniang Panlungsod the authority to regulate the operation of tricycles and to grant the franchise for their operation within their respective territorial jurisdiction, subject to the guidelines prescribed by the Department of Transportation (DOTr).

Under the guidelines issued by the above agency, as reiterated under the Department of the Interior and Local Government Memorandum Circular Nos. 2011-68 and 2007-07, tricycles are prohibited to ply along the national highways utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceed 40 kilometers per hour. If there is no alternative route or road network available such as routes beyond the town proper, the Sangguniang Bayan and Sangguniang Panlungsod shall provide exception through the enactment of an ordinance.

It appears, however, that there are still many Sangguniang Bayan or Sangguniang Panlungsod which fail to regulate or enact the ordinance to effectively ban tricycles along national roads. The unregulated tricycle operations pose hazards to commuters and tricycle drivers themselves that so often lead to loss of lives. Further, the presence of tricycles along the national highways where there are buses, jeepneys, cars and other motor vehicles impedes the flow of traffic.

Through this proposed measure, the operation of tricycles will be effectively banned along the national highways, subject to the exceptions as may be provided by the Sanggunian Bayan or Sangguniang Panlungsod when there is no alternative route or road network available. Further, under this bill, the punong barangay shall be authorized to strictly enforce the tricycle ban.

To ensure the safety of commuters and pedestrians, approval of this bill is earnestly sought.


EVELINA G. ESCUDERO

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AN ACT
PROHIBITING TRICYCLES TO PLY ALONG THE NATIONAL HIGHWAYS AND
PROVIDING PENALTIES FOR VIOLATION THEREOF

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Tricycles are prohibited to ply along the national highways utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceed 40 kilometers per hour. If there is no available route or road network, the sangguniang bayan or sangguniang panlungsod shall provide an exception through the enactment of an ordinance.

Any tricycle driver who violates the provision of this Act shall be punished by a fine of not less than five hundred pesos (P500.00) but not more than two thousand pesos (P2,000.00) or the impoundment of the tricycle by an enforcement agency for a period of one (1) week.

SEC. 2. The punong barangay shall strictly enforce the tricycle ban as provided under Section 1 of this Act, in accordance with the mandate under Section 389 of Republic Act No. 7160, as amended, otherwise known as the "*Local Government Code of 1991*" to enforce all laws and ordinances which are applicable within the barangay.

Any elective punong barangay who fails to strictly enforce the tricycle ban shall suffer the penalty of suspension for six (6) months to twelve (12) months with forfeiture of salaries and allowances.

SEC. 3. All laws, decrees orders, rules and regulations and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,