

COMPREHENSIVE GARAGE TO TERMINAL (GT) EXPRESS SERVICE PROGRAM

LTFRB MEMORANDUM CIRCULAR NO. 2007- 007, February 13, 2007

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The Board hereby resolves to consolidate the provisions contained in Department Order 2004-52, dated 06 October 2004, which amended Department Order 97-1097 “Providing Standard Classification for All Public Land Transport Conveyances”, which included the AUV/VAN Express Service as new Public Land Transport Classification, and all Memorandum Circulars issued by this Board pursuant thereto.

As per Memorandum Circular 2005-038, the AUV/VAN Express was known and renamed as P2P Express (Point to Point). The Board hereby resolves to undertake a “GARAGE-TERMINAL (GT) EXPRESS” for purposes of consistency and in order to reflect the true intent of the program which shall integrate and consolidate the same consequentially as follows:

I. COVERAGE

- UV Conversion - This shall cover all qualified Applicants for Conversion with subsisting Certificates of Public Convenience based from the list of verified franchises utilizing UTILITY VEHICLES and VANS to be issued by the Management Information Division (MID) for the Central and Regional Offices, as follows:

- 1.1 School Transport Service including VANS not actually being used as School Service
- 1.2 Shuttle Service not actually used as shuttle service but on “ulo-ulo” basis
- 1.3 Vehicles for Hire
- 1.4 Filcab
- 1.5 Garage Services
- 1.6 Trucks for Hire but actually used to ferry passengers for hire
- 1.7 Metered/Mega Taxi

- UV Legalization – This shall cover new Applicants for the issuance of a Certificate of Public Convenience which shall be simultaneously processed with UV Conversion subject to RMC approval and after the issuance of guidelines thereto, whether the Applicant is a former grantee, colorums or a totally new Applicant not actually engaged in colorum operation. This, however, is limited to services touching Metro Manila subject to the limit indicated under DOTC Memorandum dated 19 September 2006 to accommodate a maximum of five hundred (500) units under the LTFRB “Colorum Legalization” Program, subject to penalties to be imposed by LTFRB.

II. The Implementing Rules and Regulations (IRR) and guidelines for P2P/AUV Express Program under Memorandum Circular Nos. 2005-023, 2005-028, 2005-038, 2005-054, 2006-002, 2006-011, 2006-017, 2006-029, 2006-053, 2006-061, 2006-062, 2007-01, 2007-02 and 2007-03 are hereby modified/amended as to the following specific provisions and guidelines:

- GT – Express Service Operations. The distinguishing feature of the overall operations shall be governed by the principle of “Terminal to Terminal Only” and “No pick-up (Loading), No drop-off (Unloading)” while operating

in a given route. The primordial operational concept shall target and motivate those currently using private vehicles to shift to being commuters utilizing an express alternative and comparatively convenient mode of public transport. This will also correct the practice of operators to refrain from operating on a “per head basis” despite not having been authorized to.

- ROUTE

2.1 Fixed route, subject to the recommendation of the DOTC- Road Planning Division, approval of the Board, through the Route Measure Capacity (RMC) Secretariat.

2.2 Route Ceiling Distance – The Route Ceiling Distance provided below applies to all regional Offices except NCR, Regions III and IV which is limited to thirty-five (35) kilometers route ceiling distance.

2.2.1 INTER REGIONAL ROUTES – these are routes traversing from one region to another with Maximum Ceiling Route of seventy-five (75) kilometers except the super region of Mindanao (Region 9, 10, 11, 12 & CARAGA) wherein the Maximum Ceiling Route is one hundred (100) kilometers.

2.2.2 INTRA-REGIONAL ROUTES – these are routes only within a particular region with Maximum Route Ceiling Distance of thirty-five (35) kilometers except the super region of Mindanao (Region 9, 10, 11, 12 & CARAGA) wherein the Maximum Ceiling Route is one hundred (100) kilometers.

- MAXIMUM AGE REQUIREMENT - The thirteen (13) year age requirement is still in effect, but those who will avail of this Comprehensive Program shall be granted a FIVE (5) year period of validity counted from receipt of a copy of the decision. However, in the case of conversion, the same shall only apply in the initial issuance of the Decision and not on the succeeding extension of validity of Certificate of Public Convenience.

