




OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

CERTIFICATION

This is to certify that copies of the final draft of proposed MUNICIPAL ORDINANCE NO. 92 Y. 2023 - "AN ORDINANCE ADOPTING THE LOCAL PUBLIC TRANSPORT ROUTE PLAN (LPTRP) OF THE MUNICIPALITY OF KALAYAAN, LAGUNA, PROVIDING POLICIES AND GUIDELINES FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES." have been posted at the entrance of the municipal building, Barangay Halls, Rural Health Centers and other conspicuous places all over the municipality for more than 15 days starting March 24, 2023 until its enactment on April 14, 2023. After the said ordinance are duly signed by the *Sangguniang Bayan* and the Municipal Mayor, its certified true/photo copies are posted at the municipal building entrance, SB Bulletin Board and barangay halls on April 20, 2023.

ISSUED this 20th day of April, 2023, in accordance with the provision of Section 59(b) of the Local Government Code of 1991.


RENETH S. MARTINEZ
Sangguniang Bayan Secretary

File Folio. Certificates. Certificate of Posting.



EXCERPT FROM THE MINUTES OF THE 38TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF KALAYAAN, LAGUNA 2019 - 2022 HELD AT SB SESSION HALL ON THE 14TH OF APRIL, 2023.

PRESENT:

HON. CHRISTOPHER P. RAMIRO	-	VICE-MAYOR/ PRESIDING OFFICER
Hon. Darwin R. Ponce	-	Member
Hon. Beverly D. Reyes	-	Member
Hon. Aldrin A. Agana	-	Member
Hon. Veelly Jhames L. Cabamalan	-	Member
Hon. Russel A. Laganas	-	Member
Hon. Marlon F. Laganas	-	Member
Hon. Laami C. Lopez	-	Member
Hon. Edison A. Flores	-	Member
Hon. Giana Maria R. Cagandahan	-	Ex-Officio/LnB President
Hon. Leigh Lanie A. Abrillo	-	Ex-Officio/SKP President

ABSENT:

N O N E

MUNICIPAL ORDINANCE NO. 92, Y. 2023

AN ORDINANCE ADOPTING THE LOCAL PUBLIC TRANSPORT ROUTE PLAN (LPTRP) OF THE MUNICIPALITY OF KALAYAAN, LAGUNA, PROVIDING POLICIES AND GUIDELINES FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES.

WHEREAS, on June 19, 2017, the Department of Transportation (DOTr) issued Department Order No. 2017-011 known as the Omnibus Guidelines on the Planning and Identification of Public Road Transportation Services and Franchise Issuance otherwise known as the Omnibus Franchising Guidelines, which effectively lifted the moratorium on the issuance of Certificate of Public Convenience (CPC) on mass public transportation which was effective since 2004;

WHEREAS, A Joint Memorandum Circular (JMC) No. 001 Series of 2017 was issued by the Department of Interior and Local Government (DILG) and DOTr pursuant to the provisions of the Omnibus Franchising Guidelines which mandates the Local Government Units (LGUs) to prepare its own Local Public Transport Route Plan (LPTRP) that details the road network, mode and required number of units per mode for delivering public land transport services to be included in the Comprehensive Development Plan and Comprehensive Land Use Plan;

WHEREAS, upon completion of the LPTRP, the LGU is directed to submit the same to the Land Transportation Franchising & Regulatory Board (LTFRB) for evaluation and approval. Once approved, the LTFRB shall then issue a Notice of Compliance to the LGU indicating that the submitted LPTRP is found to be consistent with the DOTr issued Department Order 2017- 011, known as the Omnibus Franchising Guidelines, and all other pertinent L TFRB Memorandum Circulars;

WHEREAS, Section 4 of JMC No. 001 Series of 2017, provides that upon the issuance of Notice of Compliance, an ordinance shall be passed adopting the LTPRP and the same shall be endorsed to the LTFRB for the conduct of a transparent operator selection and issuance of franchise(s);

WHEREAS, it is along the abovementioned rationale that the Local Public Transport Route Plan (LPTRP) was formulated and crafted by the Local Public Transport Route Planning Team (LPTRP Team) which was organized through Executive Order No. 02, Series of 2023 of Hon. Sandy P.

Laganapan, Municipal Mayor of Kalayaan, and from which shall be anchored the local policies pertaining to all modes of public transportation;

WHEREAS, on 10 October 2022, the said LPTRP was submitted to the Land Transportation Franchising Regulatory Board (LTFRB) Regional Franchising and Regulatory Office (RFRO) for evaluation and was found to be consistent with the Department of Transportation (DOTr) Department Order 2017-011 or the *Omnibus Guidelines on the Planning and Identification of the Public Road Transportation Services and Franchise Issuance* otherwise known as the *Omnibus Franchising Guidelines* (OFG) and all the other pertinent LTFRB Memorandum Circulars; And consequently a "Notice of Compliance" was granted to the Municipality of Kalayaan from LTFRB Regional Franchising and Regulatory Office No. IV-A at Lipa City, Batangas on 14 December 2022 and was directed to pass an ordinance adopting the said LPTRP indicating the following: *New/Developmental Route 1. San Antonio – Longos Via Dela Paz St., Longos –San Antonio Road and vice versa, Route Length (km) 6.1, Authorized Mode: PUJ Class 1, No. of Authorized Units : 15 ;*

