

Republika ng Pilipinas

TANGGAPAN NG SANGGUNIANG PANLUNGSOD Lungsod ng Naga

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ORDINANCE NO. 2020-113

AN ORDINANCE REVISING CITY ORDINANCE NO. 2020-040, ENTITLED: "AN ORDINANCE REGULATING THE OPERATION OF PADYAKS, TRICYCLES, ETRIKES AND TAXICLES DURING THE GENERAL COMMUNITY QUARANTINE IN NAGA CITY":-

Authors:

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EXPLANATORY NOTES

City Ordinance No. 2020-040 regulates the operation of padyaks, tricycles, Etrikes and taxicles during the General Community Quarantine in Naga City. It provides, among others, the passenger capacity, fare and other guidelines on its operations.

The National Task Force Covid19 issued Memorandum Circular No. 03, series of 2020, entitled: "Operational Guidelines on Motorcycle Taxis and Tricycle Backriding", which intends to provide guidelines on minimum health and safety protocols to be observed by tricycles that will be accepting back-riders and motorcycle taxis following a systematic and coordinated approach in augmenting the public transport options for the commuting public.

To ensure orderly operation of public transportation in Naga City and to conform with the new guidelines of the national government, there is a need to revise City Ordinance No. 2020-040. Hence, this Ordinance.

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. – Authorized Passenger Capacity. – The following are the new authorized passenger capacity per public utility vehicle shall be allowed per trip:

- (a) Regular Trimobile Franchise Two (2) passengers one (1) seated inside the sidecar and one seated at the back of the driver;
- (b) Special Trimobile Franchise Three (3) passengers one (1) seated inside the sidecar, one (1) seated at the back portion of the sidecar, and one (1) at the back of the driver;
- (c) Etrike Three (3) passengers two (2) seated at the back and one (1) seated beside the driver;
- (d) Taxicle Three (3) passengers two (2) seated at the back and one (1) seated beside the driver;

SECTION 2. – Authorized Fare and Discounts. – The following are the new authorized fare per passenger shall be collected by the driver of a public utility vehicle:

(a) For regular and special franchise trimobiles, E-trikes and taxicles – Fifteen pesos (Php15) per passenger.

Senior citizens, persons with disabilities, and students shall be provided with discount of Twenty percent (20%) or a passenger rate of Twelve pesos (Php12), provided, they shall show to the driver a valid identification card.





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SECTION 3. – *Installation of Protective Barriers*. –Trimobiles, Etrikes and taxicles shall install protective barriers between the driver and passenger to ensure health protection, based on the Memo Circular released by the IATF, enforcement of which shall be done by the PSO, PNP and duly accredited force multipliers.

SECTION 4. – *Guidelines for Operators and Drivers.* – A public utility vehicle operator or driver must:

- (a) Wear protective gear such as jacket or long-sleeved shirt, closed shoes, long pants and other necessary protective gear when driving or operating the vehicle;
- (b) Wear a face mask and use own full face shield completely covering the nose and the mouth at all times;
- (c) Sanitize and disinfect the face shield, hands, seats and barriers before and in between rides:
- (d) Observe and abide all applicable traffic rules and regulations;
- (e) An operator or driver may refuse the following passengers:
 - (1) Those under the influence of alcohol, drugs and other banned substances;
 - (2) Person with Disability (PWD) who cannot hold on safely;
 - (3) Children covered covered by R.A. 10666 or the Children's Safety on Motorcycle Act of 2015;
 - (4) Pregnant women; and/or
 - (5) Those who are non-compliant to the required health protocols in Section 5 below;
 - (6) Only accept one (1) tricycle back-rider at a time.

SECTION 5. – Guidelines for Passengers. – A passenger must:

- (a) Wear protective gear such as jacket or long-sleeved shirt, closed shoes, long pants and other necessary protective gear when driving or operating the vehicle;
- (b) Wear a face mask and use own full face shield completely covering the nose and the mouth at all times;
- (c) Ensure that the hands are sanitized before boarding and after disembarking the vehicle.
- **SECTION 6.** *Areas of Operation.* Trimobiles, Etrikes and Taxicles shall operate only within their prescribed areas of operation pursuant to their respective franchises, and to existing ordinances and/or other issuances of the Sangguniang Panlungsod. No cross-border transport is allowed.
- **SECTION 7.** *Penalties.* Any individual, passenger, driver or operator who refuses or fails to comply with the provisions of this ordinance shall suffer the following





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fines and penalties, notwithstanding with the filing of complaints for violations of other law/s or ordinances:

(a) First offense -a fine of Two Thousand Pesos (Php2,000.00);

(b) Second offense -a fine of Three Thousand Five Hundred Pesos (Php3,500.00)

(c) Third offense and subsequent offenses – a fine of Five Thousand Pesos (Php5,000.00) for each instance of violation.

SECTION 8. – **Separability Clause**. – Any provision or portion of this ordinance found to be in violation of the Constitution or invalid shall not impair the other provisions or parts thereof and shall remain in full force and effect.

SECTION 9. – Repealing Clause. – All existing ordinances, rules and regulations or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed, modified and/or supplemented accordingly.

SECTION 10. – *Effectivity.* – This ordinance shall take effect after publication in a newspaper of general circulation in Naga City and compliance with posting requirements laid down by law.

ENACTED: December 1, 2020

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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. VELUZ-DE ASIS

City Vice Mayor & Presiding Officer

APPROVED:

NELSON'S. LEGACION

Wayor 12/2/2