



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF ILOILO  
MUNICIPALITY OF PAVIA  
-oOo-  
OFFICE OF THE SANGGUNIANG BAYAN

OFFICE OF THE MAYOR  
MUNICIPALITY OF PAVIA

RECEIVED

BY: *[Signature]*  
DATE: *9-28-2023*  
*2:42 P.M.*

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
SANGGUNIANG BAYAN HELD ON SEPTEMBER 04, 2023 AT 9:00 A.  
M. IN THE SESSION HALL, MUNICIPAL BUILDING, PAVIA, ILOILO.

PRESENT

- |                                   |                                             |
|-----------------------------------|---------------------------------------------|
| 1. Hon. Edsel G. Gerochi          | - Municipal Vice-Mayor<br>Presiding Officer |
| 2. Hon. Jo Jan Paul J. Peñol      | - Municipal Councilor                       |
| 3. Hon. Ariel B. Gerada           | - -do-                                      |
| 4. Hon. Jose Maria D. Trimañez    | - -do-                                      |
| 5. Hon. Leonardo L. Belasa        | - -do-                                      |
| 6. Hon. Daniel S. Fajardo, II     | - -do-                                      |
| 7. Hon. Roy H. Gorriceta          | - -do-                                      |
| 8. Hon. Rhia B. Sotomil           | - -do-                                      |
| 9. Hon. Joshua Philippe B. Gumban | - -do-                                      |
| 10. Hon. Hanson H. Guyos          | - Liga President, Ex-Officio Member         |

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MUNICIPAL ORDINANCE NO. 2023-28

ORDINANCE ESTABLISHING THE ROUTE OF OPERATION OF ALL  
TRISIKAD FOR-HIRE AND E-TRISIKAD FOR HIRE OPERATING  
WITHIN THE MUNICIPALITY OF PAVIA.

WHEREAS, Local Government Code of 1991 Section 447 (A) provides that the Sangguniang Bayan, as the legislative body of the Municipality, shall enact ordinances, approve resolutions, and appropriate funds for the general welfare of the municipality and its inhabitants;

**WHEREAS**, Local Government Units like the Municipality of Pavia, pursuant to Section 447 (5) (v-vi) of Republic Act No. 7160 (also known as the "Local Government Code of 1991"), are authorized to regulate traffic within their respective territorial jurisdictions;

**WHEREAS**, DILG Memorandum Circulars: MC 2007-01, MC 2011-68, MC 2020-04, and MC 2020-036 state that; for safety reasons, no tricycle or pedicab should operate on national highways, whether utilized by 4-wheeler vehicles greater than 4 tons and where normal speed exceed 40 KPH. **However, the SP or SB may allow if there is no alternative route taking into consideration public safety;**

**WHEREAS**, DILG Memorandum Circular 2020-036 covers motorized tricycles defined as a motor vehicle duly registered with the LTO composed of a motorcycle fitted with a single wheeled side car or two wheeled cab, closed van or open cart whether powered by gasoline or electricity;

**WHEREAS**, Republic Act 4136, known as the "Land Transportation and Traffic Code" provides in Section 38 that Classification of Highways shall be properly classified for traffic purpose by the provincial board, municipal board or city council having jurisdiction over them;

**WHEREAS**, Municipal Ordinance 2015-09 Article IV Section 1, classified MUNICIPAL STREETS as All streets within the municipality not otherwise designated as provincial or national highway and barangay roads: a. Evangelista Street; b. Gonzaga Street; c. Gregori Street; d. Gumban Street; e. Hedriana Street; f. Jabonillo Street; g. Leocadio Street; h. Lopez-Jaena Street; i. Maquiling Street; j. Ramos Street; k. Remegio Street; l. Sumakwel Street;

**Section 1. TITLE:** Ordinance establishing the route of operation of all trisikad for-hire and e-trisikad for -hire operating within the municipality of Pavia.

