



3.2 The trimobile unit operated under the transferred franchise is less than ten (10) years old and is

roadworthy as inspected and certified jointly by the Public Safety Office and PNP-NCPO Traffic Management Office;

- 3.3 Payment of Amnesty Fee of Fifty Five Thousand (P55,000.00). This fee may be paid on installment basis within a period of not more twelve (12) months. Failure to pay in full within the period stipulated shall result in the automatic revocation of the franchise;
- 3.4 Payment of Franchise Fee of Five Thousand Pesos (P5,000.00);
- 3.5 An Affidavit of Undertaking shall be executed by the transferee, that the franchise once issued to his/her name, categorically declaring that no subsequent transfer or disposition involving his/her trimobile franchise other than to those persons allowed under Ordinance Nos. 2007-024 and 2014-023 and with prior approval of the Sangguniang Panlungsod ng Naga;
- 3.6 That in the event that the trimobile unit is more than ten (10) years old or that the same is no longer roadworthy, the franchise may still be issued if the applicant will utilize the new type of in-city public utility known as either Taxicle or E-trike;
- 3.7 In the event that the applicant decides to avail of the new type of in-city public utility, the Amnesty Fee shall be reduced to Thirty Five Thousand Pesos (P35,000.00).
- 3.8. The period to avail of this Ordinance shall be from January 1, 2022 to March 31, 2022. The Task Force Trimobile shall endeavor to assist the applicants so that the full intents and purposes of this Ordinance are achieved.

SECTION 4. - Adoption of the Existing Provisions of City Ordinance as part of this Ordinance.

- a) Ordinance No. 2014-078 - Sections 4, 5, 6 & 7 are reproduced hereunder, to wit:

"SECTION 4. - Five (5)-unit limit. - The provisions of this ordinance shall apply only for a maximum of five (5) trimobile franchise. In the event that the applicant is operating more than five trimobile units, the excess of five units shall be surrendered to the City Government. If not yet more than ten (10) years old and are still roadworthy, these excess units shall be appraised by the City Appraisal Committee in consultation with the Naga City People's Council. After determining the value, the amount shall be paid by the person to whom the excess franchise shall have been awarded using the existing process of the City Government in awarding new trimobile franchise. The payment shall be made directly to the owner, and witnessed

by the representative of the Naga City People's Council. In the event that the units are already more than ten (10) years old or are no longer roadworthy, the units shall be confiscated by the City Government but the owner may retain the motorcycle attached to it".

"SECTION 5. - Prevention of Abuse. - To prevent abuse of the amnesty granted under this ordinance, all trimobile operators/drivers who, at the time of the effectivity of this ordinance, are operating under a franchise which are not in their names, are required to present their trimobile units to the Public Safety Office (PSO) within sixty (60) days therefrom and file with the Trimobile Task Force their respective application for availment of the amnesty herein granted. For this purpose, the PSO is hereby required to submit to the Sangguniang Panlungsod the list of all trimobiles which are being operated not in the name of the franchisee thereof, and the Trimobile Task Force to commence the process of evaluating franchise transfer applications under this ordinance, within ninety (90) days from the passage hereof. The PSO and Trimobile Task Force shall devise the necessary forms and formulate the necessary procedures to facilitate the performance of their respective duties as herein required".

"SECTION 6. - Strict Enforcement. - Beginning January 1, 2022, public utility trimobiles, taxicabs, e-trikes, or any other form of in-city public utility transportation units which, under the ordinances of the City Government, are required to secure from the latter a franchise to operate, which are found to have been transferred in violation of the ordinances of the City of Naga shall be impounded by the City Government.

For this purpose, the name, address and contact phone number of the franchisee shall be painted legibly and conspicuously at all times on the inside and outside portions of the trimobile unit together with the phone number of the Naga City PNP Traffic Enforcement Office and the Public Safety Office".

"SECTION 7. - Penalties. - Any person or entity found to have transferred without the prior approval of the Sangguniang Panlungsod of Naga the trimobile franchise issued to him, or those responsible for the operation of public utility trimobile for which the franchise to operate has already been either cancelled, revoked, or is not in his/her name, shall suffer the following penalties:

1. Payment of fine in the amount of P5,000.00; and
2. Imprisonment of not less than one (1) month but not more than three (3) months.

The trimobile unit involved shall be confiscated in favor of the City Government. The owner shall deliver the trimobile unit to the City Government but may choose to retain for his own personal use the motorbike without

destroying/severely damaging the tricycle body attached to it.

Any officer or employee of the government found to have permitted the operation of public utility trimobile by those whose franchise to operate have already been cancelled, revoked, or are not in the name of the person operating the same, or who has directly abetted the operation thereof shall be administratively dealt with".

SECTION 5. - Repealing Clause. - All ordinances, executive orders, rules and regulations, or parts thereof, which are contrary to, or inconsistent with, any provision of this ordinance are hereby amended, repealed and/modified accordingly.

SECTION 6. - Separability Clause. - If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the other provisions hereof not so declared shall continue to be in full force and effect.

SECTION 7. - Effectivity. - This ordinance shall take effect upon its approval and publication in a newspaper of local circulation.

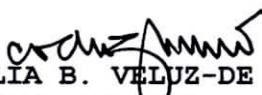
ENACTED: December 22, 2021


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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.


CECILIA B. VELUZ-DE ASIS
City Vice Mayor
& Presiding Officer


GIL A. DE LA TORRE
Secretary to the
Sanguniang Panlungsod

APPROVED:


NELSON S. LEGACION
City Mayor 12/22/21