



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 859, S-2021

AN ORDINANCE TEMPORARILY SUSPENDING THE EFFECTIVITY OF SECTIONS 1, 3 AND 4, LETTER A OF ORDINANCE NO. 779, S-2020 ENTITLED: AN ORDINANCE ESTABLISHING A TEMPORARY MINIMUM FARE OF TWENTY PESOS (P20.00) IN THE DURATION OF THE MODIFIED ENHANCED COMMUNITY QUARANTINE (MECQ), GENERAL COMMUNITY QUARANTINE (GCQ), MODIFIED GENERAL COMMUNITY QUARANTINE (MGCQ) OR OTHER COMMUNITY QUARANTINE AS MAY BE IMPOSED BY THE NATIONAL GOVERNMENT IN THE CITY OF MANDALUYONG AND PRESCRIBING GUIDELINES IN THE OPERATIONS AND CONDUCT OF TRICYCLES UNDER THE "NEW NORMAL" COMPLYING TO THE SAFETY TRANSPORT PROTOCOLS OF THE INTER-AGENCY TASK FORCE

WHEREAS, on May 27, 2020, the Sangguniang Panlungsod of Mandaluyong enacted Ordinance No. 779, S-2020 entitled "An Ordinance Establishing a Temporary Minimum Fare of Twenty Pesos (P20.00) in the duration of the Modified Enhanced Community Quarantine (MECQ), General Community Quarantine (GCQ), Modified General Community Quarantine (MGCQ) or Other Community Quarantine as may be imposed by the National Government in the City of Mandaluyong and Prescribing Guidelines in the Operations and Conduct of Tricycles under the "New Normal" complying to the Safety Transport Protocols of the Inter-Agency Task Force (IATF)";

WHEREAS, the above-mentioned Ordinance is in line with the transportation protocols and guidelines set by the Department of Transportation (DOTr) and the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) for the "new normal" situation for Public Transport Operations on roads which includes all types of tricycles, transport terminals, and operators regarding the safety, capacity, and coverage/scope;

WHEREAS, Ordinance No. 779, S-2020 is applicable to and governed all types of tricycles-for-hire, operating within the City of Mandaluyong during the COVID-19 pandemic and MECQ/GCQ/MGCQ and other community quarantine as may be imposed by the National Government in the City of Mandaluyong;

WHEREAS, under Section 1 of Ordinance No. 779, S-2020, it partly states therein that, all tricycles shall not exceed one (1) passenger in the side-car while back riding is not allowed. The same was reiterated under Section 4, letter (A) which states that all tricycles shall be operating in a limited capacity of one (1) passenger per tricycle only, except in emergency cases where one (1) or two (2) companions are needed to accompany passenger in the tricycle;

WHEREAS, Section 3 of Ordinance No. 779, S-2020 prescribes the minimum fare for tricycles in Mandaluyong City which is Twenty Pesos (Php 20.00);

WHEREAS, since the declaration of the State of Calamity last year up to present where the operation of mass transportation were limited, the City Government of Mandaluyong addressed and helps the needs of the commuters by providing transportation services through its "Libreng Sakay" program and providing free shuttle services for the riding public;

WHEREAS, pursuant to IATF Resolution No. 147, series of 2021 issued on November 4, 2021, the National Capital Region shall be de-escalated to Alert Level 2 beginning November 5, 2021 to November 21, 2021. This was extended to November 30, 2021. In view of Alert Level 2, more establishments and activities are now allowed to operate at limited capacities subject to the observance of Minimum Public Health Standards;

WHEREAS, the use of tricycle has been proven to be one of the most convenient and economical means of transportation by most Filipinos. However, because of Ordinance No. 779, S-2020 only one passenger is currently allowed and back rider is still prohibited in the City of Mandaluyong saved those exemptions provided under the said Ordinance while the minimum fare for tricycles in the City is Twenty Pesos (Php 20.00);

