



Republic of the Philippines  
Province of Bukidnon  
MUNICIPALITY OF MANOLO FORTICH  
**OFFICE OF THE SANGGUNIANG BAYAN**  
E-mail: sbmanolofortich@yahoo.com



EXCERPT FROM THE MINUTES OF THE 4<sup>th</sup> REGULAR SESSION OF THE 19<sup>th</sup>  
SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT  
SANGGUNIANG BAYAN SESSION HALL ON JANUARY 28, 2021.

**PRESENT:**

HON. MIGUEL D. DEMATA  
  
HON. JUANITO I. QUIÑO  
HON. RAUL S. MIÑOZA  
HON. ELIEZER S. ONAHON  
HON. WARLEO A. GOAYAN  
HON. JOY L. CORDOVEZ  
HON. CHRISTY LEPARTO SALABE  
HON. ALEX D. PAYANGGA  
HON. NELSON S. BINAYAO  
HON. JOHN ANTHONY G. LEYSON

Presiding Officer  
Municipal Vice Mayor  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Temporary Majority Floor Leader  
IP Mandatory Rep.  
Liga ng mga Bry. Rep.  
SK Federation Rep.



**ABSENT:**

HON. REYNALDO L. BAGAYAS, JR.  
HON. ALBERTO B. TINOY

Sangguniang Bayan Member  
Sangguniang Bayan Member



**ORDINANCE NO. 2020-1376**  
(4<sup>th</sup> Regular Session)

Received by:

**AN ORDINANCE ESTABLISHING THE LOCAL TRANSPORT ROUTE OF PUBLIC VEHICLES OPERATING /PLYING WITHIN MANOLO FORTICH, BUKIDNON AND PROVIDING GUIDELINES IN THE ISSUANCE OF LOCAL FRANCHISE FOR TRICABS/E-TRIKES WITHIN ITS JURISDICTION.**

**BE IT ORDAINED** by the Sangguniang Bayan of Manolo Fortich, Bukidnon in session that;

**ARTICLE 1. GENERAL PROVISIONS**

**SECTION 1. TITLE.** This Ordinance shall be known as an "AN ORDINANCE ESTABLISHING THE LOCAL TRANSPORT ROUTE OF PUBLIC VEHICLES OPERATING/PLYING WITHIN MANOLO FORTICH, BUKIDNON AND PROVIDING GUIDELINES IN THE ISSUANCE OF LOCAL FRANCHISE OF TRICABS/E-TRIKES WITHIN ITS JURISDICTION".

Received by:  
Sangguniang Bayan Member  
2/17/2021  
11:06 AM



**SECTION 2. SCOPE.** This Ordinance covers all transport vehicles for hire operating or plying within the Municipality of Manolo Fortich, Bukidnon.

**SECTION 3. PURPOSE.** The purposes in enacting this ordinance are as follows:

- a) To provide a well-defined, efficient Transport Route Ordinance covering tricabs, e-Trikes, multicabs and other public vehicles operating/ plying within the municipality;
- b) To prescribe guidelines for the application, renewal, suspension, cancellation, or revocation of tricab/E-Trike franchise and permit for vehicles within the jurisdiction of the Sangguniang Bayan;
- c) To promulgate rules and regulations that shall govern the issuance of policies, procedures, and other regulatory measures as may be necessary in the effective administration, maintenance and operation of the Tricabs/e-Trikes for Hire within the municipality.

**SECTION 4. REFERENCES TO THE ORDINANCE.** Whenever reference is made to any portion of this ordinance, such reference applies to all amendments and additions now or hereafter stipulated relative on the matter.

#### **SECTION 5. RULES OF INTERPRETATION**

- a) General Rule – all words and phrases shall be construed and understood according to the common and approved usage of the language but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the ordinance shall be construed and understood according to the peculiar and appropriate meaning;
- b) Gender and Number – Plural and Singular. Every word in the ordinance importing the masculine gender shall extend and be applied to all sexes, and every word importing singular number shall extend and be applied to several persons or things as well as to one person or thing; and every word importing the plural number shall extend and be applied to one person or thing as well as to several persons or things;
- c) Person – the word “person” shall extend and be applied to natural and juridical persons such as firms, corporations, or voluntary association, unless plainly inapplicable;
- d) Tenses – the use of any verb in the present tense shall include the future when applicable;
- e) Shall and May – “shall” is mandatory and “may” is permissive.
- f) Reasonable Time of Notice – in all cases where any provision of this Ordinance shall require any act to be done within any reasonable time and/or notice that reasonable time or notice shall mean such time only as may be necessary for the prompt performance or compliance, which shall not exceed fifteen (15) days;
- g) Computation of Time – the time within which an act is to be done as provided in this ordinance, or in any rule or regulation issued pursuant to the provisions thereof. When expressed in day, it shall be computed by excluding the first day and including the last day, except when the last day falls on a Sunday or holiday, in which case, the same shall be excluded from the computation and the next business day shall be considered.



