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IMPLEMENTING RULES ON DOTC DEPARTMENT ORDER NO. 2002-75 RE: ASIAN UTILITY VEHICLE (AUV) SERVICES

LTFRB MEMORANDUM CIRCULAR NO. 2003-008, April 22, 2003

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In line with DOTC Order No. 2002-75, the Board adopts this Memorandum Circular to clarify and implement the above Department Order keeping in mind the interests of the legitimate operators and that of the commuting public.

1. The types of vehicles falling under the Asian Utility Vehicles (AUV) category are those categorized by LTO as such.

2. The AUV-type of vehicles may be franchised under PUJ air-conditioned or Filcab service.

3. PUJ air-conditioned or Filcab service may be opened for application for new CPC and/or application for conversion, subject to the following conditions:

A. The route application must be duly approved by the DOTC with the following requirements attached:

1. Certification from the Local Government Unit (LGU) (issued by the Sangguniang Bayan through a Resolution) for Regional Offices and Endorsement from either the City Mayor or Sangguniang Panglungsod for Metro Manila as to the need to open the route;

2. Proof of operation of an off-street terminal at both ends of the proposed route;

3. Technical quantification of the demand and supply through the conduct of a transport survey conducted by DOTC and/or the Board.

B. For Inter-regional route application, in addition to conditions cited above, a ceiling distance of thirty-five (35) kilometers shall be adopted. Route application covering more than 35 kms. may be granted subject to the following conditions:

1. There is no bus or mini-bus service or MRT/LRT operating on that particular line;

2. The road capacity is limited and can only absorb AUV;

3. The demand for the service is not sufficient to warrant viable operation of bus services.

C. For intra-regional route application, there is no ceiling distance but the application would still be subject to the conditions cited in Item B of this circular.

4. Existing CPCs issued to mega taxi, vehicle-for-hire, and/or shuttle services using AUVs shall be allowed only one extension of validity of their covering franchises. After the expiration of the extended franchise, only applications for extension of CPCs with conversion to air-conditioned PUJ or Filcab service shall be accepted. Meanwhile, operators of mega taxi, vehicle-for-hire and/or shuttle services using AUVs must strictly abide by the terms and conditions of their respective CPCs.

All other issuances or parts thereof which are inconsistent herewith, are heretofore modified or superseded

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accordingly to conform with this new circular.

This Memorandum Circular shall take effect fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation or the filing of three (3) copies hereof with the U.P. Law Center, pursuant to Memorandum Circular No. 11 dated October 9, 1992.

Adopted: 22 April 2003

(SGD.) DANTE M. LANTIN
Chairman

(SGD.) REMEDIOS G. BELLEZA
Board Member

(SGD.) FELIX S. RACADIO
Board Member

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