Republic of the Philippines
Province of Laguna
Municipality of Los Baños
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
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BAGONG PILIPINAS

EXCERPTS FROM THE MINUTES OF THE TWENTIETH (20TH) REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN HELD ON DECEMBER 22, 2025 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

PRESENT:

Hon. Marlo PJ A. Alipon	Municipal Vice Mayor/Presiding Officer
Hon. Miko C. Pelegrina	S.B. Member
Hon. Aldous Amiel B. Perez	S.B. Member
Hon. Muriel Laisa B. Dizon	S.B. Member
Hon. Leren Mae M. Bautista	S.B. Member
Hon. Benedicto S. Alborida	S.B. Member
Hon. Rand Edouard R. De Jesus	S.B. Member
Hon. Myla E. Alinsunurin	S.B. Member
Hon. Jay G. Rolusta	S.B. Member
Hon. Gaudencio P. Macatangay	Ex-Officio Member/Liga President
Hon. Samantha Nicole A. Banasihan-Ortega	Ex-Officio Member/SK Federation President

ABSENT:

None

ORDINANCE NO. 2025-2462

AN ORDINANCE PROVIDING FOR THE CONDUCT OF MANDATORY FREE DRUG TESTING FOR OPERATORS AND DRIVERS OF TRICYCLES, PEDICABS, AND ELECTRIC BICYCLES (E-BIKES) PERFORMING PUBLIC UTILITY FUNCTIONS IN THE MUNICIPALITY OF LOS BAÑOS, AND APPROPRIATING FUNDS THEREFOR.

Author : Councilor Benedicto S. Alborida

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, mandates local government units to promote public safety, general welfare, and the protection of life and property;

WHEREAS, Section 447(a)(3)(vi) of the same Code provides that, subject to applicable national guidelines, the Sangguniang Bayan shall regulate the operation of tricycles and grant franchises within the territorial jurisdiction of the Municipality;

WHEREAS, Republic Act No. 9165, otherwise known as the *Comprehensive Dangerous Drugs Act of 2002*, declares it a State policy to safeguard the integrity of its citizens from the harmful effects of dangerous drugs and to provide effective mechanisms to deter drug abuse;

WHEREAS, pursuant to Section 15 of Republic Act No. 10586, otherwise known as the *"Anti-Drunk and Drugged Driving Act of 2013,"* the conduct of drug testing is recognized as a preventive measure to ensure road safety;

WHEREAS, Republic Act No. 11697, otherwise known as the *Electric Vehicle Industry Development Act (EVIDA)*, promotes the adoption of electric vehicles while recognizing the authority of local government units to regulate local transport operations within their territorial jurisdiction;

WHEREAS, tricycles, pedicabs, and electric bicycles (e-bikes) authorized by the Municipal Government of Los Baños to operate as public utility vehicles serve as primary modes of transportation within barangays and secondary roads and directly affect public safety and order;

WHEREAS, the Municipal Government of Los Baños has allowed the transfer or conversion of existing pedicab (padyak) franchises into electric bicycle (e-bike) operations as part of its transport modernization and sustainability initiatives, subject to municipal regulation;

WHEREAS, it is imperative that operators and drivers of all public utility transport modes be physically and mentally fit, and free from the influence of dangerous drugs, to ensure the safety of passengers and the general public;

NOW THEREFORE, on motion of Councilor Benedicto S. Alborida duly seconded by Councilor Aldous Amiel B. Perez and approved by the Councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA in session assembled, **THAT**:

SECTION 1. **TITLE.** This Ordinance shall be known as **"An Ordinance Providing for the Conduct of Mandatory Free Drug Testing for Operators and Drivers of Tricycles, Pedicab and E-Bikes Performing Public Utility Functions in the Municipality of Los Baños, and Appropriating Funds Therefor."**

SECTION 2. **DECLARATION OF POLICY.** It is hereby declared the policy of the Municipal Government of Los Baños:

a) Protect life, property, and public welfare;
b) Promote road safety and responsible driving;
c) Prevent the operation of public utility vehicles by drivers under the influence of dangerous drugs;
d) Support the objectives of the EVIDA Law by ensuring the safe and regulated operation of electric bicycles authorized as public utility vehicles.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance:

a) **Dangerous Drugs** – refer to drugs defined and listed under Republic Act No. 9165.

b) **Driving Under the Influence of Dangerous Drugs** – refers to the act of operating a public utility vehicle while confirmed positive for dangerous drugs through a confirmatory test conducted in accordance with law.

c) **Public Motorized Tricycle** – a motor vehicle rendering transport services to the public within the Municipality, whether powered by gasoline or electricity.

d) **Pedicab or Padyak** – a human-powered tricycle authorized by the Municipality to transport passengers or goods.

e) **Electric Bicycle (E-Bike)** – a light electric vehicle equipped with an electric motor, authorized by the Municipal Government of Los Baños to operate as a public utility vehicle, including those arising from the conversion of pedicab (padyak) franchises

SECTION 4. COVERAGE. This Ordinance shall apply exclusively to operators and drivers of tricycles, pedicabs, and electric bicycles operating as public utility vehicles under a valid municipal franchise or authority.