**SECTION 6. DEFINITION OF TERMS:** As used in this code, the following term shall mean;

- a) **Business** – means a commercial activity customarily engaged in as a means of sizeable, livelihood, typically involving some independence of judgment and power of decision. For this purpose, a person is considered engaged in business when he operates a tricab/e-Trike for hire who is granted franchise to operate within the municipality;
- b) **Charges** – refers to pecuniary liability, as rents or fees against property, persons or organizations;
- c) **Corporation** – includes a joint-stock company, partnership, association, insurance company, or any other juridical entity, no matter how it was created;
- d) **Fee** – means a charge fixed by law or agency for the services of a public officer;
- e) **License or Permit** – is a right or permission granted in accordance with law by a competent authority to engage in some transaction;
- f) **Tax** - means an enforced contribution, usually monetary in form, levied by the law-making body on persons and property subject to its jurisdiction for the precise purpose of supporting government needs;
- g) **Operator** – includes the owner, manager, administrator, or any other person who operates or is responsible for the operation of business establishments or undertakings;
- h) **Person** – means every physical or moral, real or juridical and legal being, susceptible of rights and obligations or of being the subject of legal relations;
- i) **Privilege** – means a right or immunity granted as peculiar benefit, advantage or favor;
- j) **Residents** – refer to natural persons who have their habitual residence in the Municipality of Manolo Fortich, Bukidnon where they exercise their civil rights and fulfill their civil obligations and to juridical persons for which the law or any other provisions creating or recognizing them fixes their residence in the Municipality of Manolo Fortich, in the absence of such law, juridical persons are residents in the Municipality of Manolo Fortich where their legal representation is established.





- k) **Franchise** – refers to a special privilege conferred by the Municipal Government of Manolo Fortich to an individual or corporation which does not belong to the citizens by common right. It is in the nature of a private contract between the Municipal Government of Manolo Fortich and an individual or corporation which cannot be amended by implication. It is in the form of franchise ordinance.
- l) **Motorized Tricab/e-Trike** – is a kind of a transport vehicle composed of a motorcycle fitted with a three- wheel cab operated to render transport service to the general public for a fee;
- m) **Motorized Tricab Operator's Permit (MTOP)** – is a permit issued to a person, natural or juridical, allowing such person to operate motorized "Tricab for Hire"/e-Trike within the municipality pursuant to a Franchise Ordinance:
- n) **Tricab Operator** – refers to person engaged in the activity of operating a tricab;
- o) **Routes** – refers to a contiguous land area or block, i.e. subdivision or barangay, where tricabs/e-Trikes- for – hire may operate with/without fixed origin and destination;
- p) **Safety Accessories** – refer to the side mirrors, fully functional horn, headlight, signal light, brake light and tail light of the vehicle;
- q) **Multicab/Filcab-** a small light truck in the Philippines that is usually used as public transport which has specific route.

**SECTION 7. RESERVATIONS.** Nothing in this ordinance shall be construed to diminish the authority of the Sangguniang Bayan to issue, amend, revise, renew, suspend, or cancel any MTOP and prescribe or periodically adjust fares or rates for the service provided in the municipality after public hearing; prescribe and regulate zones of service in coordination with the barangay; fix, impose; and establish and prescribe the conditions and qualities of service to the public.

**SECTION 8. ROUTES.** The routes must be within the boundaries of this municipality. The existing routes which cover the territorial unit of the municipality but other adjoining municipalities or cities as well shall be maintained provided the operators serving the said routes secure the MTOP.

**SECTION 9. REFERENCE OF THIS ORDINANCE TO TRAFFIC CODE OF THE MUNICIPALITY OF MANOLO FORTICH.** All tricab drivers and operators of vehicles for hire shall consciously observe and comply with the provisions of Municipal Ordinance No. 2012-847 also known as the Traffic Code of the Municipality Manolo Fortich, Bukidnon.



## **ARTICLE II. FRANCHISE**

### **SECTION 10. FRANCHISE ON THE OPERATION OF MOTORIZED TRICAB/E-TRIKES – FOR – HIRE.**

Regulated Acts. No person, natural or juridical, shall operate any motorized Tricab/e-Trike – for – Hire in this municipality without first securing a franchise from the Sangguniang Bayan upon payment of the corresponding fee imposed herein and under existing tax ordinances and complying the requirements set forth herein.

No franchise shall be granted unless the applicant is in actual ownership and possession of the unit intended to be operated together with the corresponding valid registration papers thereof issued by the Land Transportation Office.

**SECTION 11. DURATION OF FRANCHISE.** Unless otherwise provided, the Franchise for Tricab – for – Hire shall be for a period of two (2) years and may be renewed thereafter. It may also, within the period of the grant, be amended, revised, suspended, or cancelled by the Sangguniang Bayan upon recommendation of the Committee on Franchise for violation of the terms of the franchise, pertinent rules or ordinances on the matter.

Applicants for the renewal of existing franchise shall file the same on or before its expiry date, otherwise any person who fails to renew his franchise will be penalized with a fine of:

- |                             |         |
|-----------------------------|---------|
| 1. 15 days after expiration | P500.00 |
| 2. 16 days to 1 month       | P800.00 |

Franchise that are not yet renewed after one (1) month from the time of expiration date shall result to its cancellation/automatic removal from the list of franchisees.

