

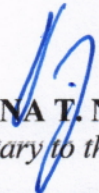


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OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

1st Endorsement
May 10, 2023

Respectfully transmitted to the Sangguniang Bayan Secretary of Bayambang, Pangasinan the herein copies of Resolution Nos. 356 and 357, both Series of 2023, which were approved by the Sangguniang Panlalawigan on May 8, 2023, for your information and guidance.


VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

VTNPbdc



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CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on May 8, 2023 at the Session Hall, Capitol Building, Lingayen, Pangasinan, the following resolution was approved:

Sponsored by SP Members Shiela Marie F. Baniqued and Vici M. Ventanilla and co-sponsored by SP Members Jerome Vic O. Espino, Jeanne Jinky C. Zaplan and Arthur C. Celeste, Jr.

RESOLUTION NO. 357-2023

DECLARING MUNICIPAL ORDINANCE NO. 01, S-2023 OF THE SANGGUNIANG BAYAN OF BAYAMBANG, PANGASINAN, ENTITLED “AN ORDINANCE APPROVING THE NEW FARE MATRIX OF MOTORIZED TRICYCLE FOR HIRE WITHIN THE MUNICIPALITY OF BAYAMBANG, PANGASINAN, AND FOR OTHER PURPOSES” AS WITHIN THE CONFERRED POWERS OF THE SANGGUNIAN TO ENACT

WHEREAS, the Sangguniang Bayan of Bayambang, Pangasinan submitted its Ordinance No. 01, S-2023 to the Sangguniang Panlalawigan for review and evaluation pursuant to Section 56 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, the Committee on Laws and Ordinances of the Sangguniang Panlalawigan with the technical assistance of the Provincial Legal Officer have conducted initial review and study on said municipal ordinance and found out that the same was enacted in accordance with Section 447 (3) (vi) of R. A. No. 7160;

WHEREFORE, in view of the foregoing, on motion of SP Members Shiela Marie F. Baniqued and Vici M. Ventanilla and co-sponsored by SP Members Jerome Vic O. Espino, Jeanne Jinky C. Zaplan and Arthur C. Celeste, Jr., duly seconded, it was –

RESOLVED, by the Sangguniang Panlalawigan in session assembled, to declare Municipal Ordinance No. 01, S-2023 of the Sangguniang Bayan of Bayambang, Pangasinan, entitled “An Ordinance approving the new fare matrix of motorized tricycle for hire within the Municipality of Bayambang, Pangasinan, and for other purposes” as within the conferred powers of the Sangguniang Bayan to enact;



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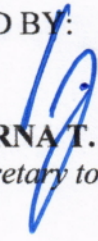
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Resolution No. 357-2023

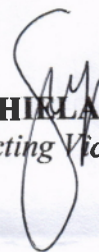
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RESOLVED FURTHER, that a copy of this resolution be furnished the Office of the Sangguniang Bayan of Bayambang, Pangasinan, for its information and guidance.

CERTIFIED BY:


VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


SP MEMBER SHIRLA MARIE F. BANIQUED
Acting Vice Governor



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MUNICIPAL ORDINANCE NO. 01
SERIES OF 2023

"AN ORDINANCE APPROVING THE NEW FARE MATRIX OF MOTORIZED-TRICYCLE FOR HIRE WITHIN THE MUNICIPALITY OF BAYAMBANG, PANGASINAN, AND FOR OTHER PURPOSES"

WHEREAS, the power to regulate tricycle for hire has already been devolved from the Land Transportation Franchising and Regulatory Board (LTFRB) to the Local Government Unit (LGU) by virtue of Article 99, Section 3 (vi) of Republic Act 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, the recent oil price hikes, high cost of spare parts, and the implementation of the Tax Reform for Acceleration and Inclusion (TRAIN) Law caused the increase in prices of prime commodities and at the same time affected the income of the transportation sector affecting the quality of life of their respective families;

WHEREAS, the various Federations of Tricycle Operators and Drivers Associations submitted their petition for tricycle fare increase to the Sangguniang Bayan. Accordingly, the august body was furnished a copy of the petition formally accepting the request for information and appropriate action;