Privately owned electric bicycles used solely for personal mobility are expressly excluded.

SECTION 5. CONDUCT OF FREE DRUG TESTING. The following guidelines shall be observed:

a) Free drug testing shall be conducted periodically by the Municipal Government in coordination with accredited testing facilities.

b) The program shall be implemented in coordination with duly recognized Tricycle Operators and Drivers Associations (TODAs) and Pedicab Operators and Drivers Associations (PODAs), which shall assist in the scheduling, notification, and facilitation of their members' participation.

c) The free drug testing shall form part of the Municipality's "Drug-Free TODA/PODA Program," which aims to promote a culture of safety, responsibility, and compliance with laws against dangerous drugs among public utility drivers and operators.

d) Participation shall be a condition for the issuance, renewal, or retention of a municipal franchise or authority to operate.

e) All procedures shall strictly observe due process and respect privacy, dignity, and confidentiality, in accordance with Republic Act No. 9165.

SECTION 6. **IMPLEMENTING AGENCY.** The Public Order and Safety Office (POSO), through its Transportation Regulatory Unit (TRU), in coordination with the Municipal Anti-Drug Abuse Office (ADAO) and the Municipal Health Office, shall jointly implement this Ordinance.

SECTION 7. **ACTION ON NEGATIVE RESULTS.** In case the driver is found with a negative result in his drug test, no further action is needed other than the issuance of a Drug Test Certificate. The Drug Test Certificate is good for twelve (12 months and could be used for any relevant purpose.

SECTION 8. **PROCEDURE IN HANDLING A POSITIVE RESULT AFTER CONFIRMATORY TEST.** Should the drug test yield a positive result for the driver/operator tested, the following procedures must be observed:

a) Positive confirmatory results shall be reported confidentially to the TRU and concerned transport association.

b) The driver shall be **temporarily prohibited from operating** pending rehabilitation and clearance. If the driver is also the operator, the franchise shall be **temporarily suspended**.

c) Drivers and operators who yield a positive confirmatory drug test result shall be referred to the ADAO for assessment and appropriate enrollment in the Community-Based Drug Rehabilitation Program (CBDRP).

d) All records shall remain confidential in accordance with Republic Act No. 9165.

SECTION 9. **PENALTY CLAUSE.** Any driver/ owner/ operator who will be found positive for the use of prohibited drugs after confirmatory test shall be meted with the following penalties, to wit:

a) **Driver** – suspension from driving until completion of rehabilitation and clearance.

b) **Operator/Owner** – suspension of franchise during rehabilitation period.

c) **TODA/PODA Officers –** a fine of Two Thousand Five Hundred Pesos (P2,500.00) for failure to enforce this Ordinance, without prejudice to other legal actions.

SECTION 10. APPROPRIATION OF FUNDS. All expenses necessary for the implementation of this Ordinance, including the conduct of free drug testing, laboratory fees, and related administrative costs, shall be charged against available funds of the Municipal Government of Los Baños and shall be appropriated annually under the budget of the Public Order and Safety Office (POSO), subject to existing budgeting, accounting, and auditing rules and regulations.

SECTION 11. IMPLEMENTING RULES AND REGULATIONS. The TRU is hereby tasked to formulate the implementing rules and regulations for this Ordinance.

SECTION 12. SEPARABILITY CLAUSE. If, for any reasons, any part or provision of this Ordinance shall be declared unconstitutional or invalid by the Court, or suspended or revoked by competent authorities, other parts or provisions thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 13. REPEALING CLAUSE. All ordinances, rules and regulations or parts not consistent with any provision of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 14. EFFECTIVITY. This Ordinance shall take effect immediately after approval.

ENACTED : December 22, 2025.

I HEREBY CERTIFY to the correctness of the above–quoted Ordinance.

DONA T. ALBORIDA – DIZON
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:

HON. MARLO PJ A. ALIPON, MPA, REE, RMP
Municipal Vice Mayor/Presiding Officer

APPROVED:

HON. NEIL ANDREW N. NOCON
Municipal Mayor