**SECTION 12. APPLICATION FOR THE ISSUANCE OF FRANCHISE.** All Tricabs/e-Trike – for – Hire operators in this municipality shall apply for the issuance of franchise with the Sangguniang Bayan, duly verified in writing.

**SECTION 13. AVAILABLE TRICAB NUMBERS.** In case there are available slots of tricab/e-Trike numbers, the Committee on Franchise of the Sangguniang Bayan shall cause the posting thereof in conspicuous places of the Municipal Hall. After seven (7) days from posting thereof, the Committee on Franchise shall endorse to the Sangguniang Bayan for approval of the franchise of the qualified applicants subject to the requirements imposed by law or rules and regulations.

**SECTION 14. ASSIGNING OF NUMBERS TO EVERY APPLICATION.** Every application shall be assigned a number for recording or encoding purposes after checking the necessary requirements for said application.



## **SECTION 15. PROCEDURE FOR THE ISSUANCE AND RENEWAL OF FRANCHISE**

- a) The applicant shall accomplish the application for renewal which shall be in the form prescribed herein;
- b) Together with the application form, the applicant shall submit the documents provided in the provisions of this Ordinance and the Sangguniang Bayan Secretariat shall receive the applications;
- c) The Franchise Committee shall have to review the application and in so doing shall perform the following acts:
  1. Ascertain if all the documents required are submitted.
  2. Conduct inspection of the units.
  3. Verify the application with the records.
  4. All applications that would have passed the review shall be transmitted for recommendation by the Committee on Franchise to the Sangguniang Bayan through the Committee on Transportation for the possible enactment of a Franchise Ordinance;
  5. The approval of the Mayor.

**SECTION 16. MOTORIZED TRICAB/E-TRIKE OPERATOR'S PERMIT (MTOP) & REQUIREMENTS FOR SECURING THEREOF.** MTOPs shall be issued by the Licensing Officer duly approved by the Municipal Mayor pursuant to a Franchise Ordinance which shall constitute a permit to operate within the municipality which shall expire on the Thirty First day of December of each year.

The requirements shall be as follow;

- I. New Applicant (Operator)
  - A. General Requirements
    - Must be bonafide actual resident and is a registered voter of the Municipality.
    - Must be in possession of a Motorized Tricab/Trike Unit with Valid Registration Papers evidencing ownership issued by the Land Transportation Office (LTO).
    - The motorcycle must have a common carrier insurance policy for the protection of passengers and third parties in case of accident.
    - Must not be less than Eighteen (18) years old.
    - Must have a garage/space for parking area when the unit is not in actual operation.





B. Documentary Requirements (Provisional Franchise)

- Certificate of Registration (CR) of the Motorcycle and Official Receipt (OR) of said Registration from the Land Transportation Office (LTO).
- Proof of Common Carrier Insurance
- Barangay Clearance from where applicant resides
- Police Clearance
- Medical Certificate from the Municipal Health Office
- Municipal Tax Clearance, if applicable, from the Municipal Treasurer's Office
- Community Tax Certificate (CEDULA)
- One (1) piece 2 x 2 ID Picture

II. ISSUANCE OF PERMANENT TRICAB/E-TRIKE FRANCHISE

A. Documentary Requirements (Permanent Franchise)

- FOR-HIRE Certificate of Registration (CR) of the Tricab/E-Trike and Official Receipt (OR) of said Registration from the Land Transportation Office (LTO).
- Active MTOP & Provisional Franchise within 60 days
- Duly signed Application/Petition for Motorized Tricab/e-Trike Franchise.

III. RENEWAL OF MTOP(OPERATOR)

A. Documentary Requirements

- Certificate of Registration (CR) of the Motorcycle and Official Receipt (OR) of said Registration from the Land Transportation Office (LTO).
- Proof of Common Carrier Insurance
- Barangay Clearance from where the applicant resides
- Police Clearance
- Medical Certificate from the Municipal Health Office
- Municipal Tax Clearance, if applicable, from the Municipal Treasurer's Office
- One (1) piece 2 x 2 ID picture
- Last issued Motorized Tricab/e-Trike Operator's Permit (MTOP)

IV. RENEWAL OF TRICAB/E-TRIKE FRANCHISE (OPERATOR)

A. Documentary Requirements

- Certificate of Registration (CR) of the Motorcycle and Official Receipt (OR) of said Registration from the Land Transportation Office (LTO).
- Proof of Common Carrier Insurance
- Barangay Clearance from where the applicant resides
- Police Clearance from the Municipality of Manolo Fortich



- Medical Certificate from the Municipal Health Office.
- Municipal Tax Clearance, if applicable, from the Municipal Treasurer's Office.
- Community Tax Certificate (CEDULA)
- Existing Tricab/e-Trike Franchise Document

**SECTION 17. REQUIREMENTS FOR CHANGE OF UNIT/MOTOR OF A FRANCHISE OF A TRICAB.** The application for a change of unit shall be required to submit the following documents;

- Accomplished Application Form;
- Original Franchise;
- Original and Photocopies of CR and latest OR of the old and new motorcycle;
- Two (2) valid Ids of the applicant photocopied and attached to the application;
- Other documents that may be required as necessary in case of changes, e.i; Deed of Sale or extrajudicial settlement with the Waiver of Rights if the applicant is a transferee of a franchised tricab/e-Trike;

No application for change of unit shall be received where the owner of the old and new motorcycles shall pertain to different persons.

