

Item No.: 14

Date: 17 2026 MAR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCE OF LEYTE
LEGAL OFFICE
RELEASED
By: *[Signature]*
Date: 3.6.26 Time: 9:24

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

February 9, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 26-001 of the Sangguniang Bayan of MAHAPLAG Leyte.

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

- Ordinance No. 26-001 entitled: “An Ordinance Amending the Ordinance granting Franchise for the operation of motorized tricycle-for-hire in the Municipality of Mahaplag”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution¹. 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.

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

¹ (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
19 February 2026

PROVINCE OF LEYTE
LEGAL OFFICE

RECEIVED

By: 
Date: 20 FEB 2026 Time: _____

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 26-001** of the **Municipality of Mahaplag, Leyte**, entitled: **An Ordinance amending the Ordinance granting franchise for the operation of the motorized tricycle-for-hire in the Municipality of Mahaplag, Leyte, and regulating its operations and providing penalties for violations thereof.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mahaplag
-000-

Office of the Sangguniang Bayan

TRANSMITTAL

FLORINDA JILL S. UYVICO
Provincial Government Department Head
Secretary to the Sangguniang Panlalawigan
Office of the Sangguniang Panlalawigan
Province of Leyte
Tacloban City

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: FEB 19 2026
By: [Signature]

Attention: Records Office

Madam:

Transmitting to your good office this duly approved **Municipal Ordinance No. 26-001** and **Municipal Ordinance No. 26-002** of the Municipality of Mahaplag for review by the Sangguniang Panlalawigan of the Province of Leyte, as follows:

- 1. MUNICIPAL ORDINANCE NO. 26-001:** AN ORDINANCE AMENDING THE ORDINANCE GRANTING FRANCHISE FOR THE OPERATION OF THE MOTORIZED TRICYCLE-FOR-HIRE IN THE MUNICIPALITY OF MAHAPLAG, LEYTE, AND REGULATING ITS OPERATIONS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Attachment:

1. Affidavit of Publication

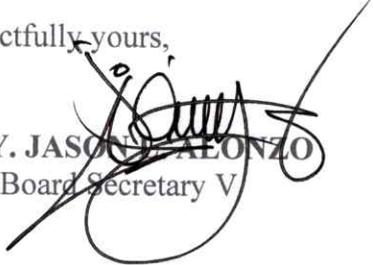
- 2. MUNICIPAL ORDINANCE NO. 26-002:** AN ORDINANCE SUPPLEMENTARY TO THE FRANCHISE ORDINANCE – ESTABLISHING THE ROUTES OF MOTORCYCLES-FOR-HIRE OPERATING WITHIN THE MUNICIPALITY OF MAHAPLAG, LEYTE.

Attachment:

1. Affidavit of Publication

Thank you and more power.

Respectfully yours,


ATTY. JASON A. LEONZO
Board Secretary V



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mahaplag
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Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: FEB 19 2026
By: *[Signature]*

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MAHAPLAG, LEYTE HELD ON JANUARY 19, 2026, AT THE SESSION HALL OF THE MUNICIPAL HALL, BRGY. POBLACION, MAHAPLAG, LEYTE.

PRESENT:

- HON. MYRA P. SOLIS - Municipal Vice Mayor/Presiding Officer
- HON. GLENN H. BARTOLINI - Sangguniang Bayan Member
- HON. MARK L. ALONZO - Sangguniang Bayan Member
- HON. AIDA L. DIZON - Sangguniang Bayan Member
- HON. JOSE T. AMARADO II - Sangguniang Bayan Member
- HON. HARLIN O. GONZAGA - Sangguniang Bayan Member
- HON. REYNALDO M. KANEN - Sangguniang Bayan Member
- HON. EDGARDO R. CAMASIN - Ex officio Sangguniang Bayan Member
President, Liga Ng Mga Barangay

ABSENT:

- HON. ARLENE O. GIGANTO - Sangguniang Bayan Member
- HON. JEFFREY M. RELEVO - Sangguniang Bayan Member
- HON. REINA ROSE A. DEDAL - Ex officio Sangguniang Bayan Member
President, Sangguniang Kabataan Federation

MUNICIPAL ORDINANCE NO. 26-001

AN ORDINANCE AMENDING THE ORDINANCE GRANTING FRANCHISE FOR THE OPERATION OF THE MOTORIZED TRICYCLE-FOR-HIRE IN THE MUNICIPALITY OF MAHAPLAG, LEYTE, AND REGULATING ITS OPERATIONS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

AUTHOR: HON. GLENN H. BARTOLINI, Chairman, Committee on Transportation
CO-AUTHOR: HON. MARK L. ALONZO, Member, Committee on Transportation
HON. JOSE T. AMARADO II, Member, Committee on Transportation

PREFATORY STATEMENTS

WHEREAS, while the provisions of the Local Government Code of 1991 gave the Local Legislative Body or Sangguniang bayan the power to enact local ordinances to grant franchises to motorized tricycle for hire operating within its municipality, it carries with it the power to amend the same when necessary;

WHEREAS, the council finds it imperative to make these amendments to establish additional guidelines to better regulate and address the increasing number of RE operators without franchise and to better address the increasing traffic problems that the municipality encountered in its regulation of tricycle for hire within the municipality;

WHEREFORE, through the Sangguniang Bayan assembled, this 19th day of January 2026 session, let this be passed, and be it;

