



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIAN PANLALAWIGAN

***EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIAN PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL
HELD IN THE CITY OF BACOLOD ON THE 18th DAY OF FEBRUARY, 2025***

PRESENT:

Hon. Valentino Miguel J. Alonso
Hon. Rommel T. Debulgado
Hon. Araceli T. Somosa
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.
Hon. Samson C. Mirhan
Hon. Manuel Frederick O. Ko
Hon. Andrew Gerard L. Montelibano
Hon. Jose Benito A. Alonso
Hon. Rita Angela S. Gatuslao
Hon. Anthony Dennis J. Occeño
Hon. Jeffrey T. Tubola
Hon. Julius Martin D. Asistio
Hon. Richard Julius L. Sablan
Hon. Mayvelyn L. Madrid

Temporary Presiding Officer
Member - 1st District
Member - 1st District
Member - 2nd District
Member - 2nd District
Member - 3rd District
Member - 3rd District
Member - 4th District
Member - 5th District
Member - 5th District
Member - 6th District
Member - PCL Rep.
Member - ABC Rep.
Member - SKF Rep.

OFFICIAL BUSINESS:

Hon. Jeffrey P. Ferrer
Hon. Andrew Martin Y. Torres

Vice Governor
Member - 4th District

**RESOLUTION NO. 0226
Series of 2025**

***RESOLUTION DECLARING ORDINANCE NO. 2004-743 OF THE CITY OF TALISAY
ALLOWING THE OPERATION OF ELECTRIC TRICYCLES OR E-TRIKES WITHIN
THE CITY OF TALISAY, PROVIDING GUIDELINES THERETO AND IMPOSING
PENALTIES FOR VIOLATION THEREOF AS A VALID ENACTED ORDINANCE***

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Panlalawigan on Component City and Municipal Ordinances and Resolutions declaring the Ordinance or Resolution valid if it is consistent with the law or invalid in whole or in part if the Sangguniang Panlalawigan finds the Ordinance or Resolution to be beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang Bayan concerned;

WHEREAS, Ordinance No. 2024-743 of the City of Talisay allowing the operation of Electric Tricycles or E-trikes within the City of Talisay, providing guidelines thereto and imposing penalties for violation thereof was submitted for review by the City of Talisay to the Sangguniang Panlalawigan of Negros Occidental;

WHEREAS, after prompt examination by the Provincial Legal Office, it is the recommendation of the said Office that the Subject Ordinance is within the conferred power of the Sangguniang Panlungsod of Talisay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

3.



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(Page 2 of SP Res. No. 0226, Series of 2025)

WHEREAS, the subject ordinance finds legal support from the Local Government Code of 1991 (R.A. 7160), which empowers local government units (LGUs) to regulate the operation of public utility vehicles, including tricycles, within their jurisdiction. Additionally, Section 458(3)(vi) further grants LGUs the power to:

"Subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the city;"

WHEREAS, in line with these provisions, the ordinance ensures the proper regulation of e-trike operations, balancing public convenience, environmental sustainability, and the welfare of local commuters. The operation of e-trikes supports eco-friendly transportation, which aligns with national and local environmental policies.

WHEREAS, Section 16 of the Local Government Code grants LGUs the authority to promote the general welfare of their residents, which includes safety, economic prosperity, and public convenience. This ordinance aligns with such objectives by providing guidelines for e-trike operation, ensuring a safe and efficient transport system in Talisay City.

WHEREAS, Section 458(a)(1)(iii) provides that LGUs may approve ordinances imposing a fine not exceeding Five Thousand Pesos (P5,000.00) or imprisonment for a period not exceeding one (1) year, or both at the discretion of the court, for the violation of a city ordinance, subject to proper publication as prescribed by law. This provision ensures compliance with the guidelines set for e-trike operations and reinforces responsible public transportation management in Talisay City.

WHEREAS, for purposes of protecting the environment, we encourage the use of electric vehicles, including electric tricycles or e-trikes, as we are advocates for the environment.

WHEREAS, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental, which are:

1. It must not contravene the Constitution or any statute.
2. It must not be unfair or oppressive.
3. It must not be partial or discriminatory.
4. It must not prohibit but may regulate trade.
5. It must be general and consistent with public policy.
6. It must not be unreasonable.

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

3.



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(Page 3 of SP Res. No. 0226, Series of 2025)

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

WHEREAS, in view of the foregoing, the SP Committee on Laws, recommends approval of the same;

NOW THEREFORE, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., and duly seconded by all the members present,

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to approve this resolution to wit:

RESOLUTION DECLARING ORDINANCE NO. 2004-743 OF THE CITY OF TALISAY ALLOWING THE OPERATION OF ELECTRIC TRICYCLES OR E-TRIKES WITHIN THE CITY OF TALISAY, PROVIDING GUIDELINES THERETO AND IMPOSING PENALTIES FOR VIOLATION THEREOF AS A VALID ENACTED ORDINANCE

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary