Republic of the Philippines
23rd City Council
Quezon City

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PROPOSED ORDINANCE NO. SP-_____, S-2026

AN ORDINANCE AMENDING SECTION 7, PARTICULARLY PARAGRAPHS (C), (D), AND (E), OF ORDINANCE NO. SP-3492, S-2026, OTHERWISE KNOWN AS THE "QUEZON CITY TRICYCLE FRANCHISE AMNESTY ORDINANCE OF 2025," TO ALLOW QUALIFIED HEIRS AND PERSONS WHO ACQUIRED THE SAME REGISTERED TRICYCLE UNIT PRIOR TO THE EFFECTIVITY OF THE ORDINANCE TO AVAIL OF THE AMNESTY, INCLUDING THE REPLACEMENT OF UNSERVICEABLE UNITS, SUBJECT TO VALIDATION AND APPROVAL BY THE TRICYCLE FRANCHISING BOARD AND THE TRICYCLE REGULATION DIVISION-TRAFFIC AND TRANSPORT MANAGEMENT DEPARTMENT, AND FOR OTHER PURPOSES.

Introduced by Honorable **RAQUEL S. MALAÑGEN**

WHEREAS, the Quezon City Government, through the Tricycle Franchising Board (TFB) and the Traffic and Transport Management Department (TTMD), recognizes the importance of providing a reasonable and practical mechanism for qualified tricycle operators to restore their expired franchises while maintaining the orderly regulation of public transportation;

WHEREAS, the Quezon City Council enacted **Ordinance No. SP-3492, S-2026,** otherwise known as the **"Quezon City Tricycle Franchise Amnesty Ordinance of 2025,"** granting amnesty to qualified tricycle operators whose franchises expired from 2018 to 2025, subject to the terms and conditions therein;

WHEREAS, Section 7 of Ordinance No. SP-3492, S-2026, provides for the exclusions from the amnesty program, including restrictions involving changes in ownership of the franchise and registered tricycle unit;

WHEREAS, the Quezon City Tricycle Operators and Drivers Association (QC TODA) Federation has brought to the attention of the Tricycle Franchising Board that there are a considerable number of petitioners who desire to avail of the amnesty program but are unable to do so because the registered operators have already died or because the same registered tricycle units have been acquired by other persons prior to the effectivity of the Ordinance;

WHEREAS, in cases where the registered operator has already died, the lawful heirs may have a legitimate interest in preserving the franchise privilege and continuing the operation of the same franchise slot, subject to compliance with applicable rules on succession and transfer of franchise privileges;

WHEREAS, there are likewise persons who, prior to the effectivity of Ordinance No. SP-3492, S-2026, had acquired ownership or possession of the **same registered tricycle units** covered by the expired franchises, but are presently unable to avail of the amnesty solely because of the restriction on change of ownership;

WHEREAS, the continued use of the same old registered tricycle unit may, however, be impractical where such unit has already become dilapidated, unserviceable, unsafe, or otherwise unsuitable for continued public transport operation, particularly

considering that the purpose of the amnesty is to restore legitimate and compliant public transport operations and not to require the continued operation of units that are no longer roadworthy;

WHEREAS, requiring qualified heirs or bona fide prior purchasers to retain an already unserviceable unit merely to qualify for the amnesty may defeat the purpose of the program and may unnecessarily prevent otherwise qualified petitioners from restoring the corresponding franchise privilege;

WHEREAS, allowing the replacement of an unserviceable registered unit with a new and compliant tricycle, subject to verification and approval by the appropriate City offices, will promote passenger safety, roadworthiness, and efficient public transportation without creating a new franchise slot or authorizing an unrestricted transfer of franchise privileges;

WHEREAS, the proposed amendment is intended to address legitimate and documented cases arising from circumstances existing prior to the effectivity of the amnesty ordinance, while preserving the City's authority to prevent unauthorized transfers, speculative transactions, or the creation of new franchise privileges outside the amnesty program;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, THAT:

SECTION 1. AMENDMENT OF SECTION 7(C). Paragraph (c), Section 7 of Ordinance No. SP-3492, S-2026, is hereby amended to read as follows:

c. Tricycle operators who were already deceased at the time of franchise expiration shall not be entitled to avail of the amnesty, **except that their lawful heirs may apply for the transfer or succession of the corresponding franchise privilege, subject to existing TFB rules and regulations and verification and approval by the TFB and TRD-TTMD.**
Upon approval of the transfer or succession, the qualified heir may avail of the amnesty and, when the original registered tricycle unit is already dilapidated, unserviceable, or otherwise unsuitable for continued operation, may apply for its replacement with a new and compliant tricycle unit, subject to inspection, verification, and approval by the TFB and TRD-TTMD.

