TERMS AND CONDITIONS OF A CERTIFICATE OF TRANSPORTATION NETWORK COMPANY ACCREDITATION

LTFRB Memorandum Circular No. 2015-016, May 28, 2015

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Adopted: 28 May 2015
Date Filed: 01 June 2015
For proper guidance and observance of all holders of a Certificate of Transportation Network Company (TNC) Accreditation, the following Terms and Conditions shall form part of every Certificate to be issued by the Board:

- All transportation must be pre-arranged through the use of an internet-based digital technology application.

- The accredited TNC shall ensure that passengers can view a TNC- accredited driver's name and photograph, the vehicle's license plate number, and the case number issued by the Board on the device used to connect with the digital technology application before the trip is initiated.

- The digital technology application must make the rate structure transparent before the potential passenger confirms the ride. The application must clearly display the total fare, fare range or rate by distance or time.

- The digital technology application must include a complaint mechanism through which passengers can register complaints or report lost items. It must also include the Hotline Number of the Board.

- The accredited TNC shall conduct a criminal background check and screening to all its applicant-drivers before endorsing them to the Board.

- The accredited TNC shall accredit an applicant-driver, who possesses a professional Driver's License;

- The accredited TNC shall only accredit drivers who have demonstrated the ability to read, write, and speak Filipino and English languages.

- The accredited TNC shall establish a continuing Training Program for its accredited drivers so that they may have the most updated and current information on the use of digital technology application, safety and standards, and terms and conditions applicable to them.

- The accredited TNC shall employ a "zero tolerance drug and alcohol policy" with respect to its accredited drivers.

- The accredited TNC shall issue an identification card with a photograph to all its drivers that it accredits. The identification card shall be worn by the driver during the pre-arranged ride.

- For purposes of enforcement, the accredited TNC shall provide the Board within thirty (30) days from issuance of the Certificate the mechanism on how to check and verify whether or not a driver is active on the dispatch system application, en route to a passenger location or engaged with a passenger in a pre-arranged ride. Specific information on specific drivers, passengers or rides shall be provided upon request by the Board.

- The accredited TNC shall report to the Board, through the Legal Division:

a)

Within twenty-four (24) hours from receipt of report or reliable information of any assault or robbery by its accredited drivers to their passengers;

b)

Within (twenty-four) 24 hours from receipt of report or reliable information, whenever the accreditation of any driver has been revoked.

c)

Within forty-eight (48) hours from receipt of report or reliable information, whenever its accredited owner/drivers are convicted of criminal offenses that have a bearing on their ability or fitness to operate a TNVS. Such offenses may include: theft, fraud, robbery, assault, sex crime, alcohol, drugs or prostitution.

d)

Within seventy-two (72) hours from receipt of report or reliable information, whenever any accredited owner/driver is involved in an accident resulting in physical injuries or death.

- The accredited TNC shall have physically inspected the vehicle through its process of accrediting vehicles.

- The accredited TNC shall not allow accredited TNVS vehicles to be installed with a toplight or taximeter.

- The accredited TNC shall not facilitate a pre-arranged ride to pick-up passengers in the airports, unless authorized by the airport management.

- The accredited TNC shall have a “trade dress” for proper identification of the vehicle as being associated with the particular TNC by the public and passengers. The TNC shall require its accredited drivers to make the “trade dress” visible whenever engaged in a pre-arranged ride. Magnetic or removable trade dress is acceptable.

- The accredited TNC shall only allow duly franchised TNVS vehicles to provide a pre-arranged ride through its internet-based digital technology application.

- The Accreditation Certificate cannot be sold, assigned, leased, or otherwise transferred or encumbered.

- The accredited TNC shall not, in any manner, notify its drivers that a potential passenger is an employee or official of the Board.

- The accredited TNC shall be liable if it knowingly allows an ineligible driver access to its digital technology application platform or network, or fails to annually ascertain the eligibility of each driver.

- The accredited TNC shall ensure and assist the Board in monitoring the compliance with Terms and Conditions of a Certificate of Public Convenience to Operate a Transportation Network Vehicle Service by its accredited owners/drivers.

- The accredited TNC shall provide the Board accurate and complete operational records every six (6) months the following:

a)

The total number of rides provided by TNVS;

b)

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The total number of rides per accredited TNVS vehicle;

c)

The number of accidents per accredited TNVS vehicle;

d)

Reports of crimes against drivers and actions taken;

e)

Records of passenger complaints and actions taken.

- Upon completion of a pre-arranged ride, the accredited TNC shall transmit to the passenger an electronic receipt, either by electronic mail or text message, or any official receipt duly approved by the Bureau of Internal Revenue. The receipt shall contain the point of origin and destination of the ride, the total distance and duration of the ride, the total fare paid.

- The status and requirements of the Accreditation Certificate may change if a law is passed or any policy from the Department of Transportation and Communications (DOTC) is issued regarding regulation of this new industry.

- The accredited TNC shall comply with all the applicable laws of the country, and all rules and regulations of the DOTC and the Board.

Any willful violation or non-compliance with the above Terms and Conditions shall be a ground for cancellation of Accreditation, subject to notice and hearing.

All other issuances inconsistent herewith are deemed modified or superseded accordingly.

This Memorandum Circular shall take effect immediately following its publication in at least one newspaper of general circulation. Let three (3) copies hereof be filed with the UP Law Center pursuant to Presidential Memorandum Circular No. 11, dated 09 October 1992.

SO ORDERED. 28 May 2015.

(SGD) ATTY. WINSTON M. GINEZ, CPA
Chairman

(SGD) ENGR. RONALDO F. CORPUS

(SGD) ATTY. ANTONIO ENRILE-INTON, JR.

Board Member

Board Member

Attested by:

(SGD) ATTY. ROBERTO P. CABRERA III
Executive Director

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