



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *9:40*
Date: *5.6.25*

2nd INDORSEMENT
April 28, 2025



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2024-06 of the Sangguniang Bayan of Hindang, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2024-06 entitled: “ **An Ordinance regulating the use of electronic tricycles or e-trikes within the municipality of Hindang as public transportation and imposing penalties for violations thereof.**”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Sections 447(a)(3)(vi)¹ of the Local Government Code of 1991 (R.A 7160). Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

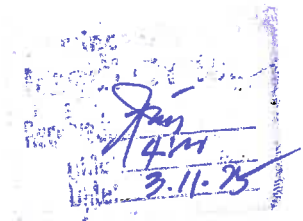
[Signature]
ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (vi) Subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the municipality;

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
11 March 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2024-06** of the **MUNICIPALITY** of **HINDANG, LEYTE**, entitled: **AN ORDINANCE REGULATING THE USE OF ELECTRICAL TRICYCLES OR E-TRIKES WITHIN THE MUNICIPALITY OF HINDANG AS PUBLIC TRANSPORTATION AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.**

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

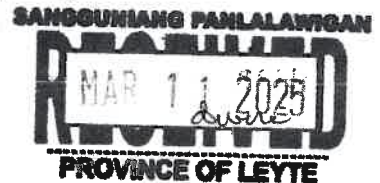


Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG

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OFFICE OF THE SANGGUNIANG BAYAN

21 February, 2025



HON. LEONARDO M. JAVIER, JR.
Vice Governor/Presiding Officer
Sangguniang Panlalawigan
Legislative Building
Prov'l Government Complex
Palo, Leyte


THRU: FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Sangguniang Panlalawigan
Province of Leyte

Sir:

I am submitting herewith to your office Sixteen (16) sets of ORDINANCE No. 2024-06 of the Sangguniang Bayan, Hindang, Leyte, RE: "An Ordinance regulating the use of electrical tricycles or e- trikes within the Municipality of Hindang as public transportation and imposing penalties for violations thereof", for review and approval.

Anticipating your favorable action on the matter.

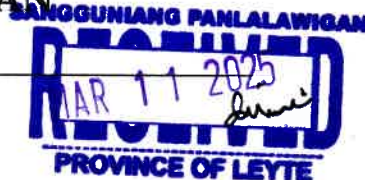
Thank you.


ANNABEL A. MABALE
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
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OFFICE OF THE SANGGUNIANG BAYAN



ORDINANCE NO. 2024-06

Authored by: Hon. MIKHAEL ANNE GELO D. ABOYME

Co-authors: Hon. Jun A. Cabal
Hon. Benedicto L. Yanola

AN ORDINANCE REGULATING THE USE OF ELECTRICAL TRICYCLES OR E-TRIKES WITHIN THE MUNICIPALITY OF HINDANG AS PUBLIC TRANSPORTATION AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF

EXPLANATORY NOTE

The Municipality of Hindang, Leyte, strongly endorses the efforts being made by the government for modernized and sustainable public transportation. Additionally, the municipality is dedicated to upholding the relevant provisions of the Clean Air Act and responding to community concerns about irrational increases in prices for oil, pollution, and other health risks.

Furthermore, this ordinance will enable the municipality's public transportation infrastructure be upgraded and modernized while also giving Hindanganons access to new opportunities for employment.

SECTION 1. TITLE. This Ordinance shall be known as "*An Ordinance regulating the use of electronic tricycles or e-trikes within the municipality of Hindang as public transportation and imposing penalties for violations thereof*".

SECTION 2. DECLARATION OF POLICY. It is the policy of the Municipality to allow the use of e-trikes as a mode of transportation. Provided, however, that e-trikes used for public transportation shall comply with the regulatory requirements set forth in this ordinance.

SECTION 3. COVERAGE. This ordinance applies only to three-wheeled electronic tricycle or e-trikes use as a mode of public transportation and operating within the municipal proper that includes Upper Tagbibi up to Brgy. Tabok.

SECTION 4. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms shall mean:

1. E-trikes – a three-wheeled electric power driven vehicle.
2. Driver – an individual person duly licensed to drive motor vehicle.
3. Potpot or trisikad – a three-wheeled bicycle used as public transport vehicle operating around town proper.

