



Republic of the Philippines  
Province of South Cotabato  
City of Koronadal

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**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

<b>SANGGUNIANG PANLALAWIGAN OFFICE</b>	
<b>RECEIVED</b>	
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**EXCERPT FROM THE JOURNAL OF PROCEEDINGS OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF KORONADAL, PROVINCE OF SOUTH COTABATO CONDUCTED VIA TELECONFERENCE HELD ON APRIL 4, 2022**

**Present:**

Hon. Peter B. Miguel	City Vice-Mayor/Presiding Officer
Hon. Edwin G. Abris	SP Member
Hon. Jose Henry D. Aguirre	SP Member
Hon. Maylene May S. Bascon-De Guzman	SP Member
Hon. Handel Dee R. Cadellino-Cubilo	SP Member
Hon. Francis Ross S. Dideles	SP Member
Hon. Bernardo B. Hinay	SP Member
Hon. Marie Antonina I. Hurtado	SP Member
Hon. James M. Lagasca	SP Member
Hon. Prechie Louella B. Ogoy	SP Member
Hon. Annabelle G. Pingoy	SP Member
Hon. Gregorio O. Presga	LnB Federation President/SP Member
Hon. Antonio S. Abing	IP Mandatory Rep/SP Member
Hon. Clarisse Mae T. Sorongon	SK Fed. President/SP Member

**Absent:**

None

**Author:**

Hon. Francis Ross S. Dideles, MPA

**EXPLANATORY NOTE**

With the implementation of the Tricycle Route Plan and the transition period for the Local Public Transport Route Plan, there is a growing need to keep up with the demands for a systematic and plenary representation in the issuance of Motorized Tricycle Operators Permit (MTOP). To address this matter, the Sangguniang Panlungsod enacted Ordinance No. 29, Series of 2021 authorizing the acceptance of 3,173 applications for new Motorized Tricycle Operators Permit (MTOP) in accordance with the LPTRP and the Tricycle Route Plan. The purpose of such Ordinance is to lessen, if not totally eradicate colorum tricycle operation and give these private tricycles opportunity to legally operate by grant of a franchise. With such number, and notwithstanding the monthly petitions for renewal of MTOP, transfer of franchise, and unit substitution, the Sangguniang Panlungsod as approving body, deems it proper and more convenient to seek the participation of multi-sectoral organizations and agencies for a more comprehensive perspective in the treatment of tricycle operations and grant of MTOPs. To further strengthen the policy in place, hence, this Ordinance:

**ORDINANCE NO. 7**

Series of 2022

**AN ORDINANCE CREATING THE CITY OF KORONADAL MOTORIZED TRICYCLE FRANCHISING REGULATORY BOARD (CKMTFRB)**

Be it enacted by the Sangguniang Panlungsod of the City of Koronadal in session assembled, that:

## Section 1. CREATION

There shall be created in City of Koronadal the Motorized Tricycle Franchising Regulatory Board (CKMTFRB) primarily to serve as a policy-making body and shall supervise the franchising and/or regulation of the operation of public utility tricycles.

## Section 2. COMPOSITION OF CKMTFRB

Chairperson	:	City Mayor
Vice-Chairperson	:	Chairperson, Sangguniang Panlungsod Committee on Transportation
Members	:	Representative, Federation of Tricycle Operators and Drivers Association President of the Liga ng mga Barangay Representative from the Mass Media Organization/Association Representative, PTA City Federation Chief, Koronadal City Traffic Section Head, City Franchising Office City Legal Officer as Ex-Officio Member

Representatives coming from the NGOs, POs, and CSOs must come from a duly accredited organization by the Sangguniang Panlungsod.

## Section 3. DUTIES AND RESPONSIBILITIES

- a. Supervise the franchising and regulate the operation of all public utility tricycles throughout the City;
- b. Abide with all laws, rules and regulations in connection with the issuance of franchises to public utility tricycles;
- c. Receive, process and accept/deny applications for issuance of franchise and recommend for approval or disapproval of the same to the CKMTFRB Chairperson;
- d. Inspect and determine the road worthiness of the public utility tricycles based on the standards, specifications and designs set forth in any law, ordinance, policy and guidelines;
- e. Post approved applications for Franchises at identified areas and conspicuous places;
- f. Maintain computerized database and other records pertaining to the operation and issuance of franchise to public utility tricycles within the city in coordination with the City Management Information System (MIS) under the CKITPC;
- g. Accredit fabricators/manufacturers of sidecars to be used as public utility tricycle as well as issue permits for sidecar fabrication for private use;
- h. Accredit sign painters for the painting of tricycles for hire;
- i. Recommend and submit for review to the Sangguniang Panlungsod for appropriate legislative action measures governing public utility tricycle such as the issuance or cancellation of franchising/operating permits and measures affecting fares, zones, city fees and other charges, and traffic laws;
- j. Hold regular meeting once a month;
- k. Call for special meetings to discuss and address urgent matters relative to franchising and tricycle operation;
- l. Exercise supervision over all tricycle associations and cooperatives within the City; and
- m. Perform other CKMTFRB related functions that are inherent and necessary for the smooth and effective delivery of franchising services.