**SECTION 18. FRANCHISE SIGNATORIES.** The document evidencing the franchise shall be certified by the Secretary to the Sangguniang Bayan or in his absence, the Acting or designated Secretary, attested by the Presiding Officer, and approval by the Municipal Mayor.

### **ARTICLE III. REQUIREMENTS AND CONDITIONS.**

#### **SECTION 19. OPERATING CONDITIONS;**

- Each tricab/e-Trike unit shall be assigned and bear bold and reflectorized/painted body number to be placed at the front & back of the sidecar with measurement of:

Height of the number should be 6 inches  
 Height of the lettering should be 3 inches  
 Width of the lettering should be 2 inches  
 Width of number should be 3 inches  
 Width of route number should be 1 inch

The background should be white and the color of the number should be red.

The sidecar number and the name of the operator must be displayed inside the sidecar.

- Each tricab/e-Trike unit shall bear LTO License Plate Number;
- All Tricabs/e-Trikes – for – Hire when in operation shall display inside the sidecar, photocopy of the registration of the vehicle operated, the MTOP, and driver's license;



- d) An operator who desires or intends to stop service completely or suspend service for more than (1) month, should report in writing such termination or suspension to the Sangguniang Bayan. The temporary suspension shall not be more than two months from the date of separation. If it exceeds two months or he is no longer interested to continue his permit to operate his tricab/e-Trike, he is obliged to surrender his body number to the Office of the Sangguniang Bayan;
- e) All drivers of Tricab/e-Trike – for – Hire are hereby required to wear shoes, polo Shirt or T-shirt with or without collar and long pants, and they shall not be allowed to wear bonnet;
- f) No driver of Tricab/e-Trikes for Hire shall be allowed to ply the routes when under the influence of liquor or drugs;
- g) Operators shall only employ drivers duly licensed by the LTO;
- h) Within ninety (90) days from the approval of the application, the franchise must convert the registration of his tricab/e-Tricab unit from “Private” to “For Hire” with the Land Transportation Office/Yellow Plate;
- i) No MTOP shall be granted unless the applicant is in possession of the unit with valid registration papers from the Land Transportation Office (LTO);
- j) The grantee of the MTOP shall carry a common carrier insurance sufficient to answer for any liability it may incur to passengers and third parties in case of accident;
- k) No Tricab/e-Trike- for- Hire shall be issued a franchise unless the specified requirements are complied with: clean windshields, garbage receptacle, functioning horn, two signal lights, white head light in front and red tail light, sticker with body number of the vehicle, fully operating mufflers and roadworthiness of the tricab/e-Trike unit. Moreover, these requirements shall be certified by the duly authorized entity created for the purpose such as the Tricab/E-Trike Franchising Board (to be created by the Local Chief Executive through the issuance of an Executive Order) which shall form part of the Manolo Fortich Road and Traffic Administration (MFRTA) and/or other similar bodies created by an ordinance. (As per DILG Memorandum Circular)
- l) For safety reasons, no Tricabs/e-Trike- for- Hire shall operate on national highways, however, the Sangguniang Bayan may allow the tricabs/e-Trike to traverse/cross if there is no other alternative route (As per DILG Memorandum Circular);





- m) The authorized fare rates shall be displayed in the conspicuous part of the tricab-e-Trike.
- n) The Sangguniang Bayan may impose a common color for tricabs/e-Trikes- for- hire in the same zone;

#### **SECTION 20. REQUIREMENTS IN APPLYING FOR FRANCHISE.**

- a) Only residents of Manolo Fortich with no pending criminal case punishable with six (6) years imprisonment shall be qualified to apply as operators of Tricabs/e-Trikes – for – Hire within the municipality;

For this purpose, all applicants shall be required to secure Regional Trial Court (RTC) Clearance.

- b) All applications for franchise to operate a Tricab/e-Trike for Hire shall be submitted to the Sanggunian Bayan in a form provided in three (3) legible copies. The original copy shall be given by the Sangguniang Bayan Secretariat, one copy for the applicant, and one copy for the Committee on Transportation;
- c) The application shall be proof of the intention of the applicant and therefore any misrepresentations made which is material to the granting and issuance of franchise shall be sufficient ground for the disapproval or denial of the application. The disapproved or denied applications shall not be entitled for refund of the fees paid;
- d) The applicant shall be required to pay all the franchise and other fees to the Municipal Treasury Office as provided herein;
- e) The Sangguniang Bayan, by virtue of a franchise ordinance, shall scrutinize upon the application for franchise. If the application is granted, the ordinance granting the franchise together with application shall be transmitted to the Municipal Mayor for approval;
- f) In addition to the requirements provided by law, regulations, ordinances or other issuances, no tricab/e-trike operator shall be granted a franchise to operate motorized tricab/e-trike unless he/she attends meeting or seminar to be determined and scheduled by the Local Franchising Board. The meeting or seminar shall be for the purpose of instilling the welfare of the operators and informing the requirements and conditions in granting franchise. Failure to attend the same without any valid reason or cause may be a ground for the denial of application or revocation of franchise previously granted.
- g) Additional requirements for application and continued operation shall be prescribed by the Sangguniang Bayan for this purpose;



