NATIONAL ADMINISTRATIVE REGISTER · MAY 30, 2002

REQUIRING DEALERS AND/OR OPERATORS OF GASOLINE STATIONS TO POST A WARNING SIGN AGAINST THE USE AND/OR OPERATION OF CELLULAR PHONES WHILE GASSING-UP IN GASOLINE STATIONS

DOE DEPARTMENT CIRCULAR NO. 2002-05-002, MAY 30, 2002, May 30, 2002

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WHEREAS; the Department of Energy (DOE) and the Department of Transportation and Communication (DOTC) recognize the possibility that battery-operated equipment represent a potential ignition source and should not be permitted on sites where there is a concentration of flammable vapors;

WHEREAS, despite the lack of documented evidences, both agencies recognize the possibility that the use and operation of cellular phones by consumers while filling up in gasoline stations pose a threat to the safety of the motorists, gasoline station personnel and to the establishments through the possibility of igniting gas fumes by even a small electric spark produced by the key pad or ringer;

WHEREAS, the said threat is acknowledged by many, particularly by cellular phone manufacturers themselves as manifested by the warnings carried by their products, by oil companies here and abroad as reflected in their information materials, and by local government units as reflected by issuance of city ordinances;

WHEREAS, areas with a potentially explosive atmosphere are often but not always clearly marked;

WHEREAS, in the interest of consumer safety, there is a need for both agencies to take necessary steps to avoid occurrence of accidents resulting from the use of cellular phones in gasoline stations;

NOW, THEREFORE, in view of the above premises, the following are hereby ordered:

1. Upon effectivity in this Circular, all dealers/operators of gasoline stations shall be required to post ample and prominent warning signs in each pump island within the station, against the use of cellular phones while filling up in gasoline stations or at any time within the forecourt: Attached as Annex [1] is the warning design for use in such station. Oil companies and dealers shall not be precluded from posting their own warning signs; provided that prior approval from the DOE is required.

2. Dealer and/or operators of gasoline stations who fail to post the recommended warning signs required herein or a suitable equivalent as determined by a DOE inspection team shall be subject to the following penalties:

a. First Offense

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warning

b. Second Offense

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P2,000.00 fine

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c. Third Offense

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P5,000.00 fine

This Department Circular shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation. Full compliance with this Circular shall not be later than July 30, 2002.

Adopted: 30 May 2002

(SGD.) VINCENT S. PEREZ, JR.
Secretary

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[1]Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City

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