#### **Section 4. CRITERIA IN THE SELECTION OF REPRESENTATIVES**

The criteria in the selection of representatives to the CKMTFRB coming from NGOs, POs, and CSOs are hereby established, to wit:

- a. Representative from the Tricycle Drivers/Operators Association
  - Must be a bonafide member of a duly registered Tricycle Drivers/Operators Association in the City of Koronadal;
  - Must be a resident of City of Koronadal for at least one (1) year;
  - Must be voted upon by the different members of a duly registered Tricycle Drivers/Operators Association in City of Koronadal; and
  - Must be a registered voter of the City of Koronadal
  
- b. Representative from the Mass Media Organization/Association
  - Must be a bonafide member of the KBP or any Mass Media Federation in the City of Koronadal;
  - Must be a resident of this city for at least one (1) year;
  - Must be voted upon by the members of the different mass media associations in City of Koronadal; and
  - Must be a registered voter of the City of Koronadal
  
- c. Representative from the PTA City Federation
  - Must be a bonafide member of a Parents-Teachers Association in the City of Koronadal;
  - Must be voted upon by the member of the PTA City Federation;
  - Must be a resident of this city for at least one (1) year; and
  - Must be a registered voter of the City of Koronadal

#### **Section 5. TERM OF OFFICE AND ELECTION OF THE CKMTFRB MEMBERS**

- a. The election of NGO/PO/CSO representatives for the CKMTFRB shall be held every three (3) years not later than the second week of December of the year;
- b. The term of office of NGO/PO/CSO representatives shall be three (3) years;
- c. The assumption to office of elected NGO/PO/CSO member shall commence on the 1<sup>st</sup> day of January of the succeeding year of election;
- d. Every official shall undergo seminars thru the LTO or other government institution; and
- e. In case of incapacity, insanity, death or expulsion of any representative NGO/PO/CSO to the Board, the person who garnered the next highest vote, shall automatically assume the duties and responsibilities of the person being replaced until the termination of the remaining term of office.



#### **Section 6. GROUNDS FOR EXPULSION, SUSPENSION, RECALL FROM OFFICE**

- a. Proven charges of Graft and Corruption;
- b. Negligence of Duty (Absenteeism) with three (3) consecutive absences;
- c. Abuse of Authority (Threatening) with intimidation and undue influence; or
- d. Criminally convicted by final judgment of any crime by the Court.

#### **Section 7. MEETINGS OF THE BOARD**

The Board shall hold a regular meeting every fourth Wednesday of the month to deliberate the applications for MTOP, after franchise hearing of the applicants shall have been done by the Sangguniang Panlungsod. The Board shall also call for a special meeting to discuss and address urgent matters relative to franchising and tricycle operation, which must not be more than twice a month.



In case a member of the Board cannot attend the scheduled meeting for valid reasons, an alternative may attend on his behalf provided prior information is furnished to the Secretariat and such alternate representative presents a letter of authority from the regular member before the start of the meeting.

The representative of the NGO sitting as member in the said Board shall receive an Honorarium in the amount of Five Hundred Pesos (P 500.00) per meeting actually attended.

### Section 8. SECRETARIAT

The City Franchising Office shall act as the Secretariat of the Board and shall prepare, keep, and provide all pertinent records relative to MTOP applications and its issuance, with the Head of the City Franchising Office as supervising officer. The City Mayor shall designate not less than eight (8) personnel under the City Franchising Office to serve as the Support Service of the CKMTFRB Secretariat and Inspectorate Team.

The Secretariat shall also make available to the Board the minutes of the meeting, records of attendance, issuances of the Board, executive orders, and ordinances and resolutions of the Sangguniang Panlungsod, as well as related laws and national issuances.

### Section 9. FUNDING

The City Government shall appropriate funds in the next Supplemental Budget to support the operation of the CKMTFRB, and shall include the necessary appropriation in the succeeding Annual Budget and every year thereafter.

### Section 10. SEPARABILITY CLAUSE

If any provision/s of this Ordinance or a part hereof, is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

### Section 11. EFFECTIVITY


This Ordinance shall take effect immediately after approval.

**ENACTED** this 4<sup>th</sup> day of April 2022, in the City of Koronadal, Province of South Cotabato.

CERTIFIED CORRECT:

*(Medora Togonon)*  
**MARITES D. TOGONON**  
Secretary to the Sanggunian

ATTESTED:

  
**PETER B. MIGUEL, M.D, FPSO-HNS**  
City Vice Mayor/Presiding Officer

APPROVED:

  
**ATTY. ELIORDO U. OGENA**  
City Mayor