

## AMENDMENT TO CIRCULAR NO. 82-047 DATED 10 DECEMBER 1982 – PENALTY FOR UNDERAGE DRIVERS

*LTO MEMORANDUM CIRCULAR NO. AHS-2008-1072, December 17, 2008*

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This Office has observed that numerous drivers' licenses are being cancelled due to age misrepresentation by licensees who made it appear that they were at the right age during the initial issuance of driver's license to comply with the minimum age requirement.

Circular No. 82-047 provides that those found to have misrepresented their age are barred from applying for driver's license for a period of one year reckoned from the time of surrender/confiscation of the Driver's License/ Temporary Driver's License. This Order is considered to be very stiff per representations made by affected licensees, hence, Circular No. 82-047 is hereby amended to give licensees the following options:

1. A licensed driver found to have misrepresented his age but now of age and qualified to possess a driver's license shall be required to surrender his previously issued license for cancellation. However, the same shall be restored to the licensee upon submission of a written appeal and payment of fine of Five Thousand Pesos (P5,000.00) plus miscellaneous fee for revision of records.

- 1.1 The head of the District Office/Licensing Center shall forward to the License Section, Central Office the written appeal together with the official receipt of payment if the misrepresentation was discovered and the license was cancelled by the Central Office.

- 1.2 The License Section upon receipt of the written appeal and Official Receipt shall restore the cancelled driver's license, by adjusting the first year of issuance of the driver's license to make it appear that the applicant was at least (18) years old when first issued a driver's license.

- 1.3 If the misrepresentation was discovered at the agency level, the District Office/ Licensing Center shall collect the corresponding fees and shall prepare and forward Request for Systems Update (RSU), written appeal, Official Receipt (OR) of P5,000.00 to the License Section, Central Office to adjust the first year of issuance of the license.

- 1.4 The License Section shall inform the requesting agency of the restored driver's license for release to the licensee.

2. If the Licensee opts for the one year cancellation of his/her driver's license, he/she must surrender the Temporary Driver's License to the head of the Licensing Center/ District Office and shall be barred from applying for a new driver's license for a period of one year reckoned from the time the Driver's License/ Temporary Driver's License was surrendered.

- 2.1 The head of the District Office/Licensing Center shall confiscate the Driver's License/ Temporary Driver's License, prepares RSU informing License Section, Central Office of the confiscated license and forward the physical documents to the License Section, Central Office within fifteen (15) days from confiscation thereof.

- 2.2 The License Section shall place under alarm the cancelled driver's license and the suspension shall be

reckoned from the date confiscation was effected in the District Office/Licensing Center or from the time the License Section received the surrendered Driver's License/ Temporary Driver's License in case where the District Office/Licensing Center failed to comply with 2.1 hereof.

2.3 The Licensee shall be allowed to apply for a Student Permit one year after cancellation of his/her driver's license.

2.4 A licensee undergoing the one year cancellation period of his/her driver's license has also the option to pay the fine of Five Thousand Pesos (P5,000.00) for the immediate restoration of the license following the procedure for option 1.

3. This Circular shall also apply to the following:

3.1 Driver licensee who voluntarily requests for correction of record due to age misrepresentation; and

3.2 Driver licensee whose license was cancelled due to underage prior to promulgation of this Circular.

4. This Circular shall not apply to driver licensee found to be underage based on the year of issuance without misrepresentation of birthdate. The License Section upon receipt of the written appeal and Official Receipt shall restore the cancelled driver's license, by adjusting the first year of issuance of the driver's license to make it appear that the applicant was at least eighteen (18) years old when first issued a driver's license.

It is the responsibility of the Transportation District Officer to ascertain that documents submitted in support of an application for a driver's license contain complete and accurate information as to age and identity of the applicant.

Previous circulars/orders inconsistent herewith are hereby deemed revoked, modified or amended.

Adopted: 17 Dec. 2008

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