



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS

First Regular Session

House Bill No. 7380



Introduced by REPRESENTATIVE GERALD CLOYD ALEXIS V. GALANG

EXPLANATORY NOTE

Tricycles serve as a crucial mode of public transportation in both urban and rural areas across the Philippines, offering mobility to millions and livelihood to thousands. Despite their vital role in local economies and community access, tricycle drivers and operators continue to face systemic challenges such as lack of social protection, unclear regulatory frameworks, and limited representation in policymaking.

In 2023, the number of registered motorcycles and tricycles were approximately 7.8 million. The number of registered motorcycles and tricycles in the country has shown positive growth since the slight decline in 2020.¹

As our way of showing our appreciation to the role of tricycle drivers and operators in our communities, this proposed measure, to be known as the Magna Carta for Tricycle Operator's and Drivers' Association (TODA) Act, seeks to guarantee the basic rights for the protection and safeguard of tricycle drivers and operators.

Additionally, this bill aims to have a more simplified registration system in the application and issuance of motorized tricycle operator permit (MTOP). In conjunction with this, a TODA one-stop-shop is mandated to be established in every local government unit in order to cater for all the transactions of tricycle drivers and operators.

This proposed measure also outlines the critical role of the LGU and other government agencies and financial institutions in support of the tricycle sector. This aligns with the mandate of the Sangguniang Bayan and Sangguniang Panlungsod to regulate the operation of tricycles within their respective territorial jurisdiction under the Local Government Code of 1991.

It is for this purpose that the urgent passage of this measure is earnestly sought.


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2nd Legislative District, City of Valenzuela

¹ <https://psa.gov.ph/system/files/psy/2023-Philippine-Statistical-Yearbook.pdf>



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AN ACT
PROVIDING FOR A MAGNA CARTA OF TRICYCLE DRIVERS AND
OPERATORS, INSTITUTIONALIZING MECHANISMS FOR ITS
IMPLEMENTATION AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. Short Title. - This Act shall be known as the "Magna Carta for Tricycle Operators and Drivers' Association (TODA) Act".

Sec. 2. Declaration of Policy. - It is the declared policy of the State to uplift the life and promote the interest of the members of the tricycle sector by recognizing and protecting their rights and their contributions to the local economy. Towards this end, the State shall provide adequate social protection and mechanisms that will ensure the maximization of their potential and economic advancement.

Sec. 3. Definition of Terms. - As used in this Act:

a. *Motorized Tricycle Operator Permit (MTOP)* refers to the permit issued by the LGU concerned that authorizes the holder to operate a tricycle for public transport;

b. *Tricycle* refers to a motorized vehicle which may be composed of a motorcycle fitted with a single-wheel sidecar or a motorcycle with a two-wheel rear cab;

c. The *Tricycle Sector* refers to the sector consisting of drivers, operators, and owners of tricycles for public transportation; and

d. *Tricycle Operators and Drivers' Association (TODA)* refers to the organization of tricycle operators and drivers recognized by the city or municipal government.

Sec. 4. Requirements for Operation of Tricycle. - Tricycles shall only be operated in accordance with the following requirements:

a. Subject to the road worthiness guidelines and compliance with environmental laws prescribed by the Department of Transportation (DOTr) thru the Land Transportation Office (LTO), the cities and municipalities shall continue to exercise the power to regulate the operation of tricycles and grant permits for the operation thereof within their territorial jurisdiction.

b. For safety reasons, no tricycle shall operate on national highways where the maximum speed limit exceeds forty (40) kilometers per hour. However, the concerned Sanggunian may provide exceptions if there are no available public transportation services or modes servicing the route.

c. Operators shall employ only drivers possessing professional licenses duly issued by the LTO. For this purpose, the LTO shall issue guidelines, including theoretical and practical examinations, appropriate for drivers of tricycles.

d. The LTO is mandated to formulate and issue safety standards and the allowable designs and modifications, taking into consideration the needs of the vulnerable groups, and determining the limitations on passengers and weight capacity.

e. Cities and Municipalities may adopt a color coding scheme for tricycles operating in their jurisdiction. They may assign an identification number assigned from the license plate number issued by the LTO.

f. MTOP issued shall be valid for three (3) years, renewable for the same period. Change of ownership of a unit or transfer of the MTOP shall be considered as an amendment to an MTOP and shall require approval of the local government unit (LGU) which issued the same. Cities and municipalities shall impose no other requirement or condition for tricycle operation except those provided in this Act.

