



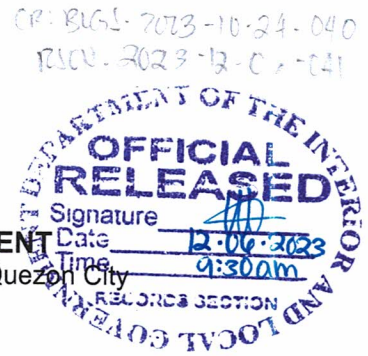
BAGONG PILIPINAS

Republic of the Philippines

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City

[www.dilg.gov.ph](http://www.dilg.gov.ph)



**MEMORANDUM CIRCULAR**

No. 2023- 195

**TO : ALL PROVINCIAL GOVERNORS, CITY MAYORS, MUNICIPAL MAYORS, PUNONG BARANGAYS**

**DILG REGIONAL DIRECTORS**

**CHIEF OF THE PHILIPPINE NATIONAL POLICE (PNP), AND ALL OTHERS CONCERNED**

**SUBJECT : REINFORCEMENT OF THE PROHIBITION ON TRICYCLES, PEDICABS, AND MOTORIZED PEDICABS ON NATIONAL HIGHWAYS**

**DATE : DEC 06 2023**

**1. Background**

- 1.1. Tricycles,<sup>1</sup> pedicabs,<sup>2</sup> and motorized pedicabs play a significant role in providing affordable and accessible modes of transportation for every Filipino, especially in areas where larger vehicles may not be practical or available. It has also been a good source of livelihood and income for thousands of Filipinos.
- 1.2. However, continued reports of tricycles and pedicabs operating on national highways, as well as incidents of accidents involving these modes of transportation along national highways, remain a major concern of the government. For the year 2022, in Metro Manila alone, a **total of 2,829** road accidents involving bikes/e-bikes/pedicabs and **2,241 road accidents** involving tricycles were recorded.<sup>3</sup>
- 1.3. **Republic Act No. 4136 or the Land Transportation and Traffic Code** provides safety and precautionary measures to prevent the said incidents by providing restrictions and other traffic mechanisms. Section 9 of the said law specifies the permissible weights and dimensions of vehicles, unladen or with load in highway traffic. The weights and dimensions may be updated from time to time as the conditions of the public highways may warrant and the needs of the service may require.

<sup>1</sup> **Tricycle** refers to motor vehicle composed of a motorcycle fitted with a single wheel sidecar, or a motorcycle with a two-wheel rear cab, the former having a total of three wheels and the latter having a total of four wheels, otherwise known as the motorcycle, and has the capacity to carry passengers and/or goods, and one of the country's public modes of transportation especially in areas where larger vehicles may not be practical or available.

<sup>2</sup> **Pedicab** is a type of non-motorized vehicle (NMV), that consists of three (3) wheels and has the capacity to carry passengers and/or goods, and one of the country's public modes of transportation especially in areas where larger vehicles may not be practical or available

<sup>3</sup> **Metro Manila Accident Reporting and Analysis System (MMARAS):** <https://bit.ly/3S2ooTf>

- 1.4. Pursuant to **Section 16, Chapter II, Title One of Republic Act No. 7160**, also known as the Local Government Code of 1991, the local government units (LGUs) shall ensure the promotion of the general welfare of their inhabitants.
- 1.5. Further, **Sections 447(3)(vi) and 458(3)(vi)** of the same empower the LGUs to oversee and regulate the operations of tricycles through their respective Sanggunians, and emphasize that such regulation must be subject to the guidelines prescribed by the Department of Transportation and Communications (DOTC).<sup>4</sup>
- 1.6. Effective July 01, 1992, the guidelines<sup>5</sup> issued by the DOTC, explicitly states that for safety reasons, **no tricycle should operate on national highways** utilized by four-wheel vehicles greater than four (4) tons and where normal speed exceeds 40 KPH. **However, the Sangguniang Bayan or Sangguniang Panlungsod may provide exceptions if there is no other alternative route.**
- 1.7. **DILG Memorandum Circular (MC) No. 2007-01** (Section III (D)), **DILG-DOTC Joint MC No. 01, Series of 2008** (Section 3.1(b)), **DILG MC No. 2011-68, DILG-DOTC Joint MC No. 001, Series of 2017** (Section 4(c)(iv)), **DILG MC No. 2020-004** (Section III(C)), **DILG MC No. 2020-036** (Section II(A)), **DILG MC No. 2020-145** (Section 4.11), and a **DILG Memorandum dated October 21, 2022** reiterated the said provision in Section 1.6 of this MC, that: **no tricycle should operate on national highways** utilized by four-wheel vehicles greater than four (4) tons and where normal speed exceeds 40 KPH. The continuous adherence of all LGUs in these issuances is expected.
- 1.8. Section 16, Article II of the Joint Metro Manila Traffic Circular (JMMTC) No. 01, Series of 2023 with the subject: *The Establishment of the Metro Manila Traffic Code of 2023*<sup>6</sup>, also prohibits the same in National Capital Region (NCR).
- 1.9. Abovesaid issuances are manifestations that issues on the prohibition of the said modes of transportation have been a long-standing problem. This Department, along with other concerned agencies persistently urged LGUs to rigorously enforce this prohibition.
- 1.10. However, many LGUs have not been strictly implementing the said prohibition which resulted in traffic congestion and accidents.
- 1.11. It is imperative, therefore, to issue this MC to remind the LGUs to strictly adhere to the policy and to take appropriate actions in resolving the issues.