## ARTICLE IV. FEES AND CHARGES

### SECTION 21. FEES

a) The applicant for franchise shall pay the following;

	Tricab
Franchise Fee per unit	P 2,000.00
Inspection Fee per unit	P 50.00
Fare Adjustment fee per unit	P 100.00
Motorized Tricab Operations Permit per unit	P 150.00
Police Clearance	P 60.00
Mayor's Clearance	P 60.00
Sticker	P 50.00
Business Plate-MTOP	P 350.00
<b>TOTAL</b>	<b>P 2,820.00</b>

b) The following fees shall likewise be imposed if applicable:

- |   |         |
|---|---------|
| 1. Fare guide fee                             | P100.00 |
| 2. Filing fee for amendment of MTOP/Franchise | P100.00 |

**SECTION 22. TIME AND MANNER OF PAYMENT.** The fees and charges to be collected under this ordinance shall be payable upon filing of the application for franchise, amendment, or renewal thereof to the Municipal Treasurer's Office.

Fees for fare guide shall be paid upon issuance thereof to the Municipal Treasurer's Office.

**SECTION 23. FEE FOR THE REPLACEMENT OF LOST FRANCHISE.** Lost franchise may be replaced by a Certified Copy thereof to be issued by the Sangguniang Bayan Secretariat after the submission of an Affidavit of Loss and request for replacement and the payment of One Hundred Pesos (P100.00) which will be paid to the Municipal Treasurer's Office.

**SECTION 24. FARE GUIDE.** A Regular fee of Ten Pesos (P10.00) for the first three (3) kilometers and Two pesos (P2.00) for every succeeding kilometer thereafter be charged per passenger without prejudice to the 20% discount for students, senior citizens and persons with disability.

**SECTION 25. SUBMISSION OF MTOPS TO THE MUNICIPAL TREASURER'S OFFICE.** The Municipal Treasurer's Office shall be furnished a copy of all issued MTOPs.





## **ARTICLE V. NON TRANSFERABILITY OF FRANCHISE.**

**SECTION 26. NON-TRANSFERRABILITY OF FRANCHISE.** As a general rule, franchise, being a privilege is hereby declared non-transferable, except when the transfer is made to legitimate spouse, parents, children, brother/sister, or of relatives by consanguinity or affinity within the fourth civil degree.

Provided, however, that, the transferee is a bonafide and actual resident of the Municipality of Manolo Fortich, Bukidnon at the time the tricab unit was acquired and certified by concerned Barangay Secretary and attested to by the Punong Barangay.

Provided, further, that a person whose franchise had been cancelled or revoked for any violation of the provisions herein, or any provision of the franchise, or of any law or municipal ordinance of similar application shall be disqualified to transfer his franchise to persons specified in Section 1 hereof.

For this purpose, a transfer fee shall be paid in the amount of Two Hundred Pesos (P200.00) per unit.

The transfer fee imposed herein shall be paid to the Office of the Municipal Treasurer, prior to the filing of application for transfer of the Franchise to the Sangguniang Bayan for approval.

Notwithstanding hereof, transfer by operation of law shall be exempt from the above-mentioned fees.

**SECTION 27. DOCUMENTS NEEDED FOR APPLICATION FOR CHANGE OF OWNERSHIP.** The following documents shall be attached to the application for transfer of Tricab/E-Trike Franchise:

- a) Application form to be secured from Sangguniang Bayan Office;
- b) An affidavit executed by the transferor to the effect that transfer of Tricab/e-Trike Franchise was from the original franchise grantee;
- c) Original copy of the duly executed Deed of Absolute Sale or Deed of Transfer;
- d) A duly executed Affidavit of Undertaking of the Transferee/Vendee, categorically declaring that no subsequent transfer or disposition of the unit and franchise shall be executed, and that violation of the same shall mean automatic cancellation of the franchise;
- e) Original Franchise;
- f) Community Tax Certificate of the Transferee;
- g) Original and photocopies of the Certificate of Registration (CR) and latest official Receipt (OR) of the tricab/e-Trikes issued by the Land Transportation Office (LTO);



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- e) Original Franchise;
- f) Community Tax Certificate of the Transferee;
- g) Original and photocopies of the Certificate of Registration (CR) and latest official Receipt (OR) of the tricab/e-Trikes issued by the Land Transportation Office (LTO);





- h) Other documents that may be required as necessary in case of changes, i.e. Deed of Sale or Extrajudicial Settlement with Waiver of Rights if the applicant is a transferee of a franchised tricab/e-Trike;
- i) Two (2) valid identification cards of the applicant.

**SECTION 28. SALE OR ILLEGAL SUBSTITUTION OF FRANCHISE.** Sale or illegal substitution of franchise are strictly prohibited and shall not be allowed. Any franchise holder found violating this provision shall cause the automatic revocation of his franchise and shall be disqualified from applying for a new franchise subject to the discretion of the Local Franchising Board.