WHEREAS, after review and hearing, the Committee on Transportation & Communication with the Committee on Rules & Regulations recommend to the *Sangguniang Bayan* the adoption of the said LPTRP;

NOW, THEREFORE, pursuant to the abovementioned provisions, as mandated by the Local Government Code of 1991 and several issuances, on motion of **Hon. SB Member Edison A. Flores**, duly seconded by **Hon. SB Member Laarni C. Lopez** and **Hon. SB Member Aldrin A. Agana** and with unanimous consent of all members present there having a quorum;

BE IT ENACTED as it is **HEREBY ENACTED** by the *Sangguniang Bayan* of Kalayaan, Laguna, by virtue of the powers vested in it by law, in a session duly assembled, that:

Section 1. SHORT TITLE. This ordinance shall be known as "**An Ordinance Adopting the Local Public Transport Route Plan (LPTRP) of the Municipality of Kalayaan, Laguna**";

Section 2. OBJECTIVES. The adoption of the LPTRP is intended to:

- a) Strengthen the use of traffic control system components;
- b) Improve road safety, the travel time of public transport and the public transport quality;
- c) Reduce air pollution emitted from transportation vehicles and reduce traffic congestions;
- d) Motivate each individual to follow traffic rules and regulations;
- e) Make improvements to the transportation system based on need/demand;
- f) Encourage growth in those areas that can be served by existing or planned transportation facilities;
- g) Enhance transport equity;
- h) Increase the safety of the transportation system; and
- i) To improve linkages among national, provincial, municipal and barangay road network.

Section 3. SCOPE AND COVERAGE. This ordinance shall apply to the territorial jurisdiction of the Municipality of Kalayaan, Province of Laguna.

Section 4. DEFINITION OF TERMS. For purposes and understanding of the entire procedural process of this Ordinance, the following definition of terms shall be adopted without prejudice to the true meaning of the term used, as follows:

- LPTRP - Local Public Transport Route Plan
DOTr - Department of Transportation
DILG - Department of the Interior and Local Government
LTFRB - Land Transportation Franchising and Regulatory Board
LGU - Local Government Unit

Mode - method or means of transportation
 PUV - Public Utility Vehicle
 PUJ - Public Utility Jeepney
 PUJ Class 1 - 9-12 seater PUVs

Section 5. LEGAL FRAMEWORK AND COMPOSITION OF THE LPTRP TEAM.
 Pursuant to the JMC 001 s. 2017 of the DOTr and DILG, the Local Public Transport Route Planning Team (LPTRP Team) was organized through Executive Order No. 02, Series of 2023, composed of the following:

Chairperson : The Municipal Mayor
 Alternate Chairperson : Municipal Administrator
 Vice Chairperson : Chair, Committee on Transportation/Sangguniang Bayan Member
 Members :
 1. Municipal Planning and Development Coordinator (MPDC)
 2. PNP Chief of Police - Kalayaan
 3. Mun. Disaster Risk Reduction Management Officer (MDRRMO)
 4. Tourism Office Head
 5. DILG- Local Government Operations Officer (LGOO)
 6. Representative, DPWH 2nd District Office
 7. Representative, LTO District Office
 8. Non Government Organization (NGO) Representative
 Designated Secretary : Municipal Planning and Development Office

TECHNICAL WORKING GROUP

Head : Municipal Planning and Development Officer
 Assistant Head : Municipal Engineer
 Members :
 Chair, Committee on Transportation/SB Member
 MDRRMO
 Head, Tourism Office
 PNP Chief of Police
 DILG - LGOO
 Administrative Assistant
 Representative, DPWH 1st District Office
 Representative, LTO District Office
 NGO Representative

Section 5. THE MUNICIPALITY OF KALAYAAN ROUTE PLAN. The approved LPTRP under the "Notice of Compliance" (NOC) with the specified authorized mode and number of authorized units as prescribed in the NOC issued by the LTFRB is **HEREBY ADOPTED**, to wit:

ROUTE (Detailed Route Structure)	Route Length (km)	Authorized Mode	No. of Authorized Units
NEW/DEVELOPMENTAL ROUTE			
1. San Antonio - Longos Via Dela Paz St., Longos - San Antonio Road and vice versa	6.1	PUJ Class 1	15
Total Number of Routes/Total Number of Units			15

The approved LPTRP shall be updated at least once every three (3) years from the date of issuance of the Notice of Compliance (NOC).

Section 6. MODIFICATIONS AND ADDITIONAL ROUTES, UNITS AND AUTHORIZED MODES. The LPTRP can be modified, amended, expanded or updated such as shortening, extending or changing the routes, anytime during its effectivity to suit the transportation demands and development requirements of the Municipality of Kalayaan in accordance with applicable laws, rules and regulations.

