

VOLUNTARY AMNESTY PROGRAM FOR CONVERSION OF SHUTTLE BUS SERVICE TO REGULAR PUBLIC UTILITY BUS SERVICE

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On 12 May 2005, the Board issued Memorandum Circular 2005-015 allowing the voluntary conversion of Tourist Service Bus units to Regular Airconditioned Public Utility Bus (PUB) Service. The issuance of the said Circular emanated from the study conducted by the DOTC-LTFRB Technical Working Group that a number of tourist buses were deployed and operated to service PUB Aircon Service routes.

Through the request of some shuttle service operators, another route study was conducted by the Planning Division of this Board with the same findings that shuttle buses are also operated as regular PUB Service. Such operations of the shuttle buses contravene the terms and conditions of their issued Certificates of Public Convenience (CPC).

In order to legitimize the operations of the said Certificates vis-à-vis the promotion of interest of the riding public, a Voluntary Amnesty Program for Conversion was recommended. Thus, pursuant to Department Order No. 2005-010 setting forth the Policy Guidelines on the Exercise of Authority and Functions by this Board and empowering it to issue Memorandum Circulars governing the powers and functions provided for in Section 5 of EO 202, the Board hereby issues the Amnesty Program for Conversion of Shuttle Bus Service to Regular Public Utility Bus Airconditioned Service, subject to the following terms and conditions:

1. Only CPC holders of both Shuttle Bus Service and Regular PUB Airconditioned Service are qualified to avail of the Voluntary Amnesty Program.
2. The qualified Shuttle Bus Service operators shall only be allowed to apply for routes authorized under their existing and valid Regular PUB Aircon CPC, subject to availability of Route Measured Capacity (RMC) allocation. However, should the applied RMC be inadequate, a second route option may be submitted by the applicant for Board's consideration.
3. An Amnesty Fee for Conversion on the amount of One Hundred Thousand Pesos (PhP 100,000.00) per unit shall be paid upon filing of the Application for Voluntary Conversion, which amount does not include the regular fees and charges of the Board.
4. In case of any Opposition filed to the Application for Amnesty, the Board shall adopt a summary proceeding by directing the parties concerned to file their respective Position Paper within an inextendible period of ten (10) days from the date of hearing of the said Application. Thereafter, the case shall be submitted for resolution.
5. The qualified operators shall not be allowed to apply for new CPC for Shuttle Bus Service within five (5) years from the date of the approval of the Application.
6. No Applications for Dropping and Substitution of Unit, and Sale and Transfer of the approved Applications for Voluntary Conversion shall be allowed within one (1) year from grant thereof.
7. The qualified operators are given until 20 September 2005 from effectivity of this Circular to avail of the Voluntary Amnesty Program.

This Memorandum Circular supersedes any and all issuances inconsistent herewith, and takes 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: 03 Aug. 2005

(SGD.) MARIA ELENA H. BAUTISTA
Chairperson

(SGD.) GERARDO A. PINILI
Board Member

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