WHEREAS, while the municipal government sympathizes with the welfare of the riding public, the current tricycle fare is not sufficient to sustain the needs of the tricycle drivers and or operators;

WHEREAS, tricycle-for-hire issues such as fare increases, when not effectively resolved would cause a setback to the local government's promotion of social welfare;

WHEREAS, Public Hearings was conducted to evaluate the implications of the proposed fare increase of tricycles in the municipality, led by the Sangguniang Bayan Committee on Transportation and Communication;

WHEREAS, addressing these issues necessitate a strong government intervention with a clear-cut focus on crafting regulatory and proactive policies that will standardize the fares of all franchised tricycle-for-hire operating within the municipality of Bayambang;

WHEREAS, upon careful perusal of the issue at hand, the august body deemed it proper and timely to grant the request of the Federations of Tricycle Operators and Drivers in the Municipality;

NOW THEREFORE, on motion of **SB Member Amory M. Junio**, duly seconded;

BE IT ENACTED, by the Sangguniang Bayan of Bayambang in session assembled that:



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SECTION 1. TITLE: This ordinance shall be known as the ***“THE NEW TRICYCLE FARE MATRIX OF THE MUNICIPALITY OF BAYAMBANG”***.

SECTION 2. SCOPE AND LIMITATION: This Ordinance shall apply to all public tricycles-for-hire plying the routes within the territorial jurisdiction of Bayambang.

SECTION 3. DEFINITION OF TERMS. – For the purposes of this Ordinance, the following definitions shall be adopted:

- (a) **Fare** – the money a passenger on public transportation has to pay;
- (b) **Fare Matrix** – is a chart that tells how much the base fare is per passenger and is usually a requirement by the local government. Most of the time, they are posted inside that sidecar of a tricycle so that passengers can easily read them;
- (c) **Tricycle** – a public utility vehicle, a motorized tricycle, or simply tricycles (known in the rest of the world as a motorcycle and sidecar), a common means of public or private transportation on the Philippines;
- (d) **Person with Disability (PWD)** – are those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;
- (e) **Senior Citizen** – refers to any resident citizen of the Philippines at least sixty (60) years old;
- (f) **Students** – those enrolled in and who regularly attend in an educational institution;
- (g) **Colorum** – it is an operation of the operator without a valid MTOP;
- (h) **Motorized Tricycle Operators Permit (MTOP)** – is a document granting a permit or license to operate issued to a person, natural or juridical, allowing to operate a tricycle transport service within the territorial limits of the Municipality of Bayambang;
- (i) **Driver** – is a duly license person assigned by the owner to drive a specific tricycle;
- (j) **Tricycle-for-Hire** – is a tricycle for hire rendering transport services to the general public with existing franchise duly registered with the Motorized Tricycle Operators Permit (MTOP);
- (k) **Owner or Operator** – is the registered owner of a tricycle as shown by the Certificate of Registration or other documents;
- (l) **Contract Fare/Special Trip** – fares beyond the cut-off points specified above shall be by agreement o the passengers and the tricycle driver/operator at a reasonable amount;



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SECTION 4. TRICYCLE FARE: All tricycles, operators/drivers are required to adhere, to the following approved prescribed fare in the Municipality of Bayambang, to wit:

A. **Amount of Fare** – The minimum fare increase from Fifteen Pesos (P15.00) to Twenty Pesos (P20.00) is hereby approved:

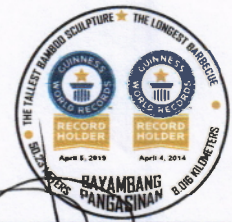
KINDS OF TRIP	AMOUNT OF FARE
Regular Trip	P20.00/passenger/trip for the first 4km. and additional two pesos (P2.00) for every km in excess hereof
Special Trip	(a) Regular Route – amount equivalent to one (1) trip or the amount equivalent to 3 passengers (regular fare x 3 passengers) (b) Agreed amount by both Parties

