



Republic of the Philippines  
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT  
DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City  
http://www.dilg.gov.ph



**MEMORANDUM CIRCULAR**  
**NO. 2020-036**

**TO: ALL PROVINCIAL GOVERNORS, CITY MAYORS, MUNICIPAL MAYORS, PRESIDING OFFICERS OF THE SANGGUNIANG PANLALAWIGAN, SANGGUNIANG PANGLUNSOD, AND SANGGUNIANG BAYAN, PUNONG BARANGAYS, REGIONAL GOVERNOR OF THE BARMM, CHIEF OF THE PHILIPPINE NATIONAL POLICE, CHIEF OF THE BUREAU OF FIRE PROTECTION, AND ALL OTHER CONCERNED**

**ATTN: DILG REGIONAL, PROVINCIAL, CITY DIRECTORS, AND ALL LGOOs**

**SUBJECT: PROHIBITING TRICYCLES, PEDICABS, AND MOTORIZED PEDICABS FROM OPERATING ON NATIONAL HIGHWAYS**

**DATE: 17 FEB 2020**

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**I. BACKGROUND**

The Local Government Code<sup>1</sup> has devolved to all city and municipal governments, through their respective Sanggunians, the power to regulate the operations of tricycles/ pedicabs and to grant franchises for the operation thereof within their territorial jurisdiction.

This devolved responsibility, however, remains subject to the guidelines prescribed by the Department of Transportation and Communications (now DOTr).<sup>2</sup>

DOTC's "Guidelines to Implement the Devolution of LTFRB's Franchising Over Tricycles-For-Hire to Local Government Units Pursuant to the Local Government Code (RA No. 7160)" in no unmistakable terms prohibited the operations of tricycles along national highways. As provided for in the *Guidelines*:

"For safety reasons, no tricycles should operate on national highways utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceed 40 kph. However, the SB/SP may provide exceptions if there is no alternative route."

The aforementioned *Guidelines* has been the basis of the Department in issuing MC No. 2007-11<sup>3</sup> and MC No. 2011-68<sup>4</sup>.

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<sup>1</sup> Section 447 3(vi) and Section 448 3 (vi)

<sup>2</sup> Ibid.

<sup>3</sup> Basic Considerations in the Preparation of City or Municipal Tricycle and Pedicab Franchise and Regulatory Ordinance or Code

<sup>4</sup> Reiteration Re: Operating Conditions for Tricycles and Pedicabs

But since tricycles continue to figure in fatal accidents along national highways and in light of the road clearing directive by the President, the Department issued M.C. 2020-004.

M.C. No. 2020-004 saliently provides:

1. LGUs shall ensure the roadworthiness of tricycles, pedicabs, and motorized pedicabs;
2. LGUs must set the minimum operating conditions necessary to the issuance of Motorized Tricycle Operator's Permit/Pedicab Operator's Permit for tricycles and pedicabs;
3. Reiteration of the prohibition on the operation of tricycles, pedicabs, and motorized pedicabs along national highways subject to exceptions to be embodied in an ordinance; and
4. With regard to the road clearing directive of the Department, mandating the LGUs to identify the allowable and restricted areas for tricycles, pedicabs, and motorized pedicabs.

## **II. STRICT BAN OF TRICYCLES AND PEDICABS ALONG ALL NATIONAL HIGHWAYS**

### **A. No Tricycles/Pedicabs along National Highways.**

To better ensure safety, no tricycle or pedicab should operate on national highways utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceeds 40 KPH.

This prohibition includes the use by tricycles and pedicabs of national highways for crossing and making a U-turn.

### **B. Review and Modification of Routes.**

All LGUs are directed to review all existing tricycle and pedicab routes within their areas of jurisdiction and to modify it accordingly pursuant to the absolute prohibition imposed under this issuance.

### **C. Infrastructure Development.**

Immediately upon the effectivity of this memorandum, LGUs are enjoined to include in their plans the construction of, but not limited to, local roads or overpass which shall serve as an alternate route for tricycles and pedicabs whose route will be affected by this prohibition.

### **D. Role of the Philippine National Police.**

The PNP shall assist the LGUs in enforcing the ordinance and/or similar local issuance relative thereto to include the apprehension of all violators.

### **III. TASK FORCE IN EVERY CITY AND MUNICIPALITY TO FORMULATE/REVISE A TRICYCLE ROUTE PLAN IN THEIR RESPECTIVE AREA**

#### **A. Creation of a Tricycle Task Force.**

All cities and municipalities shall create a task force which is separate and distinct from its Tricycle Regulatory Board or Unit, if already organized.

