



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 16
Series of 2016

AN ORDINANCE ESTABLISHING THE TRICYCLE UPGRADING AND REPLACEMENT PROGRAM, PROVIDING MECHANISMS AND GUIDELINES IN ITS IMPLEMENTATION AND FOR OTHER PURPOSES.

Authored By: Councilor Alejandro E. Santiago
Co-Authored By: Councilors Rodrigo B. Asilo, Ferdinand Avis, Regino S. Balderrama, Orlando R. Benito, Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Rosalio D. Martires, Corazon M. Raymundo, Gregorio P. Rupisan, Jr., Wilfredo F. Sityar, Victor Ma. Regis N. Sotto, and Liga President Celestino U. Chua

WHEREAS, Section 16 of R.A. 7160 under the general welfare clause provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare; including enhancing the right of the people to a balanced ecology;

WHEREAS, Section 36 of R.A. 7849 or the Clean Air Act mandates that local government units (LGUs) shall share the responsibility in the management and maintenance of air quality within their respective territorial jurisdiction;

WHEREAS, there is an argument need to control and effectively manage the air pollution in the City of Pasig through programs designed to lessen or regulate emission of harmful gases into the atmosphere from motor vehicles;

WHEREAS, the City Government of Pasig seeks to promote the use of public utility vehicles which are efficient and environmentally friendly;

BE IT ORDAINED, by the Sangguniang Panlungsod of Pasig in session assembled that:

Section 1. **TITLED** – This Ordinance shall be known as the **“TRICYCLE UPGRADING AND REPLACEMENT PROGRAM”**.

Section 2. **PURPOSE** – Pursuant to Republic Act No. 7849, local government units are mandated to manage and maintain the air quality standard set by DENR within its territorial jurisdiction. In furtherance of such mandate, this Ordinance aims to control, regulate and manage emission of air pollutants from motor vehicles, equipment from commercial establishment and industrial plants, and other sources. This is achieved through the implementation of various programs aimed at reducing the causes of air pollution, including carbon dioxide emission.

Rosalio D. Martires

Victor Ma. Regis N. Sotto
Regino S. Balderrama
Rodrigo B. Asilo
Ferdinand Avis
Celestino U. Chua

Alejandro E. Santiago
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Section 3. **TWO-STROKE TRICYCLE PHASEOUT PLAN-** Pursuant to the directive of the national government and in line with the objective of reducing air pollutants, the City Government of Pasig through Traffic Operator and Regulatory Office (TORO) in coordination with CENRO shall implement two-year gradual phase-out of two-stroke tricycles, as follows:

- (a) By June 31, 2017, all two-stroke tricycles manufactured, assembled, or produced between January 1, 1985 to December 31, 1990 shall no longer allowed to operate within the City;
- (b) By January 31, 2018, all two-stroke tricycles manufactured, assembled, or produced between January 1, 1991 to December 31, 1995 shall no longer allowed to operate within the City;
- (c) By December 31, 2018, all two-stroke tricycles manufactured, assembled, or produced after December 31, 1995 up to the present shall no longer allowed to operate within the City;

Section 4. **TRICYCLE UPGRADING PROGRAM.** To complement the phase-out plan stated above, the City Government of Pasig hereby establishes the Tricycle Upgrading and Replacement Program, a program which shall initially include the (1) upgrade of existing two-stroke tricycle units to four-stroke tricycle units; and (2) replacement of two-stroke or four-stroke tricycle units with an e-trike unit.

Section 5. **INCENTIVE PROGRAM.** To encourage participation in the Tricycle Upgrading and Replacement Program, the City Government of Pasig shall provide incentives to qualified and eligible tricycle owners or operators who shall upgrade their existing two-stroke to an e-trike unit. The incentives are in the form of a cash financial assistance and 50 percent discount on regulatory fees prescribed by TORO for three years or more as deem necessary by the Chief Executive, and shall be conditioned on the surrender of the two-stroke or four-stroke tricycles with legal franchise to the City Government for proper scrapping and disposal.

Section 6. **LOAN AVAILMENT THROUGH EASY PONDONG PANGNEGOSYO (EPP) PROGRAM.** Tricycle owners or operators who are interested to replace their tricycle units with e-trike units may avail of loan through the Easy Pondong Pangnegosyo (EPP) Program of the Cooperative Development Office (CDO), provided that they meet the criteria and requirements set by the EPP Program. Under the EPP Program, qualified and eligible persons who own or operate tricycle units, and is interested in replacing their units with an e-trike unit,

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shall be endorsed by the City Environment and Natural Resources Office (CENRO) to the CDO, for application and admission into the EPP Program. Subject to the completion of the application requirements by the applicant tricycle driver or operator, the CDO shall extend non-interest bearing loans to qualified tricycle unit owners or operators, for the purpose of upgrading their tricycle unit to a 4-stroke unit or replacing their tricycle unit with an e-trike unit.