(ORDINANCE NO. 2024-06 of the Sangguniang Bayan of Hindang, Leyte, entitled: "An Ordinance regulating the use of electronic tricycles or e-trikes within the Municipality of Hindang, Leyte, as public transportation and imposing penalties for violations thereof continued....)

SECTION 5. RULES FOR THE USE OF E- TRIKES.

- a. All three-wheeled electronic tricycle or e-trikes, used as a mode of public transportation shall only be driven with a licensed driver.
- b. All three-wheeled electronic tricycle or e-trikes, used as a mode of public transportation, shall be duly registered with the Municipal Treasurer's Office and when necessary, with other concerned government agencies. After complying with the requirements for registration as set forth hereunder, the LGU shall issue the *Certificate of Public Conveyance (CPC)*. The CPC shall be renewable every year. A corresponding license plate shall be issued to the registered owner. The franchise area for all registered public transport e-trikes shall only cover the municipal proper areas.
- c. All existing public trisikad or potpot operators with duly issued CPC's who wish to migrate to public transport e-trikes shall be allowed to do so provided, however , that their trisikad or potpot CPC'S shall automatically be revoked upon the issuance of new license for their e-trikes. No registration fees shall be collected for a period three (3) years for those who wish to migrate. **Conversion to e-trikes is encouraged.**
- d. The following are the fees to be charged for new registration and its renewal:

Registration Fee (New Applicant)	Operator	Driver
Registration Plate	200.00	
Regulatory Fee	100.00	
Mayor's Permit	250.00	80.00
Health Certificate		100.00
Driver's ID		30.00
Total	550.00	210.00

Registration Fee (Renewal)	Operator	Driver
Registration Sticker	20.00	
Regulatory Fee	100.00	
Mayor's Permit	250.00	80.00
Health Certificate		100.00
Driver's ID		30.00
Total	370.00	210.00

- e. The following documents shall be submitted for registration and/ or renewal;
 - 1. Duly accomplished registration form
 - 2. Community Tax Certificate (Cedula)
 - 3. Government issued ID
 - 4. Barangay Certificate
 - 5. Proof of Ownership /Affidavit of Ownership
 - 6. Picture of E-bike with the owner
- f. All public transport e-trike shall have a red color body with the plate number duly reflected on the front and back of the vehicle.

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(ORDINANCE NO. 2024-06 of the Sangguniang Bayan of Hindang, Leyte, entitled: "An Ordinance regulating the use of electronic tricycle or e-trike within the Municipality of Hindang, Leyte, as public transportation and imposing penalties for violations thereof continued....")

- g. The number of passengers on board public transport e-trikes shall not exceed the maximum seating capacity of five (5) passengers excluding the driver.
- h. No limit shall be imposed as to the number of e-trikes CPC's that will be used.

SECTION 6. FARE. The standard fare for the public transport e-trikes shall be as follows:

<u>Regular Fare</u>	<u>Senior Citizen/ Student Fare</u>
₱12.00	₱10.00

Fare shall also subject for review and change with corresponding approval of the Sangguniang Bayan.

SECTION 7. SCHEDULE OF PENALTIES

- a. Violation of Section 4, subparagraph (b), (c), (e), (f) and (g) and Section 5 of this ordinance.

First and second offense	- ₱300.00 per violation
Third and succeeding offenses	- ₱500.00 plus impounding of vehicle

The impounded e-trikes shall be released to its owner or authorized representative only upon payment of fines or unpaid charges and after finding by the Municipal Treasurer's Office that the e-trike driver or operator shall not commit the same mistake again. In the event that the driver or operator continues to violate the provisions of this Ordinance, the Municipal Treasurer's Office shall revoke the CPC issued.

SECTION 8. SEPARABILITY CLAUSE. If any provision of this Ordinance is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 9. REPEALING CLAUSE. Pertinent provisions of all other laws, ordinances, executive order and rules and regulations contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or modify accordingly.