- OPERATIONAL PROXIMITY - The Board hereby resolves to exclude the requirement of operational proximity of the Applicant/Operators residing and/or with business address within a 5 kilometer radius from at least one (1) terminal of route ends.

- MINIMUM TERMINAL REQUIREMENT - Terminals should be “Off-Street” and situated at route end points with covered passenger waiting areas, loading and unloading bays and vehicle lay-over areas. It should be recognized and duly ACCREDITED by the Board and subject to LTFRB Inspection and compliance with local government unit and/or HLURB clearances and other pertinent guidelines. Garage should be “Off-Street” and “Off-Side-Walks” with an ample space to accommodate number of unit(s) applied for.

- UV Conversion – Payment shall be at the option of the Applicant in cash or manager’s check only which can be as follows:

A. For Metro Manila Regions III and Region IV (CALABARZON)

6.1 Full payment of P30,000 upon filing of Application.

6.2 Installment Plan:

a) Two (2) Installment Payment Scheme:

- Php15,000.00 upon filing of application
- Php15,000.00 upon inspection of color scheme compliance

b) Four (4) Installment Payment Scheme:

- Php7,500.00 upon filing of application
- Php7,500.00 upon appearance during hearing

- Php7,500.00 upon release of Decision
- Php7,500.00 upon inspection of color scheme compliance

c) Five (5) Installment Payment Scheme:

- Php5,000.00 upon filing of application
- Php5,000.00 issuance of Notice of Hearing
- Php7,500.00 upon release of Decision
- Php5,000.00 upon inspection of unit
- Php7,500.00 upon confirmation of unit, before registration

B. For Regions I, II, IV (MIMAROPA), V, VI, VII, VIII, IX, X, XII, CAR, CARAGA & ARMM.

6.3 Full payment of P10,000 upon filing of Application

6.4 Installment Plan:

a) Two (2) Installment Payment Scheme:

- Php5,000.00 upon filing of application
- Php5,000.00 upon inspection of color scheme compliance

b) Four (4) Installment Payment Scheme:

- Php2,500.00 upon filing of application
- Php2,500.00 upon appearance during hearing
- Php2,500.00 upon release of Decision
- Php2,500.00 upon inspection of color scheme

c) Five (5) Installment Payment Scheme

- Php2,000.00 upon filing of application
- Php2,000.00 issuance of Notice of Hearing
- Php2,000.00 upon release of Decision
- Php2,000.00 upon inspection of unit
- Php2,000.00 upon confirmation of unit, before registration
- UV Legalization – Payment shall be at the option of the Applicant, to wit;
- For Metro Manila, Regions III and Region IV (CALABARZON)

7.1 Full payment of Php40,000.00 (per unit) upon filing of Application

7.2 Installment Plan:

a) Two (2) Installment Payment Scheme

- Php20,000.00 upon filing of Application
- Php20,000.00 upon release of Decision

- For Regions I, II, IV (MIMAROPA), V, VI, VII, VIII, IX, X, XII, CARAGA & ARMM.

7.3 Full payment of P10,000.00 upon filing of Application

7.4 Installment Plan:

a) Two (2) Installment Payment Scheme

- Php5,000.00 upon filing of Application
- Php5,000.00 upon inspection of color scheme compliance

- SALE AND TRANSFER

Applications for Sale and Transfer of a Certificate of Public Convenience, are hereby allowed at anytime during the validity of the CPC, hence the five (5) year prohibition from the date of approval of the CPC under par. 10 of Memorandum Circular No. 2005-023 and the one (1) year restriction on dropping and substitution of units are hereto amended and modified provided that the substituted unit is of newer model and the yellow plate is surrendered to the LTFRB.

Accordingly, all Applicants whose transactions are anchored on sale and transfer shall notify the Board regarding the said conveyance not later than 30 April 2007. Failure to avail within the period set forth shall be construed as an implied waiver to avail of the Conversion Program.