RESOLVED, AS IT IS HEREBY RESOLVED THAT an **ORDINANCE** be passed to **AMEND** some of the provisions of the **ORDINANCE GRANTING FRANCHISE FOR THE OPERATION OF MOTORIZED TRICYCLE-FOR-HIRE IN THE MUNICIPALITY OF MAHAPLAG, LEYTE** as follows:

[Handwritten signatures of the council members]

Section 1. Let it be enacted to amend the first paragraph of Section 16 which originally provides as follows: "*Section 16. DURATION AND SCOPE OF FRANCHISE. – A franchise under this ordinance may be initially granted anytime subject to availability and compliance to requirements and shall be valid for a maximum of three (3) years or until the 31st day of December immediately following the second anniversary of the date of grant of the franchise, whichever comes first.*"

Amended to read as follows:

"Section 16. APPLICATION, DURATION AND SCOPE OF FRANCHISE.
– A franchise shall be granted every month of January subject to its availability and compliance of the requirements which shall be effective and valid only for one (1) year or earlier as it is only valid until every 31st day of December of the year of the current application and shall be renewed beginning at the 1st day of January until January 31 of the year following the end of the validity of the franchise previously granted. Late applications will no longer be accepted but could be considered as a new application for the following year."

"Consequently, the franchises that were approved and issued ahead of these amendments shall still be valid until its expiry date subject however to the same regulations as provided in that same ordinance."

Section 2. Section 17 which reads originally as follows: "*The franchise/MTOF shall be renewable within sixty (60) days before its expiry date.*"

Be amended to:

"Section 17 – The Franchise/MTOF shall be renewable every month of January of the year following the expiration of the previous franchise. After this schedule, no more application shall be processed for the current year except in cases of those franchises previously approved that has a term of three (3) years with its expiry occurring on the months after January."

Section 3. Section 20 which reads originally as follows: "*The municipal Treasurer or his duly authorized representatives shall collect the following fees in connection with the application/transactions concerning the motorized tricycles-for-hire.*"

- 1. Franchise Fee
 - a. New Application - ₱2,000.00 per unit
 - b. Renewal Application - ₱1,000.00 per unit

Be amended as follows:

- 1. Franchise Fee
 - a. New Application for the year 2026 - ₱500.00 per unit (good for 1 year)
 - b. Renewal Application - ₱650.00 per unit (good for 1 year)

Section 4. Section 29 which reads originally as follows: "*Section 29. RIGHT OF THE WOULD-BE-PASSENGER – When a tricycle for hire requested for transport is empty or vacant, the tricycle driver shall not refuse to convey the would-be-passenger. However, for would-be-passenger whose destination is different from a passenger/s who is already on-board ahead of him/her, the driver may or may not accept the conveyance of those would-be-passenger.*"

Be amended as follows:

"SECTION 29. RIGHTS OF THE WOULD-BE-PASSENGERS – No empty of vacant tricycle-for-hire may refuse a commuter, however the driver may reasonably refuse his services when he is plying on the route different from his existing passenger, and when he is plying the said route for "Special trip",

[Handwritten signatures and initials at the bottom of the page]

“Emergency trip”, and “Day pass only trip” which has restrictions as provided for in this ordinance.”

Section 5. New “TRANSITORY PROVISIONS – Those provisions amended through this ordinance which is still valid upon the effectivity of this amending ordinance shall remain valid and operational until its expiry period. However, the succeeding applications must conform with this amendment in its renewal.”

Likewise, new applications and renewal of franchises covered and relative to these amendments may commence the day after the effectivity of this ordinance. Applications, processing, and approval of franchises shall only cover within thirty (30) days after the effectivity of this ordinance.”

Section 6. REPEALING CLAUSE - Provisions of the other laws and ordinance not consistent with this amendment are hereby deemed repealed.

Section 7. SEPARABILITY CLAUSE – If some provisions are declared invalid or unconstitutional, all the other provisions not affected shall remain effective and enforceable.

Section 8. EFFECTIVITY CLAUSE – This ordinance shall become effective after ten (10) days of publication on a newspaper of general circulation or after ten (10) days of posting in all conspicuous places within the municipality.

Let a copy of this ordinance be submitted to the Sangguniang Panlalawigan for review.

ENACTED on this 19th day of January 2026 in Mahaplag, Leyte, Philippines.

Prepared by:

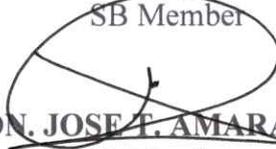
ATTY. JASON L. ALONZO
Board Secretary V

ENACTED BY THE SANGGUNIANG BAYAN MEMBERS:


HON. GLENN H. BARTOLINI
SB Member

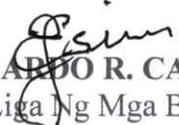

HON. MARK L. ALONZO
SB Member


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SB Member


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HON. HARLINO. GONZAGA
SB Member


HON. REYNALDO M. KANEN
SB Member


HON. EDGARDO R. CAMASIN
President, Liga Ng Mga Barangay

ATTESTED BY:


HON. MYRA P. SOLIS
Municipal Vice Mayor/ Presiding Officer

APPROVED BY:


HON. RONALDO T. LLEVE
Municipal Mayor
Date of Approval: 04 JAN 2026