TODA Route/Name	Distance in kms. (Town Proper Terminal to Destination)	New Tricycle Fare Matrix	
		Regular	Discounted Fare for Students/Senior Citizens and PWDs
1) Alinggan	6.00	P24.00	P19.2
2) Amancosiling Norte	3.3	P20.00	P16.00
3) Amancosiling Sur	4.2	P20.4	P16.30
4) Amanperez	5.00	P22.00	P17.6
5) Ambayat I	11.3	P34.6	P27.68
6) Ambayat II	12.9	P37.8	P30.24
7) Apalen	9.7	P31.4	P25.12
8) Asin	3.9	P20.00	P16.00
9) Ataynan	4.00	P20.00	P16.00
10) Bani	2.7	P20.00	P16.00
11) Bacnono	2.2	P20.00	P16.00
12) Bical Norte (Hospital)	1.7	P20.00	P16.00
13) Bical Norte	2.60	P20.00	P16.00
14) Bical Sur	3.1	P20.00	P16.00



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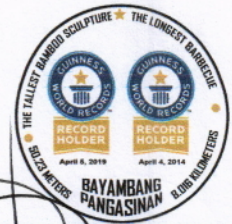
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15) Bongato East	3.3	P20.00	P16.00
16) Bongato West	2.6	P20.00	P16.00
17) Buayaen	2.5	P20.00	P16.00
18) Buenlag 1 st	3.7	P20.00	P16.00
19) Buenlag 2 nd	4.0	P20.00	P16.00
20) Carungay	8.2	P28.4	P22.72
21) Caranglaan	5.1	P22.2	P17.76
22) COGWA	10.3	P32.6	P26.08
23) Daraway	6.5	P25.00	P20.00
24) Downtown (Poblacion Area)	0.8	P20.00	P16.00
25) Duera	5.3	P22.6	P18.08
26) Banaban	6.5	P25.00	P20.00
27) Dusoc	4.8	P21.6	P17.28
28) Idong	7.9	P27.8	P22.24
29) Inanlorenza	6.9	P25.8	P20.64
30) Inirangan	9.30	P30.6	P24.48
31) Ligue	4.3	P20.6	P16.48
32) Maigpa	9.7	P31.4	P25.12
33) Malimpec	7.0	P26.00	P20.8
34) Langiran	8.4	P28.8	P23.04
35) Managos	9.8	P31.6	P25.28
36) Manambong Norte	3.9	P20.00	P16.00
37) Manambong Parte	6.7	P25.4	P20.32
38) Manambong Sur	5.0	P22.00	P17.6
39) Mangayao	4.5	P21.00	P16.8
40) Nalsian Norte	4.4	P20.8	P16.64
41) Nalsian Sur	3.3	P20.00	P16.00
42) Pangdel	7.00	P26.00	P20.8
43) Paragos	9.1	P30.2	P24.16
44) Pugo	6.2	P24.4	P19.52
45) Reynado	9.5	P31.00	P24.8



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46) Hermoza	11.1	P34.2	P27.36
47) Malioer	12.9	P37.8	P30.24
48) San Gabriel 1 st	4.60	P21.2	P16.96
49) San Gabriel 2 nd	7.1	P26.2	P20.96
50) San Vicente	6.10	P24.2	P19.36
51) Tampog	7.8	P27.6	P22.08
52) Sancagulis	2.5	P20.00	P16.00
53) Sanlibo	10.0	P32.00	P25.6
54) Sapang	4.4	P20.8	P16.64
55) Tamaro	2.74	P20.00	P16.00
56) Tambac	1.8	P20.00	P16.00
57) Tanolong	5.8	P23.6	P18.88
58) Tatarac	7.9	P27.8	P22.24
59) Telbang	1.5	P20.00	P16.00
60) Tococ West	6.5	P25.00	P20.00
61) Tococ East	5.9	P23.8	P19.04
62) Warding	8.7	P29.4	P23.52
63) Wawa	5.4	P22.8	P18.24
64) Balaybuaya	9.5	P31.00	P24.8
65) Batangcaoa	12.6	P37.2	P29.76
66) Beleng	11	P34.00	P27.2
67) Caturay	13.6	P39.2	P31.36
68) Iton	6.5	P25.00	P20.00
69) Macayocayo	9.8	P31.6	P25.28

