



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
Los Baños, Laguna 4030 Philippines
Email: losbaños@laguna.net

**EXCERPTS FROM THE MINUTES OF THE TENTH (10TH) REGULAR SESSION OF
THE SANGGUNIANG BAYAN HELD ON MARCH 9, 2020 AT THE SANGGUNIANG
BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS,
LAGUNA.**

Present :	Vice Mayor Antonio L. Kalaw, Presiding Officer S.B. Member Miko C. Pelegrina S.B. Member Janos S. Lapiz S.B. Member Geronimo A. Ciceron S.B. Member Marlo PJ A. Alipon S.B. Member Mike Dexter A. Concio S.B. Member Mark Lester B. Dizon S.B. Member Cris Dayril B. Bagnes S.B. Member Arlene P. delos Santos, Liga President S.B. Member Jozlyn N. Manansala, SK Fed. President Secretary Dona T. Alborida Ms. Felomina I. Lincallo, LLSO I
Absent :	S.B. Member Josephine S. Evangelista (On Leave)
Visitors :	None

ORDINANCE NO. 2020-1986

**AN ORDINANCE GOVERNING THE OPERATION OF THE E-TRIKES IN THE
MUNICIPALITY OF LOS BAÑOS, LAGUNA AND PROVIDING GUIDELINES
THERETO.**

Author : **Councilor Marlo P.J.A. Alipon, REE, RMP, MPA**

BE IT ENACTED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA,
in session assembled, THAT:

SECTION 1. **TITLE.** This local legislation shall be known as the **“E-trike Ordinance of Los Baños.”**

SECTION 2. **POLICY.** The Municipality of Los Baños fully supports the national government’s e-tricycle project. It is also committed in enforcing the applicable provisions of the Clean Air Act and in addressing community concerns about high oil prices, pollution and health hazard as well as in providing new job opportunities.

SECTION 3. **DEFINITION OF TERMS.** For purposes of this ordinance, the following terms shall mean:

- (a) E-trike- a three-wheeled electric power driven vehicle.
- (b) Driver- an individual person duly licensed to drive motor vehicle.

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PETSA June 3, 2020

- (c) Franchise – pertains to a privilege granted by LGU-Los Baños and which is the basis for the issuance of a Motorized Tricycle Operator's Permit (MTOP) in favor of the operator of a motorized tricycle;
- (d) Franchisee- a person or entity who own an e-trike and in whose favor a franchise was issued by the Municipality of Los Baños through the Sangguniang Bayan.
- (e) Charging stations – refers to the place established whether by the government or private person where drivers or operator of e-trikes can re-charge their batteries whether for a fee or for free.

SECTION 4.

E-TRIKE FRANCHISE GRANT. E-trike operation is hereby allowed within the territorial jurisdiction of the Municipality of Los Baños. For the purpose of the implementation of the Department of Energy (DOE) E-Trike Project, thirty five (35) units of three-wheeled electric power driven vehicle or e-trike shall utilize the existing franchises previously granted to gasoline-fed tricycle owner who qualified as beneficiary under the E-Trike Project. Provided, that should there be cancellation of franchises previously granted, replacement thereof shall give preference to E-trike units. Provided further, that no additional franchise shall be issued in favor of any gasoline-fed tricycle as of the date of effectivity of this ordinance. Provided finally, that the voluntary conversion to e-trike is hereby allowed and encouraged.

SECTION 5.

GUIDELINES. The actual issuance of the corresponding franchise in favor of the applicant preferably endorsed by the **LGU** shall be subject to the following guidelines, to wit:

- 5.1 No e-trike franchise shall be granted unless:
 - a. The unit utilizes environmental friendly batteries as determined by the Municipal Environment and Natural Resources Office;
 - b. It has an on-board charger; and
 - c. It is roadworthy and possesses the required safety features including the provisions for reflection lights and/or lamps at the front and rear portions of the unit.
- 5.2 The individual applicant must be of legal age, a resident and registered voter of the Municipality of Los Baños. Such residency shall be a continuing requirement, violation of which shall result in the revocation of the franchise and/or non-renewal thereof.
- 5.3 A transport cooperative as defined under the law may be granted in its name up to five (5) franchises, subject to compliance with the qualification requirements of the drivers and the limitation on the number of units set forth under applicable municipal ordinance.