## 2. Purpose

The purpose of this Memorandum Circular is to reiterate the regulations prohibiting tricycles from operating on national highways. Moreover, this is also issued to ensure the safety of tricycle drivers, passengers, and other road users.

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<sup>4</sup> DOTR now

<sup>5</sup> LTO Memorandum Circular No. 94-199, May 02, 1994: <https://bit.ly/3QkEfew>

<sup>6</sup> <https://bit.ly/JMMTCNo01Serieof2023>

### 3. Scope/Coverage

All local government units at the Provincial, City, Municipal, and Barangay levels, DILG Regional and Field Offices, the Office of the Chief of the Philippine National Police and Field Offices, and all other offices concerned.

### 4. Policy Content and Guidelines

Consistent with the above provisions, all **Local Chief Executives (LCEs)** are **reminded and directed** to strictly implement the rules and regulations such as, but not limited to the following:

- 4.1. Re-organize and/or re-convene its **Tricycle Task Force (TTF)** to **draft and/or update its Tricycle Route Plan (TRP)**. Pursuant to **Section III(D)(b) of the DILG MC No. 2020-036**, the plan must contain the following:
  - i. Schematic Map of the tricycle routes;
  - ii. Installation of visible and appropriate signages, marks for lanes, and other safety measures to guide and protect all vehicles;
  - iii. Information Dissemination Plans;
  - iv. Color scheme or any visible emblem/signs imposed on tricycles which are allowed to ply a route which transverses a national highway; and,
  - v. Penalties to be imposed on violators.
  - 4.1.1. The TRPs shall be ensured to be valid and effective. The updating of the same shall also be conducted regularly.
- 4.2. Regularly coordinate with the Local Public Transport Route Plan (LPTRP) team, to ensure the identification, inclusion, and provision of alternative routes to those who will be affected by this prohibition, **pursuant to Section 4(c)(iv) of the DILG-DOTC Joint MC No. 001, Series of 2017**. This also ensures that tricycle routes and related concern/s keep up and are consistent with the latest guidelines relative to the LPTRP.
- 4.3. Conduct consultation meetings with the associations and cooperatives of the affected drivers, and barangay officials, as applicable, to discuss and secure inputs and/or comments on the provision of alternative routes as required by **Section 2(c) of the Local Government Code of 1991**.
- 4.4. Set the minimum operating conditions necessary for the issuance of the Motorized Tricycle Operator's Permit/Pedicab Operator's Permit (MTO/POP)<sup>7</sup> through their respective Tricycle/Pedicab Franchising and Regulatory Ordinance or code, to ensure the roadworthiness of the said transportations, as part of their regulatory power under **Section 447(3)(vi) and 458(3)(vi) of the Local Government Code**.
- 4.5. As much as practicable, ensure implementation of permanent and long-term solutions in the plan, such as the construction of local roads or overpasses to serve as alternative routes for tricycles and pedicabs whose regular routes will be affected by this prohibition, **pursuant to Section 17 (b) (2) (viii) and Section 17 (b) (3) (vii) of the Local Government Code and Section II(C) of the DILG MC No. 2020-036**.

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<sup>7</sup> Per DILG MC No. 2020-004, MTO/POP shall be valid for three (3) years, renewable for the same period.

- 4.6. **In cases where there are no alternative routes available and as a last resort**, the respective Sanggunians of the LGU may consider issuing an exception and/or are **highly encouraged to enact an ordinance providing a portion of the national highway (ideally the outermost lane) to be utilized as an alternative route**, *provided* that strict enforcement of road safety and regulations is primarily observed.
- 4.7. Consistent with its review power, provincial governments, through the Sangguniang Panlungsod, shall ensure the thorough review of ordinances enacted by its component cities and municipalities to, as much as reasonable, harmonize and complement traffic schemes and regulations within the province.
- 4.8. Barangays are also directed to ensure cooperation with the cities or municipalities in implementing local policies for the purpose herein.
- 4.9. Coordinate with the Philippine National Police (PNP) in enforcing the ordinance and/or similar local issuances, especially in the apprehension of violators.
- 4.10. All DILG Regional Directors are directed to cause the immediate and widest dissemination of the Memorandum Circular to all LGUs within their areas of responsibility.

#### **4. Penal Provision**

Non-compliance with this Memorandum Circular is tantamount to dereliction of duty and shall be dealt with in accordance to applicable and pertinent laws, rules, and regulations.

#### **5. Repealing Clause**

All previous issuances that are inconsistent or in conflict with the provisions of this Memorandum Circular are hereby repealed, canceled, or rendered null and void.

#### **6. Effectivity**

This Memorandum Circular takes effect immediately.

#### **7. Approving Authority**

  
**UNDERSECRETARY MARLO L. IRINGAN**  
Officer-in-Charge, DILG

#### **8. Feedback**

For other queries, you may contact the Interim National Peace and Order Council (NPOC) Secretariat through Telephone No. (02) 8876-3454 local 4207 or email at [npo.secretariat@gmail.com](mailto:npo.secretariat@gmail.com).

