AUTHORIZING THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD TO CONDUCT THE DISPOSAL OF IMPOUNDED AND ABANDONED VEHICLES

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WHEREAS, the Department of Transportation (DOTr) is the primary policy planning, programming, coordinating, implementing, and administrative entity of the executive branch of the government on the promotion, development, and regulation of a dependable and coordinated network of transportation systems, as well as in the fast, safe, efficient and reliable transportation services;

WHEREAS, the DOTr is empowered to call upon any agency, corporation or organization, whether public or private, whose development programs include transportation as integral parts thereof, to participate and assist in the preparation and implementation of a comprehensive and integrated programs for transportation;

WHEREAS, the Land Transportation Franchising and Regulatory Board (LTFRB),an agency under the administrative supervision and control of DOTr, is tasked with the promulgation, administration and enforcement of, and monitoring compliance with policies, laws and regulations of public land transportation services;

WHEREAS, pursuant to its mandate and under Joint Administrative Order No. 2014-01(Re: Revised Schedule of Fines and Penalties for Violations of Laws, Rules and Regulations Governing Land Transportation) and as part of the Inter- Agency Council for Traffic (i-ACT), the LTFRB, together with the other-attached agencies of the DOTr and the Philippine National Police - Highway Patrol Group conducted intensified anti-colorum operations which resulted in hundreds of apprehended colorum vehicles;

WHEREAS, due to the limited area that the LTFRB is currently maintaining for impounding purposes vis-à-vis the volume of impounded vehicles apprehended by the LTFRB and i-ACT as a result of their daily anti-colorum operations, the LTFRB Central Office has been constrained to store its impounded vehicles within the premises of its office or along East Avenue, Quezon City.

WHEREAS, the continued custody and. maintenance of unredeemed and abandoned impounded vehicles have been causing problems to the LTFRB in terms of unnecessary expenses and deficiency in storage space;

WHEREAS, the Department recognizes the imperative need to immediately and properly dispose the impounded and abandoned vehicles in order for the LTFRB to recover the expenses incurred in the maintenance and custody of the same and to accommodate more vehicles;

WHEREAS, Presidential Decree No. 1729 (Re: Authorizing The Bureau of Land Transportation to Dispose of Impounded Motor Vehicles Unclaimed by Owners for A Certain Period of Time) expressly authorized the Land Transportation Office to dispose impounded and unclaimed vehicles by public auction sale, however, the manner of disposition by the LTFRB of abandoned or unclaimed impounded vehicles was not expressly granted by the said law.

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WHEREAS, the LTFRB should likewise be authorized to conduct public auction sale of its unclaimed or abandoned impounded vehicles;

WHEREAS, under Commission on Audit Circular No. 89-296 (Re: Audit Guidelines on the Divestment or Disposal of Property and Other Assets of National Government Agencies and Instrumentalities, Local Government Units and Government-Owned or Controlled Corporations and their Subsidiaries) in relation to Executive Order No. 888 (Re: Authorizing Ministers and Heads of Ministries/Agencies to Dispose of Their Respective Unserviceable Equipment and Disposable Property), the full and sole authority and responsibility for the divestment or disposal of property, other assets, and all unserviceable equipment and property owned by national government agencies shall be lodged in the heads of the departments, bureaus and offices of the national government, who shall constitute the appropriate committee or body to undertake the same.

NOW THEREFORE, in view of the foregoing premises, I, ARTHUR P. TUGADE, Secretary of the Department of Transportation, by virtue of the powers vested in me by law, hereby AUTHORIZE the LTFRB and its Regional Franchising and Regulatory Offices (RFROs) to DISPOSE of unredeemed and impounded vehicles under its custody in accordance with COA Circular No. 89-296 and E.O.
888.

For purposes of this Department Order, the LTFRB is mandated to promulgate the relevant implementing Memorandum Circular adopting and prescribing rules and procedures for the disposition of unredeemed and impounded vehicles within thirty (30) days from the effectivity of this Order.

This Department Order shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in a newspaper of general circulation or the filing of three copies hereof with the UP Law Center pursuant to Memorandum Circular No. 11 dated 09 October 1992 of the Office of the President.

(SGD) ARTHUR P. TUGADE
Secretary

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