- 5.4 For E-trike Rent-to-Own Program or variations thereof and/or meanwhile that the ownership of the unit is not yet fully transferred to the intended buyer, a provisional franchise may be granted in favor of the proponent/buyer. Provided, that the qualification requirements of the intended buyers or drivers of the vehicle are fully complied with.
- 5.5 In granting a franchise, the following prioritization shall be considered, to wit:
- Franchised owner/operator of two-stroke tricycle who desire to own an E-trike;
 - Franchised tricycle owner/operator whose units are already dilapidated or smoke-belcher; and
 - Franchised tricycle owner/operator wanting to convert voluntarily to E-trike.
- 5.6 For the purpose of implementing the DOE E-Trike Project, the selection criteria for the E-Trike Recipients shall be governed by the provisions of the DOE approved Deployment Plan Appendix "A" shall govern. The provisions of this Ordinance shall be applied suppletorily in so far as it is consistent with the aforesaid Deployment Plan.

SECTION 6. PARTS AVAILABILITY. As a necessary after sales component to a successful e-trike project, the municipality shall undertake programs designed to make available within the Municipal territorial jurisdiction such parts as may be needed for the continued and uninterrupted operation of e-trike in the municipality.

SECTION 7. CHARGING STATIONS. Being an important support system to the e-trike project, charging stations shall be established in strategic public places in the Municipality. The LGU shall encourage participation of private proponents who wish to establish charging stations subject to existing laws rules and regulations applicable thereto.

SECTION 8. INCENTIVES.

(a) Franchisees who convert their gasoline-fed units to E-Trikes at their own expense shall be granted fifty (50%) discount on all fees applicable to E-Trikes namely:

- franchise fee
- annual supervision fee,
- mayor's permit fee,
- legal research fee, and
- sticker fee on their first application.

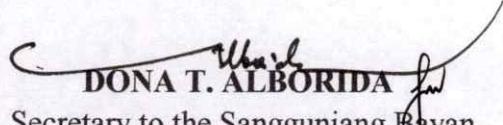
(b) A business tax holiday for one (1) year shall be granted a proponent for the establishment of the charging stations.

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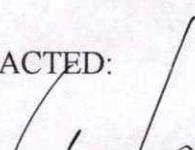
- SECTION 9.** **FARE RATE.** Fares that may be charged passengers or commuters for riding on E-trikes shall be subject to the approval of the Sangguniang Bayan. Meanwhile, the same rates and discounts being charged by gas-fed tricycle drivers shall apply to E-trike.
- SECTION 10.** **PARKING.** The Office of the Municipal Mayor through the Public Safety Office may designate such appropriate parking areas for E-trikes.
- SECTION 11.** **SOURCE OF FUNDS.** The Office of the Municipal Mayor shall appropriate such amount as maybe necessary for the implementation of the project.
- SECTION 12.** **TRUST FUND.** A trust fund shall be created for the proceeds of the collected contribution which shall be solely used for the maintenance of E-trikes.
- SECTION 13.** **INCORPORATION CLAUSE.** Provisions of existing ordinances, rules and regulations pertaining to tricycle fare rate, operation and traffic shall be considered as forming part thereof.
- SECTION 14.** **REPEALING CLAUSE.** Any provision of ordinance, rules and regulations and/or parts thereof inconsistent with the provision of this ordinance are hereby repealed and/or modified accordingly.
- SECTION 15.** **SEPARABILITY CLAUSE.** Should any portion or provisions of this ordinance be declared unconstitutional or invalid, the other parts of provisions thereof which are not affected thereby shall continue to be in full force and effect.
- SECTION 16.** **EFFECTIVITY.** This ordinance shall take effect immediately upon its approval.

ENACTED : March 09, 2020

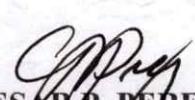
I HEREBY CERTIFY to the correctness of the above –quoted Ordinance.


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. ANTONIO L. KALAW
Vice Mayor / Presiding Officer

APPROVED:


HON. CAESAR P. PEREZ
Municipal Mayor


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