Section 7. **SMOKE-FREE AND NOISE-FREE ZONE.** The City Government of Pasig through CENRO and TPMO shall designate smoke-free and zone/areas wherein two stroke tricycles and tricycles without silencer/muffler shall not be allowed to enter, pass or ply specifically within the perimeter of all government buildings and compound, schools and universities, parks and playground, subdivisions, hospitals, churches, and other smoke-free and noise-free zone as may be designated by CENRO and TPMO. The deployment and operation of Bantay-Hangin Team from CENRO will also complement the Tricycle Upgrading and Replacement Program.

Section 8. **IMPLEMENTING GUIDELINES** – Implementing Rules, Regulations, and Guidelines shall be prepared by CENRO, CDO and TORO.

Section 9. **Separability Clause.** In the event any of the provisions of this Ordinance is declared void or unenforceable by final judgment of a court of competent jurisdiction, the other provisions unaffected thereby shall remain in full force and effect.

Section 10. **Repealing Clause.** All ordinance or issuances, or parts thereof, by the City Government which are inconsistent with any of the provisions of this ordinance are hereby repealed or modified accordingly.

Section 10. **Effectivity.** This Ordinance shall take effect within fifteen (15) days upon approval and publication in a newspaper of general circulation.

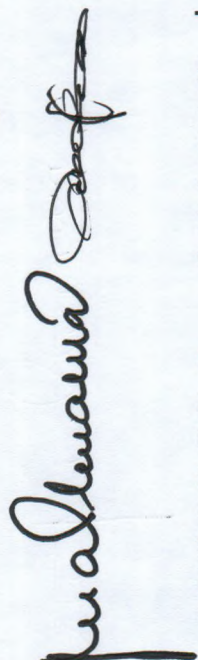
APPROVED, this 22nd day of **September 2016** at Pasig City.


VICTOR MA. REGIS N. SOTTO
Councilor


RODRIGO B. ASILO
Councilor

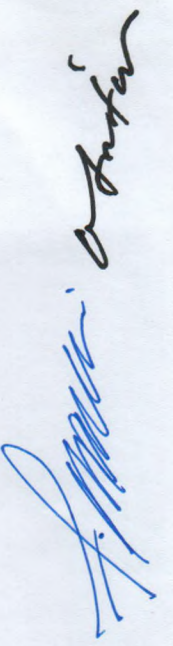

GREGORIO P. RUPISAN JR.
Councilor

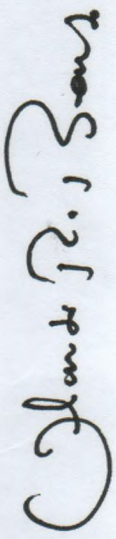

MARIO C. CONCERCION, JR.
Councilor














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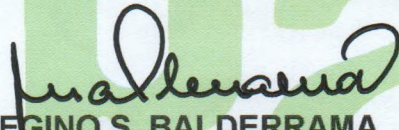
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RHICHIE GERARD T. BROWN
Councillor



ORLANDO R. BENITO
Councillor


ALEJANDRO E. SANTIAGO
Councillor

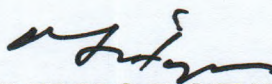

CORAZON M. RAYMUNDO
Councillor

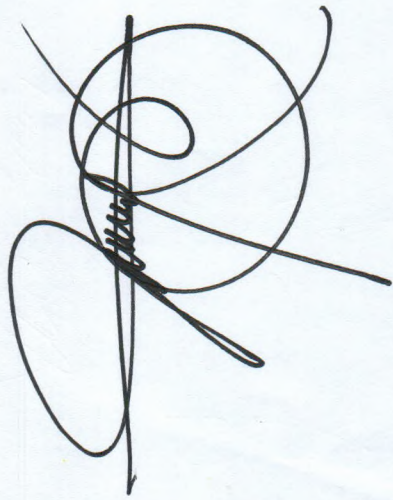

REGINO S. BALDERRAMA
Councillor

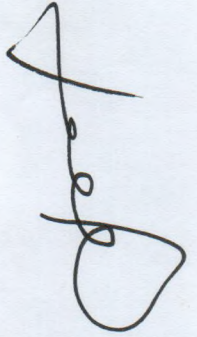

ROSALIO D. MARTIRES
Councillor


CELESTINO U. CHUA
LIGA President

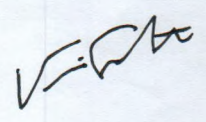

FERDINAND A. AVIS
Councillor
Minority Floor Leader


WILFREDO F. SITYAR
Councillor
Majority Floor Leader











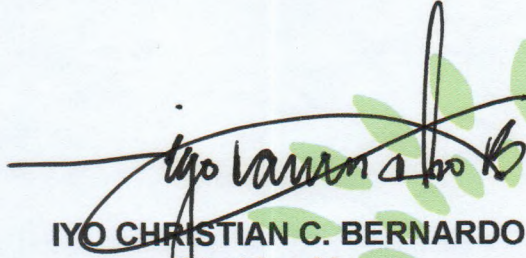
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Attested by:


IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:


ROBERT C. EUSEBIO
City Mayor

Attested by:


REYNALDO R. SAN BUENAVENTURA III
Acting City Council Secretary