#### **B. Composition.**

The committee shall be composed of the following:

- a. the mayor as chairman;
- b. the chief of police as vice chairman;
- c. the Sanggunian's Chairman of the Committee on Transportation or Public Safety or the related committee;
- d. the president of the Liga ng Barangay in the city or municipality as member;
- e. the head of the tricycle regulatory board/unit, if one is already existing, as member;
- f. the head of the Department of Public Order and Safety as member;
- g. the planning and development officer as member;
- h. the head of the traffic management office, if any, as member;
- i. local government operations officer

Representatives from the Department of Transportation and its attached agencies to include but not limited to the Land Transportation Office and the Land Transportation Franchising and Regulatory Board, in the area, shall be invited as resource persons in all the activities of the task force.

#### **C. Secretariat.**

The Head of the City or Municipal Legal Office shall provide secretariat support to the committee.

#### **D. Duties and Functions.**

The task force shall have the following responsibilities:

a. Conduct meetings, public consultations and hearings with stakeholders, and survey/ocular inspection of the zone/area of tricycle operations with special focus on the following:

1. rationalizing the authorized routes of all tricycles and pedicabs to ensure that they are banned from national highways;
2. identification of national roads within the area of jurisdiction of the LGU;
3. determination of the portions of the national highway presently used or proposed to be traversed by tricycles only if there are no alternative routes available.

b. Draft or update the Tricycle Route Plan ("TRP"). – within 30 days from the issuance of this memorandum, the committees shall come up with a TRP which shall be the basis of a subsequent ordinance. The TRP shall contain the following, among others:

**A SCHEMATIC MAP clearly showing the following:**

- a) all the location of tricycle terminals and tricycle routes authorized by the LGU;**
- b) the national highways within the area of jurisdiction of the LGU which is utilized by 4-wheel vehicles greater than 4 tons and where normal speed exceed 40kph; and**
- c) portion(s) of the national highway to be allowed use by tricycles for lack of an alternative route.**

**The TRP shall also detail the following, among others:**

- a) installation of visible and appropriate signages, marks for lanes and other safety features to guide and protect all vehicles utilizing the highways;**
- b) information dissemination plans to raise awareness among residents and other motorists about the new tricycle routes and the portions of national highways to be traversed by the tricycles for lack of alternative route;**
- c) color-scheme or any visible emblem/sign imposed on tricycles which are allowed to ply a route which traverses a national highway; and**
- d) proposed penalties to be imposed on violators.**

**The task forces of adjoining LGUs traversed by the same national highway shall coordinate among themselves to come up with coherent TRPs.**

- e) Speed Limit Enforcement on National Highway.**

**LGUs must, in the interim, enforce the appropriate speed limit on the portion of the national highway where tricycles are allowed, in accordance with RA 4136 and JMC 2018-001**

#### **E. Period of Validity of the TRP**

**All TRPs shall be valid only for two (2) years from the issuance of this memorandum. Thereafter, LGUs are expected to have constructed the necessary infrastructure under II (C).**

#### **IV. COVERAGE**

**This memorandum covers motorized tricycles defined as a motor vehicle duly registered with the LTO composed of a motorcycle fitted with a single wheeled side car or two wheeled cab, close van or open cart whether powered by gasoline or electricity.**

**However, nothing in this memorandum shall prevent the task force from including MoPed (Motorcycle with bicycle pedals) and e-bikes from the coverage of their TRPs.**

## **VI. ORDINANCE**

Pursuant to existing laws and issuances, the TRP shall be made integral of the proposed ordinance to be considered by the Sanggunian detailing the portions of national highways to be used in the interim by tricycles among others.

## **VII. ROLE OF THE LOCAL DILG / LGOO**

Within thirty days from the issuance of this memorandum, the head of the DILG office in the LGU shall submit a report and a copy of the TRP to the DILG Provincial Office.

All DILG Provincial Offices shall collate all submissions for the eventual monitoring of the eventual ordinance.

## **VIII. ROAD CLEARING 2.0**

This memorandum shall be made integral to the assessment and validation of the compliance of every LGU to M.C. 2020-027<sup>5</sup>. Reports on the validation of the aforesaid issuances shall be submitted to the Office of the Secretary through the Bureau of Local Government Supervision not later than 30 April 2020.

## **IX. NON-COMPLIANCE**

Local chief executives shall be issued show cause orders in case of non-compliance and failure to provide a sufficient response, shall be a ground in the filing of the appropriate administrative cases pursuant to Section 60 (c) of the Local Government Code of 1991 and other existing laws and policies. Corollary thereto, it must be the responsibility of the local chief executives to exact accountability and impose the corresponding sanctions against non-supportive and/or non-compliant local officials and employees.

For the information and guidance of all concerned.

  
**EDUARDO M. ANO**  
*Secretary*

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<sup>5</sup> Continued Implementation of the Presidential Directive to Clear Roads of Illegal Obstructions (Road Clearing 2.0)