



Republic of the Philippines
Province of Ilocos Norte
MUNICIPALITY OF SAN NICOLAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE THIRD REGULAR SESSION OF THE 12TH
SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD
AT THE MUNICIPAL SESSION HALL ON THE 18TH DAY OF DECEMBER, 2023
AT 10:30 O'CLOCK IN THE MORNING.

PRESENT:

Hon. Napoleon L. Hernando	Vice-Mayor/Presiding Officer;
Hon. Luciano R. Caraang	Member;
Hon. Moera Joy N. Galing-Luna	Member;
Hon. Erico R. Ruiz, Jr.	Member;
Hon. Chona P. Hernandez	Member;
Hon. Jessie Julito P. Pumaras, Sr.	Member;
Hon. Norberto S. Dadiz, Jr.	Member;
Hon. Juanito P. Ulep, Jr.	Member;
Hon. Aaron Dean R. Valenzuela	Member/PPSK President.

ON FORCED-LEAVE:

Hon. Jorge Cesar T. Palafox	Member//Liga ng mga Barangay President.
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ABSENT:

None.

"MUNICIPAL ORDINANCE NO. 2023-28

AN ORDINANCE PENALIZING TRICYCLE DRIVERS AND/OR OPERATORS WHO REFUSE TO LOAD AND CONVEY PASSENGERS WITHIN THE TERRITORIAL JURISDICTION OF SAN NICOLAS, ILOCOS NORTE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, pursuant to its legislative authority granted by the Local Government Code of 1991, the Sangguniang shall, subject to guidelines prescribed by the Department of Transportation and Communication, regulate the operation of tricycle and grant franchise for the operation thereof within the territorial jurisdiction of the municipality;

WHEREAS, there has been numerous reports and complaints from commuters specially students that there are tricycle drivers who refuse to convey them for reasons among others, that the destination is not favorable to the route of the driver, or that the driver does not want to transport only one passenger;

WHEREAS, this act of refusal or choosing passengers should not be tolerated as it defeats the very purpose of public transportation which is to provide available, convenient and safe means of transportation to the public;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of the Municipality of San Nicolas, Province of Ilocos Norte assembled in session, that:

SECTION 1. *Statement of Policy.* It is a policy of the State to promote general welfare as an essential element for the enjoyment by all the people of the blessings of democracy. Towards this end, the citizenry shall be guaranteed equal access to public services and public utilities.

SECTION 2. *Unlawful Act.* It shall be unlawful for any driver and / or operator of any tricycle to refuse to load and convey passengers to their destination unless, the tricycle driver has a prior commitment to transport a particular passenger or the physical condition of the tricycle is incapable of transporting passengers to uphill areas.

SECTION 3. Penalties. a.) Any driver who shall be found guilty of refusing to load and convey any passenger/s shall be meted with the following penalties:

1. First Offense- a fine of One Thousand Five Hundred pesos (Php 1,500.00)
2. Second Offense- a fine of Two Thousand Five Hundred (Php 2,500.00) and suspension to operate for sixty (60) calendar days.
3. Third Offense – Cancellation of Motorized Tricycle Operators Permit (MTOP) and Revocation of Tricycle Franchise.

The driver shall be solidarity liable with the operator if any to pay the fine.

SECTION 4. Separability Clause. If for any reason, any section of this Ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

SECTION 5. Repealing Clause. All ordinance, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed, provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

SECTION 6. Effectivity Clause. This Ordinance shall take effect ten (10) days after its publication in a newspaper of general circulation.

UNANIMOUSLY APPROVED.”

Voting on the foregoing ordinance was as follows:

AYES	:	Members Caraang, Galing-Luna, Ruiz, Jr., Hernandez, Pumaras, Sr., Dadiz, Jr., Ulep, Jr., Agustin, and Valenzuela.
NAYS	:	None.
ABSTAINED	:	None.

I hereby certify to the correctness of the foregoing ordinance.


ENRIQUE P. ULEP, JR.
 Secretary to the Sangguniang Bayan I

ATTESTED:


NAPOLEON L. HERNANDO
 Vice-Mayor/Presiding Officer

APPROVED:


ANGEL MIGUEL L. HERNANDO
 Municipal Mayor

Approved on: December 28, 2023