

OFFICE OF THE SB SECRETARY

EXCERPT FROM THE MINUTES OF THE 2nd REGULAR SESSION OF THE 4th
SANGGUNANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR
HELD AT THE MUNICIPAL SESSION HALL ON July 9, 2001.

<u>OFFICERS/MEMBERS</u>	<u>POSITION</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>OB</u>
Hon. Nacianceno M. Pacalioga, Jr.	Vice Mayor	/	—	—
Hon. Teofilo O. Oclaret	SB Member	/	—	—
Hon. Corazon G. Tangalin	SB Member	/	—	—
Hon. Jeremias Y. Lim	SB Member	—	/	—
Hon. Roger M. Pacalioga	SB Member	/	—	—
Hon. Bernard R. Lambatan	SB Member	/	—	—
Hon. Inocentes D. Ylanan, Jr.	SB Member	/	—	—
Hon. James D. Gandeza	SB Member	/	—	—
Hon. Pastora E. Buendia	SB Member	/	—	—
Hon. Nita T. dela Torre	Ex-Officio Member	/	—	—
Hon. Libertine R. Mantos	Ex-Officio Member	/	—	—
Mr. Alejandro R. Estillore	SB Secretary	/	—	—

Ordinance No. 10, s. 2001

**“AN ORDINANCE AMENDING SECTION 3 AND 4, ARTICLE III
OF MUNICIPAL AMENDATORY ORDINANCE NO. 28, S. 1996.
(Trisikad Regulatory Ordinance - Ordinance No. 8, s. 1995).”**

Be it ordained by the Sangguniang Bayan of Dumingag, Zamboanga del Sur in session assembled:

Article I - PURPOSE

Section 1. The objective of prescribing policies and guidelines is to produce responsible and courteous drivers, for proper identification and safe driving of a public utility vehicle, the tri-sikad.

Article II - IDENTIFICATION OF TERMS

Section 1. In support to the interpretation of any provision of this ordinance, hereunder are the following terms to be considered:

- A. Tri-sikad - a three-wheeled vehicle propelled by a muscular power.
- B. Operator - a tri-sikad owner holding a franchise to operate granted by the government.
- C. Driver - any person driving a tri-sikad “for hire” or “not for hire”.
- D. ID Card - Identification card issued by the government which the driver shall bear while driving.
- E. Lamp - A kerosene lamp or any kind of lamp on tri-sikad for dark time.
- F. PNP - Philippine National Police Municipal Station.

Article III - POLICIES AND GUIDELINES

Section 1. Any renewing and/or new applicant for driver's license shall pass an orientation seminar prior to the issuance of such license, to be conducted by the PNP in coordination with the Office of the Municipal Mayor, Committee on Public Utilities and Transportation of the Sangguniang Bayan and the Office of the Municipal Treasurer.



Section 2. The Office of the Municipal Mayor shall issue an ID card to all licensed drivers of tri-sikad, renewable every two (2) years which shall be renewed ten (10) days before expiry date. Signatories of such ID cards shall be the Municipal Mayor, Chairman of Committee on Transportation of the Sangguniang Bayan and the Chief of Police (COP). The production of ID cards shall be prepared by the Office of the Municipal Treasurer and the expenses therefor shall be charged to the driver concerned. The Municipal Treasurer shall endorse such ID cards to the Office of the Municipal Mayor for proper issuance and control.

Section 3. No person shall be granted with driver's license who is below fifteen (15) years of age. Any person caught driving a tri-sikad "for hire" or "not for hire" without license and is below fifteen (15) years of age, the operator/owner of the tri-sikad shall be liable for the penalty as herein provided.

Section 3, Article III of the Municipal Ordinance No. 28, s. 1996 is hereby amended to read as follows:

No person shall be granted a driver's license who is below eighteen (18) years of age. Any minor caught driving a tri-sikad "for hire" or "not for hire", shall subject the operator/owner of the tri-sikad to suffer the penalty as herein provided.

Section 4. Tri-sikad operator/owner shall not allow any person without driver's license, to drive his/her unit. Any person who is fifteen (15) years of age or above caught driving without license, shall subject both the driver and the operator or owner of the tri-sikad to the penalty as herein provided.

Section 4, Article III of the Municipal Ordinance No. 28, s. 1996 is hereby amended to read as follows:

Tri-sikad operator/owner shall not allow any person without driver's license to drive his/her unit. Any person, eighteen (18) years of age or above, caught driving without license, shall subject both the driver and the operator or owner of the tri-sikad to suffer the penalty as herein provided.

Section 5. Any tri-sikad driver shall not drive a tri-sikad "for hire" without franchise to operate. Any violation to this section, shall subject both the driver and operator to suffer the penalty as provided herein.

Section 6. Owner of tri-sikad "not for hire" shall secure registration of his/her unit from the Office of the Municipal Mayor. Any person caught driving a tri-sikad "not for hire" without registration, shall subject both the driver and owner of the tri-sikad to the penalty herein provided.

Section 7. Any driver shall not be allowed to drive a tri-sikad "for hire" without bearing on display the ID card issued by the government.

Section 8. Any driver of tri-sikad "for hire" shall not select, discriminate and/or refuse to convey a riding individual/s to any point of the poblacion or route area within the territorial jurisdiction of the municipality, without valid or justifiable cause/reason. If there's a valid reason, the driver shall properly and courteously explain to the riding individual/s for the benefit of the franchise and license to operate and drive, respectively granted by the government.

Section 9. Any tri-sikad operator/owner shall be required to put up a lamp in frontside of tri-sikad while on operation during darktime from 6:00 p.m. until 5:00 o'clock dawn. Any driver shall not be allowed to drive a tri-sikad for hire or not for hire, in the absence of such lamp.

Section 10. Any tri-sikad "for hire" shall bear a body number to be controlled by the Office of the Municipal Mayor in coordination with the traffic officer. The corresponding control number shall be painted on the frontside and rearside of tri-sikad cab in black color on a white background. However, tri-sikad "not for hire" shall not bear

body number but shall be marked with the word "PRIVATE" on the frontside and
side in black color on a white background.

Article IV. INTERPRETATION AND ENFORCEMENT

Section 1. In case of confusing provision of this ordinance, the definition of terms shall be referred to.

Section 2. The PNP shall strictly enforce this ordinance at all times.

Article V. FINES AND PENALTIES

Section 1. Any tri-sikad driver or operator/owner who violates any provision of this ordinance shall be penalized accordingly:

- a. 1st offense - a fixed fine of FIFTY PESOS (P50.00) or an imprisonment of six (6) hours or both at the discretion of the court.
- b. 2nd offense - a fixed fine of ONE HUNDRED PESOS (P100.00) or imprisonment of twelve (12) hours or both at the discretion of the court.
- c. 3rd offense - a fixed fine of THREE HUNDRED PESOS (P300.00) or imprisonment of eighteen (18) hours or both at the discretion of the court.

Article VI. EFFECTIVITY

Section 1. Effectivity clause - This amendatory ordinance shall take effect upon its approval.

Enacted: July 23, 2001

ATTESTED :


A. R. ESTILLORE
SB Secretary

CERTIFIED CORRECT :


NACIANCENON M. PACALIOGA, JR.
Municipal Vice Mayor
Presiding Officer

APPROVED:


EDGARDO G. JAMERO
Municipal Mayor
7-26, 2001