Section 7. QUALIFIED OPERATORS AND TRANSPARENT COMPETITIVE SELECTION. All franchises issued under the LPTRP shall be issued only to qualified operators in accordance with existing rules and regulations under a fully transparent, competitive and equitable selection process, where the primary consideration shall be the interest of the travelling public. The L TFRB shall aim to promote and maintain market competition in the routes under the LPTRP and prevent the existence of monopoly and monopolistic practices by any operator or group of operators therein. In cases where the number of applicants exceed the number of authorized units in a particular route, the L TFRB shall ensure that the franchises are evenly or equally distributed to different and independent qualified operators.

Section 8. COMPLIANCE WITH LOCAL REGULATIONS. All operators granted a franchise under the LPTRP is hereby mandated to comply with all transportation and traffic rules, regulations and applicable ordinances enacted by Local Government of Kalayaan.

Section 9. SANCTIONS FOR INIMICAL ACTS. The L TFRB is the government agency given the power to impose appropriate sanctions or penalties, including the suspension or cancellation of the franchise against any operators who will violate the LPTRP or commit acts inimical to the interest of the travelling public in the Municipality of Kalayaan, in accordance with applicable rules and regulations. The *Sangguniang Bayan* of the Municipality of Kalayaan may recommend to the L TFRB the imposition of penalties, suspension or cancellation of franchise through a resolution approved by the honorable body.

Section 10. SEPARABILITY CLAUSE. Should any provision in this Ordinance or any part thereof be declared invalid or unconstitutional, the remaining provisions not affected shall continue in full force and effect as if the provision held invalid had not been included therein.

Section 11. REPEALING CLAUSE. All existing ordinances, resolutions, executive orders or regulations and other issuances inconsistent with DILG-DOTr JMC No. 001 , Series of 2017 and the provisions and/or purposes of this ordinance are hereby repealed, amended or modified accordingly.

Section 12. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval.

Section 13. SERVICE OF COPIES TO APPROPRIATE GOVERNMENT AGENCIES: Copies of this ordinance shall be served and furnished to Department of Transportation (DOTr) and the Land Transportation Franchising Regulatory Board (L TFRB) and other concerned officials for reference and appropriate action.

SO ORDERED.

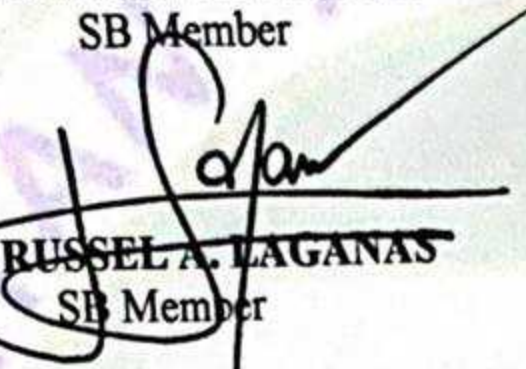
UNANIMOUSLY APPROVED this 14TH day of April 2023, during the 38TH Regular Session of the *Sangguniang Bayan* of Kalayaan, Laguna held at the *Sangguniang Bayan* Session Hall, Municipal Building, Kalayaan, Laguna.


DARWIN R. PONCE
SB Member


BEVERLY D. REYES
SB Member


ALDRIN A. AGANA
SB Member

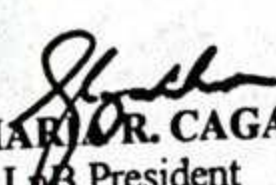

VEELLY JHAMES L. CABAMALAN
SB Member


RUSSEL A. LAGANAS
SB Member


MARLON F. LAGANAS
SB Member

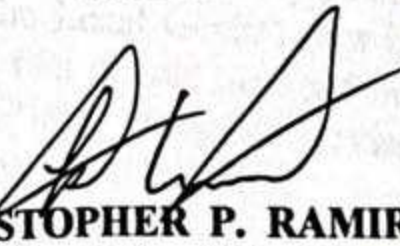

LAARNI C. LOPEZ
SB Member


EDISON A. FLORES
SB Member

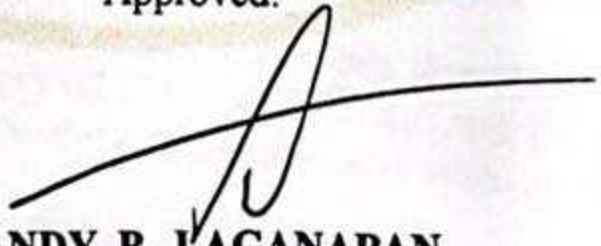

GIANA MAR R. CAGANDAHAN
LMB President


LEIGH LANIE A. ABRILLO
SKP President

Attested:


CHRISTOPHER P. RAMIRO
Presiding Officer/Vice-Mayor
Date: 4-20-2023

Approved:


SANDY P. LAGANAPAN
Municipal Mayor
Date: 4-20-2023

I HEREBY CERTIFY that the foregoing ordinance was enacted by this *Sangguniang Bayan* during its Regular Session on the date above mentioned.


RENETH S. MARTINEZ
SB Secretary