Sec. 5. Application for MTOP. - A simple systematic procedure shall be adopted for application and issuance of the MTOP in accordance with the conditions set forth in this Act. The application fee shall not exceed one thousand pesos (P1,000.00). The said fee shall cover the cost of the issuance of MTOP, filing fee, franchise fee, inspection fee, regulatory and other related fees. No other fees shall be collected from the applicant other than the fee mentioned in this Section.

LGUs may adjust the fee prescribed herein once every five (5) years; Provided, that in no case shall the increase be more than 5% of the prevailing fee.

Sec. 6. TODA One-Stop Shop Center. - Concerned LGUs shall establish a TODA One-Stop Shop Center which shall handle all transactions and processing of the business permit applications within their respective jurisdiction. The Center shall ensure that the processing of application for MTOP shall be acted upon within three (3) days from receipt of said application.

Sec. 7. Rights of Members of the Tricycle Sector. - Members of the Tricycle Sector shall have and enjoy the following rights:

a. Self-organization to collectively negotiate with government and other entities in the promotion of their welfare and advancement of their interests free from any political interference or favor;

b. Informed participation in policy-making processes relevant to the concerns of their sector through their legitimate organizations;

c. Safe working conditions and access to medical care services; Freedom from discrimination, violence, exploitation, or harassment.

Sec. 8. Membership in Social Security System (SSS) and Philippine Health 21 Insurance Corporation (PhilHealth). - The SSS and the Philhealth shall ensure the inclusion of the members of the tricycle sector to their respective corporations. They shall also ensure that members of the tricycle sector are informed of the benefits that they are entitled to as members of the SSS and Philhealth.

Sec. 9. Role of the Local Government Unit - LGUs shall have the following responsibilities:

a. LGUs after consultation with the tricycle sector shall identify and designate viable routes and terminals within their jurisdiction. Terminals shall be in proximity to public buildings, public markets, commercial centers and other similar places.

b. The Sangguniang concerned shall, within ninety (90) days after consultations with the stakeholders, designate the routes and terminals of tricycles as specified in this Act through an Ordinance.

c. In coordination with the DOTr, LTO and stakeholders, LGUs shall implement a tricycle maintenance program. This program shall provide the tricycle sector within their jurisdiction, training and instruction on preventive and periodic maintenance.

d. There shall be a mandatory Tricycle Drivers Safety Program by the concerned LGU with assistance from the LTO. The content and structure of the Tricycle Drivers Safety Program shall be formulated by the DOTr, LTO and other relevant government agencies. The LGUs shall require all holders of MTOP within its jurisdiction to undergo said program.

e. Vocational courses on auto-mechanics and related courses like engine repair and maintenance shall be offered to the tricycle sector. The Department of Labor and Employment (DOLE) and the Technical Education and Skills Development Authority (TESDA) shall coordinate with LGUs to implement this Section.

f. LGUs shall provide for additional and alternative livelihood and skills training programs for the tricycle sector. LGUs may, through ordinances or as condition of the Issuance of MTOP, additional acts of violation in relation to operation of tricycles and the penalties therefore within their respective jurisdiction.

Sec. 10. Government Support to the Tricycle Sector. - Concerned government agencies, government financial institutions and LGUs shall include plans, programs, projects and activities that are supportive of the concerns of the tricycle sector. LGUs shall create a grievance mechanism to address the concerns of the members of the tricycle sector.

Sec. 11. Promotion of Energy Efficient Engines. - The DOTr and the Department of Science and Technology shall implement a continuing program to encourage

manufacturers to develop environment-friendly and energy-efficient engines for the tricycle sector. The Department of Trade and Industry (DTI) shall prescribe the standards and specifications for tricycle engines to be observed by the tricycle sector in accordance with Republic Act No. 8749, otherwise known as the Clean Air Act.

Sec. 12. Implementing Rules and Regulations. -The DOTr and Department of Interior and Local Government (DILG) in consultation with Leagues of Cities and Municipalities and stakeholders shall promulgate the necessary rules and regulations for the effective implementation of this Act no later than ninety (90) days upon effectivity of this Act.

Sec. 13. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

Sec. 14, Repeating Clause. -Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

Sec. 15. Effectivity. -This Act shall take effect fifteen (15) days after the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,