III. PROCEDURAL GUIDELINES

- For Regional Offices – filing of application shall be based on routes and Route Measured Capacity (RMC) as determined and/or approved by the Board based on the prior records or submission of its Regional Offices.
- For Intra regional routes – the Regional Office concerned shall receive, process and approve the applications for conversion/legalization based on the approved RMC of the Board.
- For Inter regional routes – the Regional Office, except NCR, Regions III and IV, where the base of operation of the applicant, may receive and process all applications for conversion/legalization based on the approved RMC of the Board and shall be forwarded to the Board for approval/disapproval.
- For Inter regional routes where the base of operation of applicant is located either in NCR, Regions III or IV – all applicants for conversion/legalization shall be received, processed and approved by the Board through its AUV Secretariat.
- For Central Office – The AUV Secretariat is the designated section for information, dissemination, acceptance of application, process and other inquiries regarding this program.
- Information Dissemination and Acceptance of Application through the AUV Secretariat to all qualified Applicants for Conversion based from the MID list of verified franchises and/or the list of Record Section of the Regional Offices. The Applicant shall fill up the Application/Information Forms and Checklist of Requirements. The Applicant shall signify his/her intention to operate in three (3) preferred routes applied for in the order of priority. In case there is an excess of applications on a particular route applied for, the Secretariat shall automatically designate the next priority route, provided that the route is still open.
- The Secretariat shall conduct a pre-screening procedure to determine the completeness and order of the documents. Should the documents be complete, the Secretariat shall prepare the corresponding Notice of Hearing on a per route/ batch basis.
- The qualified Applicant's case folders with the signed Certificate of Route Measured Capacity (RMC)s shall be turned over to the Technical Evaluation Division (TED) for Case Number assignment including pertinent attachments and requirements. All Certificate of Public Convenience qualified for conversion shall be assigned a NEW case number, while the old case number shall still be cited in the ensuing Decision as a basis for conversion and databanking. The Management Information Division (MID) shall cancel or remove all converted case numbers from existing LTFRB dockets/entries and render said case numbers as nullified.

- Prior to the hearing, the Applicant must pay to the Cashier based on the POS issued and the Official Receipt must be presented to the Hearing Officer for verification. Regular hearing procedures shall follow after proper publication in any newspaper of general circulation.
- The Decisions granting the Conversion and Legalization shall be sealed with LTFRB holograms and transmitted to the Docket Section. Thereafter, the case folders shall be forwarded to the Management Information Division (MID), for encoding and they shall coordinate with the AUV Secretariat before releasing the Decision or its Certified True Copy for Clearance Account to monitor the payments thereof.

IV. MARKINGS AND COLOR SCHEME

- The color scheme of units authorized under this case shall be WHITE.
- The Technical Evaluation Division (TED) shall conduct the actual unit inspection at the Central Terminal after the approval of the Decision granting the Conversion. The "All White Color Scheme and the Panel Route Identification and markings shall be shouldered by the Applicant/Operator. The Conversion Fee of Php30,000.00 shall be exclusive of all other fees and expenses relative to the white color scheme and markings.
- The text of the "How's my Driving" Project shall also be included in the rear glass decals.
- The markings in the body of the unit shall bear the color RED with the following entries and corresponding sizes on both sides of the unit as follows:
 - a) Panel Route – shall be three (3) inches in height and one (1) inch width
 - b) Operator's Name – shall be in 1.5 inches in height and .75 inch in width
 - c) Case Number – shall be in 1.5 inches in height and .75 inch in width
 - d) Plate Number – shall be 3 inches in height and 1 inch in width
 - e) Route Code - shall be in 2 inches in height and 1 inch in width

V. MISCELLANEOUS PROVISIONS

- The provisional fare rates under this Comprehensive Program shall be Php2.00 pesos per kilometer on a straight line computation which the Board may modify upon petition of any interested party after compliance with the requirement of Notice and Hearing.
- Applications/Petitions for Modification of Routes shall not be allowed within the Five Year (5) period of VALIDITY of the Certificate of Public Convenience.
- Motions for reconsideration from the Order of Cancellation due to wrong address shall be filed and resolved by the Board in case of inter-regional cases while for intra-regional cases, it shall be filed and approved in the respective regional offices.

This Memorandum Circular supersedes any and all issuances inconsistent herewith, and takes effect immediately 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 Feb. 2007

(SGD.) THOMPSON C. LANTION
Chairman

(SGD.) GERARDO A. PINILI
Board Member

(SGD.) MA. ELLEN DIRIGE-CABATU
Board Member

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