ORDER FOR ALL OWNERS/OPERATORS OF PRIVATE VEHICLES CLASSIFIED AS TRUCK, ALUMINUM VAN OR CALLED BY OTHER NAME/S OR HAS OTHER CONFIGURATION, EXCEPT TRICYCLES REGISTERED WITH THE L...

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Pursuant to the policy-making powers of this Board on the issuance of Certificate of Public Convenience (CPC) or permit authorizing the operation of public land transportation service by the use of motor vehicle, the following directive is hereby promulgated with the end in view of promoting and developing the public land transport sector and maintain and foster fair competition in the trucking transport industry.

All owners/operators of private vehicles classified as "Truck, Aluminum Van or called by other name/s or has another configuration, except tricycles, registered with the LTO are ordered to secure a CPC to operate a Truck-for-Hire Service. However, said vehicles that are operated for the exclusive use and in furtherance of the owners' own business may be exempted from the application of this Circular as determined solely by LTFRB. To be exempted, they shall file a Petition/Application for Exemption attaching therein the following documents:

1. Certificates of Registration and Official Receipts of the units sought to be exempted;

2. Certificate of Incorporation or Cooperation duly issued by the Securities and Exchange Commission or Cooperative Development Authority, as the case may be;

3. Business Name duly issued by the Department of Trade and Industry for sole proprietorship;

4. Business Permit/Mayor's Permit issued by the local government unit of the place where the principal business of the applicant is located;

5. Financial Statement for the last two fiscal years duly received by the Bureau of Internal Revenue, if the applicant is a corporation or cooperative;

6. Income Tax Return; and,

7. SSS Enrolment/Coverage of their Employees.

Accordingly, all owners/operators of the said vehicles are given sixty (60) days from the effectivity of this Circular to file such Petition/Application. Thereafter, all traffic enforcement units are ordered to apprehend the driver/s of the above vehicles effective 15 February 2005, except those who can show proof of the existence of their CPC or Order of Exemption.

All Regional Offices are instructed to post this Memorandum Circular in a conspicuous place within their buildings accessible to the general public and cause its publication at least once in any newspaper of general circulation in their respective regions.

This Memorandum Circular supersedes any and all issuances inconsistent herewith.

This Circular shall take effect fifteen (15) days following the filing of three (3) copies hereof with the UP Law Center, pursuant to Presidential Memorandum Circular No. 11, dated 09 October 1992.

SO ORDERED.

Adopted: 13 Dec. 2004

(SGD.) MARIA ELENA H. BAUTISTA
Chairperson

(SGD.) FELIX S. RACADIO
Board Member

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