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**PROPOSED ORDINANCE**  
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**AN ORDINANCE RATIONALIZING THE GRANT OF TRIMOBILE FRANCHISE, AMENDING FOR THE PURPOSE SECTION 116 OF ORDINANCE NO. 93-049, AS AMENDED, OTHERWISE KNOWN AS "THE TRASPORT AND TRAFFIC CODE OF THE NAGA CITY" SPECIFICALLY BY LIMITING TO A MAXIMUM OF TWO (2) UNITS OF TRIMOBILE FRANCHISE PER OPERATOR-FAMILY, THEREBY GIVING EQUAL OPPORTUNITY TO OTHER RESIDENTS OF THE CITY TO SECURE FRANCHISE AND OPERATE TRIMOBILE UNITS IN THE CITY OF NAGA:-**

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**EXAPLANATORY NOTE**

One of the purposes of public transport operations including trimobile in the City of Naga is to provide a means of livelihood to both the operators and drivers and their families or to augment their income and support especially those low-income families in the city. Previously, trimobile operations in the city were run as a regular business enterprise by families and individuals who are already sufficiently and financially empowered with many families owning a fleet of trimobile units.

Thus, seeing the significant contribution of trimobie operations to the economic condition of operators and drivers and their respective families, the Sangguniang Panlungsod through City Ordinance No. 93-049 provided to limit ownership of each operator to five (5) trimobile franchise.

However, it has come to the attention of the Sangguniang Panlungsod that this specific provision is being circumvented by certain operators by passing on franchises in excess of five unit to other family members who are still living with them and still belong to their households.

Thus, to correct this situation and to further spread economic opportunities among families in need of a source of livelihood, this amendatory ordinance is presented.

BE IT ORDAINED by the Sangguniang Panlungsod, that:

**SECTION 1.** It is a declared policy of the City Government of Naga to provide an opportunity for livelihood for every Nagueño. In conformity with this policy, it is hereby encouraged among public utility trimobile operators in the city to hire only drivers who are residents of the city as evidenced by a Barangay Certification and COMELEC registration.

**SECTION 2.** Section 116 of Ordinance No. 93-049, as amended by Section 6, Ordinance No. 2007-024, is hereby further amended, now to read as follows:

**"Section 116.** Limitation to the Number of Trimobile Franchise. - a) A maximum of two (2) Trimobile Franchises for a public utility trimobile, shall be granted to an applicant.

b) Provided, that the applicant is a natural person, an actual and continuous resident of the City of Naga for at least Five (5) years duly certified by the Bgy Secretary and attested by the Punong barangay based from the registry of Residents therefrom, and a duly registered voter of the City of Naga, as certified by the City Election Registrar;

c) Provided further, that no family composed of the parents, grandparents and unmarried children, shall be granted trimobile franchises as provided under par. a above.

d) Provided finally, that transport cooperatives of good standing, engaged in trimobile operations, duly registered with Cooperative Development Authority, and whose principal office and actual area of operation is within the City of Naga, shall be exempt from these limitation provided herein."

**SECTION 3.** Existing operators who were granted franchise for more than two (2) units shall surrender the excess franchises to the City Government of Naga through the Trimobile Task Force upon the expiration of its franchise. Provided, that franchises granted in excess of the maximum number as provided under Section par a, hereof, expiring within two (2) years from the effectivity of this ordinance, shall be granted an extension to renew their Trimobile Franchise, as follows:

a) For those franchises expiring within One (1) year or less, Two(2) year extension;

b) For those franchises expiring within Two (2) years of less, One (1) year extension.

**SECTION 4.** - If the Trimobile unit is not more than ten (10) years old and are still road worthy and the operator does not want to keep it, the excess unit(s) shall be appraised by the City Appraisal Committee in consultation with the Naga City People's Council (NCPC). 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 NCPC.

Operators who were granted franchises in excess of two (2) units under Ordinance No. 2021-109 shall be given five (5) years to maintain such unit(s) after which the same shall be surrendered as provided in the previous paragraph.

**SECTION 4. Penalty.** - Any person or entity found to have violated any provision of this ordinance shall suffer the penalty of fine in the amount of five thousand pesos (P5,000.00) and/or imprisonment of not less one (1) month but not more than three (3) months, at the discretion of the court.

**SECTION 4. Repealing Clause.** - All ordinances, or parts thereof, which are inconsistent with the provisions of this ordinance are hereby amended, repealed and/or modified accordingly.

**SECTION 5.** This ordinance shall take effect upon its approval and publication in a newspaper of local circulation.