

Republic of the Philippines SANGGUNIANG PANLUNGSOD

City Government of Naga

ORDINANCE NO. 2023-030

AN ORDINANCE REQUIRING THE REGISTRATION OF EBIKES IN THE CITY OF NAGA, PROVIDING GUIDELINES AND PENALTIES FOR IMPLEMENTATION, AND FOR OTHER PURPOSES:-

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Hon. Gilda Gayle R. Abonal-Gomez Hon. Melvin Ramon G. Buenafe

EXPLANATORY NOTE

The sale and use of ebikes in the city have considerably increased lately because of its ease and convenience usage. However, its presence in the streets pose both dangers to the riders, commuters and other vehicle owners as well.

As enshrined in the Local Government Code of 1991, the Sangguniang Panlungsod has the power to enact ordinances promoting public safety so as further enhance the socioeconomic development of the city. Hence, the passage of this ordinance is earnestly sought.

NOW THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Naga in session assembled, that:

SECTION 1. Purpose. This ordinance is enacted to regulate the use of ebikes in Naga City.

SECTION 2. Coverage. This ordinance shall cover the use of ebikes in Naga City. For this purpose, the registration of dealers under Section 9 hereof shall be for identification of the units while the registration of users as contemplated under Sections 8 and 8-A of this Ordinance pertains to the identification of the buyer or users thereof.

- SECTION 3. Definitions of Terms. Administrative Order Number 2021-039 of the Land Transportation Office (LTO), which being made an integral part of this Ordinance, has the following definitions:
 - a) Electric Vehicle- a motor vehicle powered by electric motors with power outage charge directly from external sources. The definition excludes hybrid vehicles;
 - b) Category- shall refer to vehicle category as specified in the Philippine National Standards (PNS) on road Vehicles-Classification and Definition PNS 1891-:2008 (UN ECE Published 2017) ICS 43.040.1;
 - c) Electric Mobility Scooter- a two, three, or four wheeled vehicle, with or without operable pedals, powered by electrical energy with less than 300 wattage capable of propelling the unit up to a maximum speed of 12.5km/hr;

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SECTION 4. Guidelines on Registration of Ebikes in Naga City. All ebikes operating in Naga are hereby required to register in the local government of Naga. The City Treasurer's Office through the Naga City Bike Board shall cause the registration of the same based on the same mechanics laid down in the registration of bicycles in the city. The Public Safety Office and the Philippine National Police, together with the deputized agents shall help in the implementation of this Ordinance.

SECTION 5. Guidelines on the use of Ebikes in Naga City.

Administrative Order No. 2021-039 of the Land Transportation Office designates the areas and/or roads where ebikes may be used, which are made integral part of this Ordinance, to wit:

"Designed for shorter trips and within communities. Their operation shall be limited within private roads subject to internal regulations on private road. They may be operated on pedestrian walkways and bicycle lanes or on similar lanes designated by proper authorities with the rider required to wear a protective helmet similar to those designated for a bicycle rider. Driver's license and registration are not required."

It is the desire of the City Government to observe the said Administrative Order No. 2021-039.

However, with the power given to the Sangguniang Panlungsod to enact regulations for public safety, the following are hereby promulgated to further clarify the use of ebikes. It may be used in thoroughfares not specifically mentioned by Administrative Order No. 2021-039, under the following circumstances:

a. During emergency cases

b. During certain activities wherein use of ebikes may help in the transport of participants, especially children

SECTION 6. EBIKE PARKING. Ebike parking areas must be available to Ebike users to be able them to park their ebikes, in accordance with Ordinance No. 2008-068 otherwise known as Naga City Bicycle Board and Motorcycle Parking Area Ordinance.

SECTION 7. Period of Registration and Other Requirements. The following shall be observed in the registration of ebikes:





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- a) Only 18 years old are qualified to operate ebikes. Owners of ebikes must register the same immediately to the concerned Office as mentioned in this Ordinance. Owners of ebikes who bought their units before the effectivity of this Ordinance are given thirty (30) days within which to register their units with the Naga City Bike Board;
- b) In lieu of license plate, a sticker and road ID shall be issued by the city government to the ebike user upon registration, subject to payment of the corresponding fee;
- c) The sticker shall be placed at the rear of the ebike exposed to the public view.

Section 7A. Ebike users or owners are prohibited under this Ordinance to use the same as public utility vehicle.

SECTION 8. Mandatory Ebike Registration. It shall be mandatory for Ebike dealers to register their units to the concerned Office as stated in this Ordinance before its release to the buyer/s. For this purpose, the make, country of origin, color and other pertinent information of the ebike must be furnished the registering Office. A picture of the ebike must accompany said registration.

SECTION 9. PENALTIES. Despite the lapse of the periods stated in Section 7 and/or by allowing and/or using the unit as public utility vehicle under Section 7A hereof, or by failing to register the same as contemplated under Section 8 hereof, despite demand, and after determination of Court of competent jurisdiction, the following penalties shall apply:

1st Offense- A fine of One (₱1000.00) Thousand Pesos 2nd Offense- A fine of Two (₱2000.00) thousand Pesos 3rd offense- A fine of Three (₱3000.00) thousand Pesos

SECTION 10. Under this Ordinance, the Naga City Bike Board may recommend to the City Mayor and subject to his approval, mechanisms to enhance the process of ebike registration.

SECTION 11. Recognition of Ebike Dealers. This Ordinance hereby establishes recognition for ebike dealer/s who actively supports in the promotion of the use of ebikes and their assistance in the implementation of this Ordinance.

The Naga City Bike Board is strongly requested to promulgate the rules for this purpose.





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SECTION 12. The City Government of Naga, through the Naga City Bike Board shall endeavor to provide for ebike charging areas in partnership with the private sector.

The Naga City Bike Board shall also recommend to the City Mayor the conduct of Bicycle Day to also highlight and promote the use of ebikes as an affordable mode of transport for Naguenos, with the Naga City Bike Board as sponsor and host of such event even for the large occasions such as the Peñafrancia festivities.

The Naga City Bike Board shall also recommend to the City Mayor and Sangguniang Panlungsod possible incentives for private establishments who will set up ebike parking as well as charging facility as support mechanism hereof.

SECTION 13. 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 14. 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 15. Effectivity. This ordinance shall take effect upon its approval and publication in a newspaper of local circulation.

ENACTED: April 25, 2023

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GIL A. DE LA TORRE

Secretary to the Sangguniang Panlungsod

CECILIA B. VEJUZ-DE ASIS

City Vice Mayor & Presiding Officer

APPROVED:

LEGACION