Use of dummy, rental of franchise, or any manner of form of transfer is hereby deemed illegal. Violation of this Section shall cause the permanent revocation of the franchise.

Any person who violates the provision of this Section shall be held liable for a fine of Two Thousand Pesos (P2, 000.00) or imprisonment not exceeding one month or both fine and imprisonment at the discretion of the court.

## **ARTICLE VI. CANCELLATION AND REVOCATION OF FRANCHISE**

### **SECTION 29. GROUNDS FOR CANCELLATION AND REVOCATION OF FRANCHISE.**

- a) Violation of any provision herein and of the terms and conditions in the franchise;
- b) Violation of related laws and municipal ordinances;
- c) Those who caused the transfer of their franchised tricab to any person without the approval of the Local Franchising Board.
- d) Tricab is not registered with LTO.
- e) Nonpayment of Regulatory Fees;
- f) Non-renewal after the expiration of the franchise and/or MTOP.

**SECTION 30. PROCEDURE FOR CANCELLATION AND REVOCATION OF FRANCHISE.** The cancellation and/or revocation of a valid franchise may be done by reading the same in session of the Sangguniang Bayan upon recommendation of the Committee on Transportation if there is sufficient ground to believe that the holder committed the grounds under this ordinance or pertinent ordinances. The cancellation and revocation of franchise shall not be a bar for further prosecution of any other action that is punishable under any other applicable laws and/or ordinances.



## ARTICLE V11. ROUTES

### SECTION 31. NUMBER OF LOCAL TRANSPORT VEHICLES WITH ITS PRE DESIGNATED ROUTES OF TRAVEL WITHIN THE MUNICIPALITY OF MANOLO FORTICH AND ITS RESPECTIVE STARTING POINTS AND BOUNDARIES;

#### I. E-Trikes/Tri-cab

ROUTE NAME	NO. OF UNITS
Alae Jct. Sayre – Ecoverde – San Isidro	4
Menzi – Damilag – Agusan Canyon	12
Camp Phillips – Dahilayan	4
Camp Phillips – Camp 1	4
Dicklum – Sto. Niño – So. Aurora/San Gabriel	4
Jct. Sayre (Bliss) – Zone 1,3,4,6,9 & 10	4
Jct. Sayre (Bliss) – Zone 2,3,4,5,6,11 & Brgy. Hall	4
Jct. Sayre (Lunocan) – Kitam-is/Sebukawan/Awol/Lawis	4
Lunocan Jct. Sayre Highway – Zone 1,3, Zone 4 Pulog – Zone 5 San Isidro – Zone 6 Kitam-is – Zone 8 Salvan	4
Purok 1 Dicklum – Villa Imelda – Franciscan Church	4
Sentro Mambatangan – So. Viga – Boundary Alae/Jct. Sayre Highway	4
NBCC Central Station – Kalugmanan, Sankan, Lindaban (KASALI)	9
Central Station – dumotan St. – Madula – St. Joseph-NBCC-Sitio tumampong-Maralum-Upper Maralum-Upper Kalanawan-Libot	12
NBCC – Sitio Tumampong - Maralum	4
Jct. Highway (San Miguel) – Pulog	3
<b>TOTAL</b>	<b>80</b>

#### II. PUJ CLASS 1 (FILCAB/MULT-CAB)

ROUTE NAME	NO. OF UNITS
Central Station – Dicklum – Sto. Niño	6
Alae-Damilag-Camp Phillips – Mampayag - Dahilayan	4
Central Station (Tankulan) – Cawayanon – Miranda - Camp Phillips – Mampayag – Dahilayan	12



Central Station (Tankulan) – San Miguel – Lunocan – Kitam-is – Awol	18
Central Station (Tankulan) – Lingi-on – Gabok	8
Central Station (Tankulan) – Mantibugao	8
Central Station (Tankulan) – Alae ( existing route)	9
Alae – Mantibugao – Minsuro	8
Central Station (Tankulan) – Dalirig – Maluko	4
Dalirig Proper – So. Diamante – Sumalsag Cave	3
Dalirig Proper – So. Sabangan – Abyawan	3
Central Station(Tankulan) – Sankanana - Kalugmanan	5
Central Station (Tankulan) – New Sankanana – Lindaban – Dahilayan	5
<b>TOTAL</b>	<b>93</b>

### III. PUJ CLASS 2

ROUTE NAME	NO. OF UNITS
Central Station – Mangima Resort – Dalirig – Maluko – Santiago – Guilang-guilang	1
Central Station – Mangima Resort – Dalirig – So. Sabangan – Abyawan	1
<b>TOTAL</b>	<b>2</b>

Terminal location shall be designated by the Manolo Fortich Road and Traffic Administration.

## ARTICLE VIII. ADMINISTRATION OF THIS ORDINANCE AND RANDOM CHECK

**SECTION 32. PRIMARY RESPONSIBILITY.** The Local Franchising Board shall see to it that the provisions of this Ordinance are substantially and reasonably complied with.