SECTION 10. EFFECTIVITY CLAUSE. This ordinance shall take effect fifteen (15) days upon its approval by the Sangguniang Panlalawigan and after due compliance with all the requirements provided under R.A 7160, otherwise known as the Local Government Code of 1991.

ENACTED this 10th day of September, 2024 by this Sanggunian in its regular session held for the purpose at the SB Session Hall, this Municipality, with the following votes:

Yes (7) No (0) Abstain (0)


(ORDINANCE NO. 2024-06 of the Sangguniang Bayan of Hindang, Leyte, entitled: "An Ordinance regulating the use of electronic tricycles or e-trikes within the Municipality of Hindang, Leyte, as public transportation and imposing penalties for violations thereof continued....)


MIKHAEL ANNE GELOD D. ABOYME
SB Member


LEONIDA A. CAVITE
SB Member


ROMULO B. BASAÑEZ
SB Member



BENEDICTO L. YANOLA
SB Member


SERAFIN A. CAVERIO
SB Member


(On leave)
SORIANO B. DELALAMON
SB Member


SALVADOR E. BAÑEZ, JR.
SB Member


JUN A. CABAL
LNB Pres-Ex Officio Member


ADRIAN PAUL G. ASTORGA
SK Federation Pres-Ex Officio Member

CERTIFIED CORRECT:


MYRNA C. ABASOLA
LLSA II - Temporary
Secretary to the Sanggunian

ATTESTED TO BE DULY ADOPTED:


JOSE NAPOLEON D. MONTERO
SB Member-Temporary
Presiding Officer

APPROVED:


BETTY A. CABAL
Municipal Mayor



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY *that* ORDINANCE NO. 2024-06 of the Sangguniang Bayan, Hindang, Leyte, *"An Ordinance regulating the use of electrical tricycles or e-trikes within the Municipality of Hindang as public transportation and imposing penalties for violations thereof"*, had been correspondingly posted in three (3) conspicuous places of the municipality as prescribed under the Local Government Code of 1991 otherwise known as Republic Act 7160.

GIVEN this 21st day of February, 2025 at Hindang, Leyte, Philippines.


ANNABEL A. MABALE
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY *that a PUBLIC HEARING was actually conducted last April 02, 2024 and September 26, 2023 relative to ORDINANCE NO. 2024-06 of the Sangguniang Bayan, this Municipality, RE: "An Ordinance regulating the use of electrical tricycles or e- trikes within the Municipality of Hindang as public transportation and imposing penalties for violations thereof, as prescribed under the Local Government Code of 1991.*

THIS CERTIFICATION *is issued in compliance with the requirements as provided for under Republic Act 7160.*

GIVEN this 21st day of February, 2025 at Hindang, Leyte, Philippines.


ANNABEL A. MABALE
Secretary to the Sanggunian

ATTENDANCE SHEET

PUBLIC HEARING on the proposed ordinance, RE:" An Ordinance regulating the use of Electrical Tricycles or e-trikes within the municipality of Hindang as public transportation and imposing penalties for violations thereof"

April 2, 2024 @ Poblacion1, Hindang, Leyte

Names	Barangay	Gender		Signature
		M	F	
1 JOHN D. JOSEPH	BULACAN	/		
2 RUEL H. REZBO	ANAHAW	/		
3 LOWIE R. ABRANTES	DDS	/		
4 Rudilyn B Buldo	ANOLON	/		
5 Angelina B. Baulo	Capudisan		/	
6 Rodolfo C. Dima	Canha-an	/		
7 Dominador C. Cavite	Himokilan	/		
8 Severino C. Brea	MAAEM	/		
9 ANGEL A. JABILLO	KATIPUNAN	/		
10 TEOFERIO A. JABILLO	MA-ASIN	/		
11 VICTORIANO A. DEGAJON JR.	BALDOZA	/		
12 JOHANNIE A. BARRAGA	TAGBIBI	/		
13 FREDERICO A. BARRAGA	BALDOZA	/		
14 EFREN R. CAGALA	TABOR	/		
15 ALDO M. PASILLO	POB. II	/		
16 GALVES ABPASALAN	POB. I	/		
17 Florenda P. Serut	Himacugo		/	
18 CRISTINA G. MOTILA	SAN VICENTE		/	
19 MARIA N. LUGA	Maulum		/	
20 Carmelita P. Dominguez	DDS	/	/	
21 JUAN A. CABAL	DDS	/		
22 JOSE NARCISO D. MONTE	SPZ MAALAN	/		
23 Mica Zonette Manafad	Poblacion I		/	
24 Mary Jane R. Arao	Pob. I		/	
25 Murna C. Abasola	MA-ASIN	/		
26 ANA MARIA A. Talab	SPZ SEC. DDS	/		
27 Maristela A. Alejandrin	MA-ASIN	/		
28 RUTH RUPA R. APASOLA	MA-ASIN	/		
29 MATHIAS G. MIRAFLORES	BULACAN	/		
30 FEUCITACION BAHIA	POB. I	/		
31 TEORISA A. ALBESA	ANOLON	/		
32 Maria Lucilyn Seane	Pob. I	/		
33				
34				
35				