WHEREAS, the association of operators and drivers of tricycles associations in Mandaluyong City clamored for the amendment of the foregoing Sections of the said Ordinance not only to assist them to thrive in their incomes and businesses but also to help our commuting public and to contribute in refueling our economy;

WHEREAS, there is a need to temporarily suspend the effectivity of Sections 1, 3 and 4 Letter A of Ordinance No. 779, S-2020 to allow again two (2) to three (3) passengers including the back rider and to reimpose the tricycle fare under the first paragraph of Section 94 of the new Traffic Code of Mandaluyong City which shall be in accordance with the schedule rate mandated by the Tricycle Franchising Board (TFB) pursuant to Ordinance and guidelines from the Land Transportation and Franchising Regulatory Board (LTFRB).

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Mandaluyong, in session assembled:

Section 1. The effectivity of Sections 1, 3 and 4, Letter A of Ordinance No. 779, S-2020 entitled "An Ordinance Establishing a Temporary Minimum Fare of Twenty Pesos (P20.00) in the duration of the Modified Enhanced Community Quarantine (MECQ), General Community Quarantine (GCQ), Modified General Community Quarantine (MGCQ) or Other Community Quarantine as may be imposed by the National Government in the City of Mandaluyong and Prescribing Guidelines in the Operations and Conduct of Tricycles under the "New Normal" complying to the Safety Transport Protocols of the Inter-Agency Task Force (IATF)" are hereby temporarily suspended to help more riding public within the territorial jurisdiction of this City as well as the operators and drivers of tricycle-for-hire in Mandaluyong City.

Section 2. The prescribed minimum fare per passenger per trip shall be Eight Pesos (₱8.00) plus One Peso (₱1.00) per kilometer in excess of one (1) kilometer distance.

All students, disabled persons and senior citizens will be charged the minimum fare of Seven Pesos (₱7.00) upon presentation of Identification Card.

Section 3. Section 4, paragraph c, no. 3 of Ordinance No. 779, S-2020 is hereby deleted.

Section 4. All passengers, tricycles operators and drivers of tricycle-for-hire within Mandaluyong City are still required to observe and follow all the other applicable Guidelines/Protocols in the conduct/operation of tricycles under the new normal situations as stated in Ordinance No. 779, S-2020.

Section 5. In the event that there is a spike in the numbers of Mandalenos tested positive for COVID-19 during any community quarantine or Alert Level period imposed by the National Government at the City of Mandaluyong, the City Mayor may ask the Sangguniang Panlungsod to immediately reimpose the effectivity of Sections 1, 3 and 4, Letter A and C (3) of Ordinance No. 779, S-2020 or to impose additional conditions thereof.

Section 6. All Ordinances and Resolutions or any part thereof which are inconsistent with the foregoing provisions are hereby repealed or modified accordingly.

Section 7. If any provision of this Ordinance is determined to be invalid, illegal or unenforceable, its remaining provisions shall remain in full force as though this Ordinance did not originally include such invalid, illegal or unenforceable provision.

Section 8. This Ordinance shall take effect after its approval and publication at least once in a newspaper of general circulation in Metro Manila and shall remain in full force and effect during any community quarantine or Alert Level period imposed by the National Government at the City of Mandaluyong.

Section 9. Let copy of this Ordinance be furnished the Office of the City Mayor, Mandaluyong City Police Station and those PNP personnel stationed in Mandaluyong City, Liga ng mga Barangay, City Traffic and Parking Management Department, City Ordinance and Enforcement Division (COED), City Business Permit and Licensing Department, Anti-Vice Division, Public Order and Safety Division, Mayor's Action Command (MAC) and other offices concerned for their information, guidance and reference.

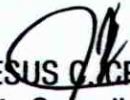
ENACTED on this 15th day of November, 2021 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS
ENACTED AND APPROVED BY THE SANGGUNIANG
PANLUNGSOD OF MANDALUYONG IN A REGULAR SESSION
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:

APPROVED:


JESUS C. CRUZ
City Councilor &
Acting Presiding Officer


CARMELITA A. ABALOS
City Mayor

Date: NOV 29 2021