**SECTION 33. RANDOM CHECK.** Traffic enforcers and policeman may flag down or stop any transport vehicle units under any of the following circumstances:

- When there is a clear indication that the driver has committed a violation of this code;
- When there is a reasonable ground to believe that the driver is under the influence of intoxicating liquor or prohibited drugs;
- When there is a reasonable ground that the driver is minor and has no driver's license;
- When there is a reasonable ground to believe that the vehicle is involved in an accident or a subject of a crime and the driver is fugitive of the law.



## ARTICLE IX. PENAL, TRANSITORY, REPEALING, AND EFFECTIVITY CLAUSES.

### SECTION 34. PENAL PROVISION ( Specific Impositions of Fines and Penalties).

1. No franchise/ Cancelled Franchise/ Fake Franchise	P 2,000.00
2. Unauthorized Transfer of Franchise	P 2,000.00
3. No business Permit	P 1,000.00
4. Drivers driving without the necessary accreditation	P 1,000.00
5. Unregistered/improperly registered/delinquent or invalid Registration	P 1,500.00
6. Unregistered substitute or replacement of engine, engine block or chassis, change body or configuration. In addition, motor vehicle shall be impounded until such parts are properly registered.	P 500.00
7. Certificate of registration and official receipt and Franchise not carried (Original or photocopies)	P 500.00
8. Operating/allowing the operation of a motor vehicle with a suspended/revoked certificate of registration	P 2,000.00

#### B. Violation in Connection with Licenses

1. Driving without a license	P 1,500.00
2. Driving with a delinquent, invalid, suspended ineffectual , Improper or revoked license	P 1,500.00
3. Failure to show license/ Refusal to sign the citation ticket	P 1,500.00
4. Failure to carry driver's license	P 1,500.00
5. Driving while under the influence of liquor or prohibited Drugs or with mere alcoholic breathe	P 1,500.00
6. Allowing an unlicensed/Improperly licensed person to drive (Operator)	P 1,500.00
7. Allowing another person to use his/her license	P 1,500.00

#### C. Violation in Connection with Plate and Stickers

1. Plates not firmly attached and visible	P 500.00
2. Dirty or uncared plates	P 500.00
3. Inconspicuously displayed plates	P 500.00
4. No Sticker issued by the Municipal Government	P 1,500.00
5. Tampered/Marked plate or stickers	P 500.00
6. Illegal transfer of LTO plates, or stickers	P 1,500.00
7. No LTO sticker showing the current year and/or failure to display the same	P 1,500.00



D. Violation Relative to Motor Vehicle Parts, Accessories, Markings

- |  |            |
|--|------------|
| 1. Defective brakes  | P 1,500.00 |
| 2. Improper horn or signaling device (exceptionally loud, Startling, or disagreeable)  | P 500.00   |
| 3. Defective horn or signaling device  | P 1,500.00 |
| 4. No Lights at the back where Body Number indicated or when said lights are defective and not lighted during night operation. | P 500.00   |
| 5. No or defective headlights  | P 500.00   |
| 6. No or defective taillights  | P 500.00   |
| 7. No red rear lights  | P 500.00   |
| 8. No license plate lights   | P 500.00   |
| 9. No brake (stop) lights  | P 500.00   |
| 10. No or disconnected muffler   | P 1,500.00 |
| 11. Unauthorized improvised plate numbers  | P 1,000.00 |
| 12. MTCs with unnecessary decorations on the sidecar and No reflectorized sticker at the back                                  | P 500.00   |

E. Violation Relative to For-Hire/Private Motor Vehicle Parts, Accessories

- |   |            |
|---|------------|
| 1. Defective or broken windshield             | P 500.00   |
| 2. No rear view mirror/side mirror            | P 500.00   |
| 3. No backrest, handrail, seatbelt (Operator) | P 1,500.00 |
| 4. Overloading                                | P 500.00   |
| 5. Installation of unnecessary mirror         | P 500.00   |

F. Fraud and Falsities

- |  |                        |
|--|------------------------|
| 1. Fake license, identification card, or permit  | P 2,000.00 impoundable |
| 2. Fake Certificate of Registration, Official Receipt, plates, tags, or stickers, or spurious Document | P 2,000.00 impoundable |

G. Parking Violations

- |  |            |
|--|------------|
| 1. Parking within an intersection  | P 1,500.00 |
| 2. Parking on a crosswalk  | P 500.00   |
| 3. Parking within 6 meters of the intersection of curb lines               | P 500.00   |
| 4. Parking within 4 meters of the driveway entrance to any Fire station    | P 500.00   |
| 5. Parking within 4 meters of a fire Hydrant                               | P 500.00   |
| 6. Parking in front of a private driveway                                  | P 500.00   |
| 7. Double parking  | P 500.00   |
| 8. Parking at any place where official signs are posted Prohibited parking | P 1,500.00 |



## H. OUT-OF ROUTE

- |   |            |
|---|------------|
| 1. Driving/running in Out-of-Route/Beyond Route<br>(Passing thru the National Highway ) | P 1,500.00 |
|---|------------|