ATTENDANCE SHEET

PUBLIC HEARING on the proposed ordinance, RE: "An ordinance regulating the use of electric tricycles or E-trikes within the municipality of Hindang and imposing penalties for violations thereof"

September 26, 2023 @ 3:00PM at the Bontoc National High School

Names	Barangay	Gender		Signature
		M	F	
1. Dhenon A. Danieles	Tao-Taon Inopacan Leyte	/		
2. Harvey B. Martin	San Vicente Hindang	/		
3. Jummal U. Madriaza	Tabok, Hindang	✓		
4. Jhecerie Abenaja	Bontoc, Hindang		✓	
5. Cresta Mae S. Cristino	Malib, Inopacan		✓	
6. Renslyn H. Rico	Doos Del Sur		✓	
7. Aubrey Mae Abano	Bontoc, Hindang		✓	
8. Eprilyn Bando	Bontoc, Hindang		✓	
9. Ma. Nica Miera	Bontoc, Hindang		✓	
10. Mary Lalaine D. Abundo	Tabok, Hindang		✓	
11. Daniel A. Bando	Doos del Norte Hindang, Leyte		/	
12. RIC LEONARDA OMILLO	Doos del Sur, Hindang, Leyte	✓		
13. Mikee Anne T. Corcilles	Poblacion I, Hindang		/	
14. Ardelyn Etremaña	Doos del Norte, Hindang		/	
15. Sandra Heraniz	Unad, Inopacan Leyte		/	
16. Ronnabelle Navarrosa	Bung-aw Hilongos, Leyte		/	
17. Lirie Antonette Ocinarina	Tinao, Inopacan Leyte		/	
18. Jellison Malatag	San Vicente Hindang		/	
19. Roxan Nambatac	Bulacan Hindang		/	
20. Camelle S. Fummentera	Bontoc, Hindang		/	
21. Eliza V. Perantes	Bontoc, Hindang		/	
22. Rhea D. Abaca	Bulacan Hindang		/	
23. Stephanie Badi	Bulacan Hindang		/	
24. Trisha Dañaguel	Himalugo Hindang		✓	
25. Annastacia De Undros	Tabok, Hindang		/	
26. Jumiell A. Escamillan	Bontoc, Hindang	/		
27. Eliza Ann C. Aguirre	Bontoc, Hindang		/	
28. Carl Carlo D. Soring	Doos del Sur, Hindang, Leyte	/		
29. Leoniza Mawongkong	Doos del Norte, Hindang		✓	
30. Jovany S. Abaca	Tabok, Hindang, Leyte	/		
31. Saguri C. Boniel	Hin Ma-arin Hindang, Leyte		/	
32. John Patrick Ramos	Bulacan, Hindang, Leyte	/		
33. Kristel Maco	San Vicente Hindang, Leyte		/	
34. Fe Nicke Valer	Doos Del Sur, Hindang, Leyte		/	
35. Angeli Inquis	Bulacan, Hindang, Leyte		/	
36. Karly Jane Pegorio	Doos Del Sur, Hindang, Leyte		/	
37. MARICEL E. SPILLANS	POB. II, Hindang, Leyte	/		