

IMPLEMENTING GUIDELINES AND PROCEDURES ON DOTC UNDERSECRETARY ARISTOTLE B. BATUHAN'S MEMORANDUM DATED 21 FEBRUARY 2011 (RE: PETITION FOR MODIFICATION OF AREA OF OPERATION FOR TA...

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Pursuant to the Memorandum dated 21 February 2011 of the Hon. Aristotle B. Batuhan, DOTC Undersecretary In-Charge, Road and Maritime Transport, containing the directive that “petition for modification of area of operation, limiting the operation within Metro Manila only, maybe given due course” involving Taxi Air-conditioned Services, the following guidelines and procedures are to be strictly followed:

- The petition shall be for the modification of area of operation of the taxi air-conditioned service from: “to any point in the Island of Luzon” to “within the Metro Manila area.”
- The petition shall only cover existing and valid certificates of public convenience to operate a taxi air-conditioned service and shall be in strict adherence to the provisions of Memorandum Circular No. 2010-034 re: expired CPCs. To this effect, a Franchise Verification Report from the Central Office shall be attached to the petition.
- The validity of the certificate of public convenience issued by virtue of the granting of the petition shall only be for the unexpired period thereof. However, an application for extension of validity of the certificate may be filed before the National Capital Regional Office prior to the expiration of the CPC.
- Those who have already filed with the Central Office an application for extension of validity of their CPC before its expiry date are required to attach to the petition a photocopy of the application duly certified by the Chief of the Technical Evaluation Division of the Central Office or the duplicate original copy of the application. Otherwise, the same shall not be received and given due course by the National Capital Regional Office.
- Those who have valid and existing CPCs may be allowed to include in the petition the request for substitution of the authorized unit with a newer unit under the following cases:
 - When the purpose is for the substitution of a “phased-out model” unit;
 - When the authorized unit was carnapped or stolen; provided, however, that the petitioner shall present and submit a Police Report and Certification of Non- Recovery of unit
 - When the authorized unit was involved in an accident resulting to a total destructive loss and rendering it unserviceable.
- In the event that there is still a pending application for sale and transfer and/or dropping or substitution of unit and/or dropping and substitution of unit before the Central Office, the petitioner shall first request for the transmittal and transfer of the complete records of the pending application from the Central Office to the National Capital Regional Office. Without such records or folder, the petition shall not be accepted and given due course by the National Capital Regional Office.

- The petitioner shall secure a Clearance of Accounts from the Central Office and the same shall be presented and submitted during the hearing of the petition.

- Whatever action taken by the Regional Director of the National Capital Regional Office on the petition shall first be forwarded to the Management Information Division of the Central Office for records purposes and the corresponding proof of recording/ encoding shall be posted/marked on the decision/order/resolution. Thereafter, the same shall be returned to the Docket and Encoding Sections of the National Capital Regional Office and, then finally, transmitted to the concerned personnel in the Releasing Window.

Without such proof of recording/encoding by the Management Information Division of the Central Office, the action taken by the National Capital Regional Office on the petition shall not be considered official and valid.

- The National Capital Regional Office shall submit to the Board a Monthly Report on the CPCs subject of this Memorandum Circular, together with copies of the decisions issued, for records purposes of the Board's Management Information Division and Docket Section.

This Memorandum Circular supersedes any and all issuances inconsistent herewith and shall be effective fifteen (15) days after its publication in a newspaper of general circulation or in the Official Gazette.

Adopted: 08 April 2011

(SGD.) ATTY. NELSON P. LALUCES

(SGD.) ATTY. MANUEL M. IWAY

Chairman

Board Member

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