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EDSA DILG

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REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

A. Francisco Gold Condominium II Building  
EDSA corner Mapagmahal St., Diliman, Quezon City

OFFICE OF THE SECRETARY

MEMORANDUM CIRCULAR  
NO. 2007-01

January 02, 2007

TO : ALL CITY MAYORS, MUNICIPAL MAYORS, CITY VICE MAYORS, MUNICIPAL VICE MAYORS, SANGGUNIANG PANLUNGSOD MEMBERS, SANGGUNIANG BAYAN MEMBERS, DILG REGIONAL DIRECTORS AND OTHERS CONCERNED

SUBJECT : BASIC CONSIDERATIONS IN THE PREPARATION OF CITY OR MUNICIPAL TRICYCLE AND PEDICAB FRANCHISE AND REGULATORY ORDINANCE OR CODE

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I. PREFATORY STATEMENT

Section 447, paragraph 3 (vi) and Section 458, paragraph 3 (vi) of the Local Government Code of 1991 conferred unto the Municipal and City Governments respectively, through their Sanggunians, the power to regulate the operation of tricycles and the grant of franchise for the operation thereof within their territorial jurisdiction, subject to the guidelines prescribed by the Department of Transportation and Communication.

The operation of tricycles and pedicabs has been a good source of livelihood and income to thousands of our countrymen, both at the urban centers and rural areas. The failure to rationalize the mushrooming of operation of said conveyances could lead to undesirable outcomes such as cut-throat competition that would adversely affect the operators and drivers of tricycles and pedicabs, whose main income depend greatly on said occupation. Deterioration of said basic transport services would be detrimental to the majority of our riding public. Moreover, the unregulated proliferation of tricycles and pedicabs would pose hazards that might lead to the loss of lives and limbs of the riding public and the pedestrians, as well.

The regulation of the operation of tricycles and pedicabs is, therefore, to the best interest of those engaged in its operation and to the riding public. Guidelines and standards have to be established and implemented to ensure the safety, comfort and convenience of all inhabitants most specifically the public sector affected.

Pursuant to its mandate under the Local Government Code, the Department of Transportation and Communications came up with guidelines to implement the devolution of the Land Transportation Franchising and Regulatory Board's franchising authority over tricycles-for-hire to local government units. Accordingly, any ordinance regulating tricycles must be subject to the minimum requirements of these prescribed rules.

## II. DEFINITION OF TERMS

1. Tricycle - a motor vehicle composed of a motorcycle fitted with a single-wheel side car or a motorcycle with a two-wheel cab operated to render transport services to the general public.
2. Pedicab - a non-motorized vehicle composed of a bicycle fitted with a single-wheel side car or a bicycle with a two-wheel sidecar operated to render transport services to the general public for a fee.
3. Motorized Pedicab - originally, a pedicab but is mounted with a converted motorized engine operated to render transport services to the general public for a fee.
4. Zone - a contiguous land area or block, say a subdivision or a barangay, where a tricycle-for-hire, pedicab or motorized pedicab may operate without a fixed origin and destination.
5. Motorized Tricycle Operator's Permit / Pedicab Operator's Permit - the document granting franchise or license to operate issued to a person, natural or juridical, allowing him/it to operate tricycle-for-hire/pedicab-for-hire over zones specified therein.

## III. GUIDELINES AND STANDARDS

In view of the supervisory powers of this Department over City and Municipal Governments and pursuant to DOTC issuances, all City Mayors and Municipal Mayors are hereby enjoined to adopt the hereunder minimum standards in the formulation of Municipal/City Tricycle and Pedicab Franchise and Regulatory Ordinance or Code:

- A. Physical Requirements/Equipage - No tricycles, pedicabs and motorized pedicabs shall be issued franchise unless the following applicable physical requirements/equipage are complied with and certified by duly authorized authority created for the purpose, such as Tricycle/Pedicab Franchising Board

or other similar bodies created under an ordinance. In the absence of such Board or similar body, an appropriate Committee as may be determined by the Sanggunian concerned shall certify compliance to the following requirements:

- ✓ Clean windshields;
- ✓ Garbage receptacle;
- ✓ Functioning horn that does not emit exceptionally loud or startling sound;
- ✓ Two (2) signal lights, front 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 or bicycle and functioning under all weather conditions and lighted starting 6:00 pm until 6:00 am;
- ✓ Light installed inside the sidecar and kept lighted while plying the 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/pedicab unit.

Notwithstanding, in order to institutionalize the functions of screening the above requirements, the concerned Sanggunians are hereby encouraged to organize a body composed of people equipped with technical expertise.

- B. Tricycle/Pedicab Fares – The fares shall be established at a level that will provide the operator a reasonable return of profit, and still be affordable to the general public. The fare structure may either be flat (single fare regardless of distance) or a minimum amount plus a basic rate per kilometer.

Any fare increase should be made through the enactment of an ordinance. The Sangguniang Panlungsod or Sangguniang Bayan shall prescribe the minimum fare and may increase or decrease the same from time to time. Operators may propose fare increase subject to the approval of the Sanggunians concerned.

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The table of approved fares should be posted prominently at the tricycle terminal and in conspicuous part of the vehicle.


C. Load/Capacity Limit - No tricycle-for-hire or pedicab-for-hire shall be allowed to carry more passengers and goods than what it is designed for, or more than what is authorized in the franchise.

D. Operating Conditions:

- ✓ For safety reasons, no tricycle or pedicab should operate on national highways utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceed 40KPH. However, the SP/SB may allow if there is no other alternative route.
- ✓ Zones must be established within the boundaries of the city or municipality. However, existing zones within more than one municipality/city shall be maintained, provided that operators serving said zone shall secure MTOP/POP from each of the municipalities/cities having jurisdiction over the areas covered by the zone; and
- ✓ A common color may be imposed on tricycles or pedicabs-for-hire operating in the same zone. Each unit shall be assigned and bear an identification number, aside from the Land Transportation Office registration plate, to avoid colorum vehicles plying within the locality.

All DILG Regional Directors are hereby directed to cause the immediate and widest dissemination of this Memorandum Circular to all local government units within their regional assignments.

For the information and guidance of all concerned.

  
RONALDO V. PUNO  
Secretary 