SECTION 5. PRIVILEGES: All students, persons with disabilities, and senior citizens should be granted a special fare 20% discount in accordance with the law granting special privileges for students, the Magna Carta for Persons with Disabilities and the Expanded Senior Citizens Act upon presentation of proper identification (ID) card:

SECTION 6. LOAD CAPACITY LIMIT: The load capacity for all tricycles shall be limited to up to five (5) passengers provided that road safety component is maintained.



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SECTION 7. No tricycles shall be issued franchise unless the following applicable physical requirements equipage are complied with:

- Clean windshields;
- Garbage receptacle;
- Functioning horn that does not emit exceptionally loud or startling sound;
- Two (2) signal lights, fronts and back for turning right or left or for emergency purposes;
- Tail light, including license plate light;
- Top chain extending to the rear wheel;
- White head lights in front and red tail light with functioning stop light in the rear, visible at least 50 meters from the front and rear of the tricycle and functioning under all weather conditions and lighted starting 6:00 pm until 6:00 am;
- Light installed inside the sidecar and keep lighted while plying routes;
- Anti-noise equipment/silencer;
- Sticker containing the body number of the vehicle and placed prominently to be identifiable from a distance;
- Fully operating mufflers; and
- Roadworthiness of the tricycle unit.

SECTION 8. **POSTING OF THE NEW FARE RATES:** All tricycles for hire with franchise in the Municipality of Bayambang shall post the New Tricycle Fare Matrix inside the tricycle sidecar within the passenger's view upon the implementation of this Ordinance.

SECTION 9. **LOWER FARE RATES:** The Sangguniang Bayan, upon its discretion and proper notice, may lower foregoing fares every time there are movement of fuel prices in the market.

SECTION 10. **LIABILITY OF ANY MEMBERS OF PNP, BPSO, ELECTED MUNICIPAL AND BARANGAY OFFICIALS AND EMPLOYEES.** (a) Any member of the PNP stationed in Bayambang, Pangasinan and Bayambang Public Safety Office (BPSO) personnel who refuses to apprehend violators of this ordinance during his tour of duty for the day shall be charged administratively for dereliction of duty.

(b) Any elected municipal and barangay officials and employees of Bayambang, Pangasinan who will intercede for the release or fixing the case of any arrested violator will be proceeded against him administratively and or criminally for obstruction of justice and/or violation of R.A. 6713.



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SECTION 11. PROHIBITED ACTS.

- 1) All tricycle drivers are prohibited from charging the fare equivalent to five (5) passengers for only one (1) passenger;
- 2) Non-posting of the corresponding fare matrix schedule in the tricycle units bearing the new fare;
- 3) It shall be unlawful for any driver and/or operator of any tricycle to refuse to convey or choose their passengers and their destination without any valid reason;
- 4) Charging of exorbitant fees other than those lawfully prescribed in this ordinance

SECTION 12. PENALTIES.

Any tricycle drivers and or operators caught violating Section 11 of this Ordinance shall be liable for the following penalties, to wit:

- 1) **First Offense** – One Thousand Pesos (Php1,000.00) or imprisonment of five (5) days or both such fine and imprisonment at the discretion of the court;
- 2) **Second Offense** – One Thousand Five Hundred Pesos (Php1,500.00) or imprisonment of ten (10) days or both such fine and imprisonment at the discretion of the court;
- 3) **Third and Succeeding Offense** – Two Thousand Five Hundred Pesos (Php2,500.00) or imprisonment of ten (10) days or both such fine and imprisonment at the discretion of the court, and shall be ground for the revocation of Motorized Tricycle Operators Permit (MTO)

SECTION 13. NO CONTEST PROVISION. (a). Notwithstanding the foregoing and in the interest of justice, and to avoid clogging of cases filed in the courts of justice, violation of this ordinance may instead be settled through the payment of administrative fines, as follows:

- 1) **First Offense** – One Thousand Pesos (Php1,000.00);
- 2) **Second Offense** – One Thousand Five Hundred Pesos (Php1,500.00);
- 3) **Third and Succeeding Offense** – Two Thousand Five Hundred Pesos (Php2,500.00)

(b). Any person apprehended for violation of this Ordinance who does not wish to contest the violation and is willing to pay voluntarily the penalty imposed upon him/her prior to the filing of formal complaint shall be allowed to pay said fine with the Treasurer's Office to avoid being prosecuted. If the violator has already availed of the No Contest Provision three (3) times, he/she can no longer avail of the same and the corresponding complaint for the violation of the Ordinance, with the maximum penalty imposed should be filed against the violator.

The violator shall be given five (5) calendar days from issuance of the Ordinance Violation Receipt within which to pay the fine.



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SECTION 14. ENFORCEMENT: This ordinance shall be implemented by Bayambang Public Safety Office (BPSO) and the Bayambang Municipal Police Station.

SECTION 15. ROLE OF THE BARANGAYS: Barangays in the municipality of Bayambang are important domain and embodiment of the grassroots level of society. They have firsthand information with regard to the realities and on-site conditions of the riding public/commuters, as well as the public transport sector. As such, they shall make necessary recommendations thru representation to the Municipality of Bayambang on matters of fare implementation, fare increase, ambiguous transport fare practices, and such other related concerns, taking into account the welfare of the majority of its constituents.

SECTION 16. DUTIES OF THE MUNICIPAL TREASURY OFFICE (MTO): The Municipal Treasury Office shall:

- a. provide the new tricycle fare matrix and;
- b. ensure proper information and dissemination to all the Tricycle Operators and Drivers Associations (TODAs) in Municipality of Bayambang.

SECTION 17. SEPARABILITY CLAUSE. If for any reason, any section or provision of this ordinance shall be held unconstitutional or invalid by any court or any competent jurisdiction, such judgment shall not affect or impair the other provisions or parts thereof, which shall continue to be enforceable and in effective.

SECTION 18. REPEALING CLAUSE. All Ordinances, Resolutions, Executive Orders, Memorandum Circulars and Administrative Orders or part thereof which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 19. EFFECTIVITY CLAUSE. In accordance with Section 511 (a) of RA 7160, otherwise known as the Local Government Code of 1991, this Ordinance shall be posted at prominent places in the Municipality Bayambang for a minimum period of three (3) consecutive weeks and shall be published in a newspaper of general circulation in Bayambang. This Ordinance shall take effect on the day following its publication or at the end of the period of posting, whichever occurs later.

ENACTED this 27th day of February 2023.



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**"AN ORDINANCE APPROVING THE NEW
 FARE MATRIX OF MOTORIZED-TRICYCLE
 FOR HIRE WITHIN THE MUNICIPALITY OF
 BAYAMBANG, PANGASINAN, AND FOR
 OTHER PURPOSES"**

HON. MYLVIN T. JUNIO
 Municipal Councilor

HON. PHILIP R. DUMALANTA
 Municipal Councilor

HON. BENJAMIN FRANCISCO S. DE VERA
 Municipal Councilor

HON. JOSE S. RAMOS
 Municipal Councilor

HON. AMORY M. JUNIO
 Municipal Councilor

HON. GERARDO DC. FLORES
 Municipal Councilor

HON. MARTIN E. TERRADO II
 Municipal Councilor

HON. LEVINSON NESSUS M. UY
 Municipal Councilor

HON. RODELITO F. BAUTISTA
 President, Liga ng mga Barangay
 Ex-Officio Member

HON. GABRIEL TRISTAN P. FERNANDEZ
 President, SK Federation
 Ex-Officio Member

Certified correct:

JOEL V. CAMACHO
 Secretary to the Sanggunian

ATTESTED:

HON. IAN CAMILLE C. SABANGAN
 Municipal Vice-Mayor &
 Presiding Officer

APPROVED:

HON. MARY CLARE JUDITH PHYLLIS JOSE-QUIAMBAO
 Municipal Mayor