**Section 2. PURPOSE:** To establish the route of operation of all trisikad for-hire and e-trisikad for -hire operating within the municipality of Pavia.

### **Section 3. Definition of Terms**

1. **MOTOR VEHICLE-** any conveyance designed to be self-propelled, and includes any vehicle designed to be propelled by electric power obtained from overhead wires but not operated upon rails.





2. **MAYOR'S PERMIT** – document issued by the Mayor for the operation of Motor Tricycle-for-hire (MTH) or trisikad business permit by virtue of his executive and regulatory power over any form of business in the Municipality of Pavia. This permit is subject to the recommendation and approval and granted by the Sangguniang Bayan.
3. **MUNICIPAL ROAD** - is a thoroughfare with a minimum width of 10 meters located within the territorial jurisdiction of the municipality. Municipal and City Roads shall mean roads within the población; they are roads that connect to provincial and national roads and provide inter-barangay connections to major Municipal and City Infrastructure without traversing provincial road.
4. **SERVICE ROADS** – railway road and flood control road
5. **TRISIKAD AND E-TRISIKAD** A three-wheeled vehicle powered by muscular power or electric having an attachment side car with single tire for transportation of passengers or light cargoes in short distance and will operate only in Provincial Road, Municipal Streets and Barangay Roads.
6. **POBLACION/MUNICIPAL STREETS** – All streets within the municipality:
  - a. Evangelista Street;
  - b. Gonzaga Street;
  - c. Gregori Street;
  - d. Gumban Street;
  - e. Hedriana Street;
  - f. Jabonillo Street;
  - g. Leocadio Street;
  - h. Lopez-Jaena Street;
  - i. Maquiling Street;
  - j. Ramos Street;
  - k. Remegio Street;
  - l. Sumakwel Street.
7. **COLORUM**- any vehicles operating as a public transportation without any valid government permit or franchise thereby making its operation unlawful or illegal.

#### Section 4. ROUTE OF OPERATION

Association	Current Route	Proposed Route
1. PTITODA	Purok 1- Poblacion	Purok 1 Terminal and to any point within the Poblacion Area
2. PPMTODA	Pavia Public Market- Maliao	Pavia Public Market Terminal to Maliao and to any point within the Poblacion Area
3. MATDA	Market- Purok 2	Pavia Public Market Terminal to any point within the Poblacion Area
4. MATODA	Market- Anilao	Pavia Public Market Terminal to Anilao and to any point within the Poblacion Area
5. VITDA	Villa Juanita -Poblacion	Villa Juanita Terminal to any point within the Poblacion Area
6. SMOTDA	PNHS Terminal and to any point within the Poblacion Area	PNHS Terminal and to any point within the Poblacion Area
7. MAPPTRIDOA	Mali-ao – to any point within the Poblacion	MAPPTRIDOA Terminal and to any point within the Poblacion Area
8. VANITDA	Villa Juanita-Anilao-to any point within the Poblacion	Purok 1 Terminal and to any point within the Poblacion Area
9. Chosen Survivor	Purok III- Anilao	Purok 3, Anilao and to any point within the Poblacion Area
10. AGTRIDA	Aganan-Balabag	AGTRIDA Terminal- Sitio Ilawod Balabag, NIA and to any point within Barangay Aganan (not allowed to cross, traverse the Ninoy Aquino National Highway and Aganan-Purok 4 Bridge)
11. CBATODA	Balabag	To any point within Balabag Area (except sitio Ilawod)
12. JPPODA	Jibao-an	JPPODA Terminal to Lessandra Subd. and vice versa
13. URTODA	Ungka 1-Railway	Ungka 1 Terminal to Ungka 1& 2 Railway (not allowed to cross, traverse the Ninoy Aquino National Highway and Aganan-Purok 4 Bridge)
14. PMPTOPDA	Pal-agon	PMPTODA Terminal to Pal-agon in front of Noe's Upholstery
15. AGUTODA	Aganan-Ungka 1 Floodway	AGUTODA Terminal to Ungka 1 Floodway, (not allowed to cross, traverse the Ninoy Aquino National Highway and Aganan-Purok 4 Bridge)
16. Eon Centennial	Jibao-an Subdivision	Within EON Centennial Subdivison (Not allowed to cross and traverse the National Highway)
17. PGTODA	Puregold	Purok 3 and to any point within the Poblacion Area
18. PCTODA	Purok IV	Purok 4 and to any point within the Poblacion Area