## I. Other Violations

- |   |            |
|---|------------|
| 1. Illegal turn   | P 1,000.00 |
| 2. Driving against traffic  | P 1,500.00 |
| 3. Illegal overtaking   | P 500.00   |
| 4. Overtaking at an unsafe distance   | P 500.00   |
| 5. Failure to give way to a overtaken vehicle   | P 500.00   |
| 6. Increasing speed when being overtaken before the<br>Overtaking vehicle has completely passed     | P 500.00   |
| 7. Overtaking when left side is not visible or clear of<br>incoming traffic                         | P 1,500.00 |
| 8. Overtaking on a crest of a grade   | P 1,500.00 |
| 9. Overtaking on a curve  | P 1,500.00 |
| 10. Overtaking in an intersection   | P 1,500.00 |
| 11. Overtaking between Men Working or Caution signs   | P 500.00   |
| 12. Overtaking in a NO OVERTAKING ZONE  | P 1,500.00 |
| 13. Failure to yield right of way (same time rule)  | P 500.00   |
| 14. Failure to yield to the right of way (first at intersection rule)                               | P 500.00   |
| 15. Failure to yield to pedestrians at a crosswalk  | P 500.00   |
| 16. Failure to come to a complete stop on a through street<br>or railroad crossing                  | P 500.00   |
| 17. Failure to yield to the right of way coming from a private<br>Road or driveway                  | P 500.00   |
| 18. Failure to yield to the right of way of an ambulance, police<br>car, or fire department vehicle | P 500.00   |
| 19. Failure to come to a complete stop on a through highway<br>Or stop intersection                 | P 500.00   |
| 20. Failure to give proper turn/stop signals  | P 1,000.00 |
| 21. Illegal left turn   | P 1,000.00 |
| 22. Failure to stop motor vehicle and apply handbrake when<br>left unattended                       | P 1,500.00 |
| 23. Obstruction to traffic  | P 1,500.00 |
| 24. Disregarding Traffic Signs  | P 1,500.00 |
| 25. Disregarding Traffic Lights   | P 1,500.00 |
| 26. Beating the Red Lights  | P 1,500.00 |
| 27. Disregarding the Traffic Officers   | P 1,500.00 |
| 28. Reckless Driving  | P 1,500.00 |
| 29. Failure to Dim Headlights   | P 500.00   |



30. Use of slippers/barefoot, wearing shorts or sleeveless shirts when driving a vehicle FOR HIRE	P 500.00
31. Driving or parking in a place not designed for parking or Driving (i.e. sidewalks, alleys, etc.)	P 500.00
32. Hitching-permitting any person to hang onto or ride on the outside of a vehicle such as a person on a bicycle/skateboard/ Roller skates	P 1,000.00
33. Insolent, discourteous or arrogant drivers	P 1,500.00
34. Refusal to render service to the public	P 1,500.00
35. Overcharging/Refusal to Grant Concession	P 1,500.00
36. No fare matrix/Unauthorized fare matrix	P 500.00
37. Smoke belching (Penalty includes the cost of the Emission Test)	P 1,000.00
38. No trash can	P 500.00
39. Evading apprehension	P 1,500.00

Traffic Violation Ticket (TVT). A TVT shall be issued to the erring driver indicating therein the violation/s and the Driver's License shall be confiscated. The TVT shall be in effect for seventy-two (72) hours, hence drivers can still convey passengers within the said hours.

Driver/Operator shall pay the corresponding fine at the Office of the Municipal Treasurer during weekdays within Seventy-two (72) hours from the date of apprehension.

Should the driver/operator fail to pay the fine within the reglamentary period, the Traffic Enforcer shall summon the driver/operator and penalize the same for driving without the appropriate ID.

### SECTION 35. TRANSITORY PROVISION.

1. All ordinances and other laws existing at the time of approval of this ordinance, not inconsistent with the provisions herein shall continue to be in full force and effect within the Municipality of Manolo Fortich, Bukidnon unless the Sangguniang Bayan shall by another ordinance provide otherwise;
2. The allowed number of tricabs/e-Trikes as approved by the Sangguniang Bayan which is Eighty (80) allowed by the LTFRB shall be maintained. The Sangguniang Bayan shall not accept application in excess of the allowable number of tricabs/e-Trikes until such time that the August Body deems it necessary to increase the number of tricabs/e-Trikes operating within the municipality.



**SECTION 36. REPEALING CLAUSE.** This Ordinance repeals, modifies, or amends any existing ordinance inconsistent herewith otherwise the same shall remain in full force and effect.

**SECTION 37. EFFECTIVE CLAUSE.** This ordinance shall take effect one day after the last day of publication for three consecutive publications in a newspaper of local circulation.

This Ordinance was passed and enacted on motion of Hon. Eliezer S. Onahon and unanimously seconded by the members present.

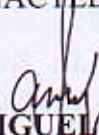
ENACTED: January 28, 2021.

CERTIFIED CORRECT:



**LYDIA O. LASTIMOSA**  
Secretary to the Sanggunian

CERTIFIED AND ATTESTED TO HAVE  
BEEN ENACTED ON JANUARY 28, 2021:



**MIGUEL D. DEMATA**  
Presiding Officer  
Municipal Vice Mayor

APPROVED:



**CLIVE D. QUIÑO**  
Municipal Mayor