SECTION 2. AMENDMENT OF SECTION 7(D). Paragraph (d), Section 7 of Ordinance No. SP-3492, S-2026, is hereby amended to read as follows:

d. Tricycle units and franchises that have changed ownership before or after the expiration of the franchise shall generally not be entitled to avail of the amnesty, **except that persons who acquired ownership of the same registered tricycle unit prior to the effectivity of Ordinance No. SP-3492, S-2026, may apply for the transfer of the corresponding franchise privilege and avail of the amnesty, subject to verification and approval by the TFB and TRD-TTMD and compliance with all applicable requirements. Where the same registered tricycle unit has become dilapidated, unserviceable, unsafe, or otherwise unsuitable for continued public transport operation, the qualified transferee may apply for the replacement of such unit with a new and compliant tricycle unit, subject to inspection, verification, and approval by the TFB and TRD-TTMD. The replacement of the registered unit under this provision shall not be construed as the creation of a new franchise, an additional franchise slot, or an authority to transfer the franchise to another person.**

SECTION 3. AMENDMENT OF SECTION 7(E). Paragraph (e), Section 7 of Ordinance No. SP-3492, S-2026, is hereby amended to read as follows:

e. Operators who fail to avail of the amnesty program within the prescribed six (6)-month period or fail to complete the requirements therein shall be deemed to have waived the privilege granted under this Ordinance. In such case, the corresponding franchise shall be deemed cancelled, and the slot shall remain open until such time as the Quezon City Government, through the TFB and TTMD, determines its disposition pursuant to future issuances or programs. **The concerned operator, heir, or transferee shall thereafter no longer be eligible to reapply for the same franchise slot or apply for a new tricycle franchise in Quezon City.**

SECTION 4. CONDITIONS ON TRANSFER AND REPLACEMENT. The availment of the amnesty pursuant to Sections 1 and 2 of this Ordinance shall be subject to the following conditions:

a. The transfer to a lawful heir or qualified transferee must be supported by appropriate documentary evidence and must have arisen from circumstances existing **prior to the effectivity of Ordinance No. SP-3492, S-2026;**

b. The replacement unit must be intended solely to replace the original registered unit and shall remain under the **same franchise slot;**

c. The replacement shall be allowed only when the original unit is verified to be dilapidated, unserviceable, unsafe, or otherwise unsuitable for continued public transport operation;

d. The replacement unit shall comply with all applicable requirements on registration, roadworthiness, inspection, and other requirements prescribed by the City Government, including such other documentary or administrative requirements as may be required by the Tricycle Franchising Board (TFB), in coordination with the TRD-TTMD;

e. No replacement under this Ordinance shall be construed as an authority to create an additional franchise slot or increase the authorized number of tricycles under the corresponding franchise;

f. The TFB and TRD-TTMD shall have the authority to verify the authenticity of the transaction, ownership documents, condition of the original unit, and compliance with all requirements before approving the transfer and/or replacement; and

g. Any application found to involve a simulated, fraudulent, fictitious, or unauthorized transfer shall be denied, without prejudice to the imposition of applicable administrative, civil, or criminal sanctions.

SECTION 5. NON-TRANSFERABILITY OF THE AMNESTY PRIVILEGE. Nothing in this amendatory Ordinance shall be construed as authorizing any subsequent transfer, sale, assignment, or conveyance of the franchise privilege granted pursuant to the amnesty, except as may be allowed by existing laws, ordinances, and regulations on succession. The privilege granted under the amnesty shall remain subject to the **non-transferability provision under Ordinance No. SP-3492, S-2026,** and the subsequent

cancellation or abandonment of the franchise shall be governed by the applicable provisions thereof.

SECTION 6. IMPLEMENTING AUTHORITY. The Tricycle Franchising Board (TFB) and the Tricycle Regulation Division-Traffic and Transport Management Department (TRD-TTMD) shall jointly undertake the validation and evaluation of applications under this amendatory Ordinance and shall prescribe such forms, documentary requirements, inspection procedures, and other administrative measures as may be necessary to ensure its proper implementation.

SECTION 7 SEPARABILITY CLAUSE. If any provision of this Ordinance is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 8. REPEALING CLAUSE. All ordinances, resolutions, rules, regulations, or portions thereof inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect immediately upon approval and publication in accordance with applicable laws and regulations.

RAQUEL S. MALANGEN
City Councilor, 4th District, Quezon City