### **Section 5. RULES AND REGULATIONS**

- A. Motorized Tricycles For-Hire, Private Tricycles, Trisikads For Hire, Private Trisikads, E-Trisikads For-Hire and E-Trisikads crossing the Aganan and Maliao Intersections must abide by the "Yield to the Right-of-Way" Traffic Rule;
- B. Drivers must follow the signal of the traffic enforcers before they can cross the intersection;
- C. Motorized Tricycles-For-Hire, Private Tricycles, Trisikads-For-Hire, Private Trisikads, E-Trisikads and E-Trikes are not allowed to overtake at Gonzaga Street and Evangelista Street;
- D. No person operating any vehicle shall allow passengers, freight, and cargo in its vehicle more than its registered carrying capacity;
- E. Trisikads and E-Trisikads shall have a maximum of two (2) passengers excluding the driver; a child (12 years old and below) passenger must be accompanied by an adult at all times;
- F. No driver shall permit any person on the running board, top, or mudguard of Motor Tricycles, Trisikads and E-Trikes for any purpose.
- G. Only Trisikads-for-hire and E-Triskads For-Hire with updated Permit to Operate shall be allowed to operate.
- H. Private Trisikads, and Private E-Trisikads and Private E-Trikes with updated registration shall be allowed to operate.
- I. All Trisikads For-Hire, E-Trisikads For-Hire, Private Trisikads, E-Trsikads, and E-Trikes drivers must have a Mayor's Permit to Drive.
- J. All Private Tricycles, Private Trisikads and E-Trikes must put a sign of PRIVATE USE ONLY in front of the windshield or at the side car.
- K. All Trisikad For-Hire and E-Trsikads For-Hire must operate within their authorized route of operation.

### **SECTION 6. PENALTY CLAUSE**

- A. For Trisikad, and E-Trikes



- Any person found guilty violating Section 5. A,B,C,D,E,F,G,H,I,J and K of this ordinance shall be penalized of P300.00
- Colorum - P 500.00
- Out of route - P 500.00

**SECTION 7. ENFORCEMENT.** This ordinance shall be enforced by the Pavia Traffic Management Office.

**SECTION 8. PAYMENT OF PENALTIES.** All financial transactions hereof shall be collected by the Municipal Treasurer's Office in accordance with government accounting and auditing rules and regulations.

**SECTION 9. SEPARABILITY CLAUSE.** If, for any reason or reasons, any part or provisions of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereby which are not affected thereby shall continue to be in full force and effect.

**Section 10. REPEALING CLAUSE.** All ordinances or any part thereof which are inconsistent with any provisions of this Ordinance are hereby repealed and or modified accordingly.

**Section 11. EFFECTIVITY.** This Ordinance shall take effect upon its approval.

**RESOLVED FURTHER,** to furnish copies of this Ordinance, to all concerned for information and appropriate action.

**ENACTED** on the 4<sup>th</sup> day of September, 2023 at Pavia, Iloilo, Philippines.

**APPROVED.**

I HEREBY CERTIFY to the correctness of the above-quoted resolution:

**KARRIE G. SUMERAS**  
Secretary Designate

**ATTESTED BY:**

**HON. EDSSEL G GERACHI**  
Municipal Vice Mayor/Presiding Officer

**APPROVED:**

**HON. LAURENCE ANTHONY G. GORRICETA**  
Municipal Mayor