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VOLUNTARY AMNESTY PROGRAM FOR EXTENSION OF ROUTE OF PUBLIC UTILITY BUS SERVICE

LTFRB MEMORANDUM CIRCULAR NO. 2005-029, September 02, 2005

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The Board issued Memorandum Circular 2005-015 allowing the voluntary conversion of Tourist Service Bus units to Regular Air-conditioned Public Utility Bus (PUB) Service on 12 May 2005 and Memorandum Circular 2005-025 allowing the voluntary conversion Shuttle Bus Service to Regular Air-conditioned PUB Service on 03 August 2005. The issuance of the said Circular emanated from the study conducted by the DOTC-LTFRB Technical Working Group that a number of tourist and shuttle buses were deployed and operated to service regular PUB Air-conditioned Service routes.

On several instances, letters have been received by the Board from provincial bus operators whose bus units are not authorized to enter Metropolitan cities requesting this Board to conduct a route survey so as they be allowed to extend their route up to the Metropolitan cities.

Corollary thereto, a route survey was conducted by the Department of Transportation and Communications (DOTC). The route survey showed that a great number of bus units operated by the operators mentioned in the preceding paragraph are entering Metropolitan cities; thus, they are operating out-of-line, which is in violation of the terms and conditions of their issued Certificates of Public Convenience (CPC).

In the interest of providing service to the riding public and legitimizing the operations of the above provincial bus operators with proper Route Measured Capacity (RMC), and 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 Voluntary Amnesty Program for Extension of Route of Public Utility Bus Service, subject to the following terms and conditions hereinafter provided:

1. Only CPC holders with provincial bus operations are qualified to avail of the Voluntary Amnesty Program.

2. RMC allocation shall only be issued and approved by the Office of the Chairperson forwarded to the regional Directors. The Regional Directors shall, in turn, accept the application and allocate the corresponding RMC including all the requirements prescribed by the Board to the applicants.

3. The qualified operators are given until 15 November 2005 from effectivity of this Circular to file their application for the Voluntary Amnesty Program for Extension of Route of PUB Service.

4. After the said deadline, the Technical Evaluation Division and the Regional directors shall rank all the applicants in the allocation of the RMC.

5. The qualified PUB Service operators shall only be allowed to apply for extension of routes to their destination, and not their origin, up to the Metropolitan cities under their existing and valid PUB franchise, subject to availability of RMC allocation.

The following shall be the minimum requirements:

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a. PUB units must not be more than ten (10) years from the date of manufacture;

b. Terminal must be available in the proposed destination. For PUBs extending to Metro Manila, the terminals shall be relocated to the North and South Inter-Modal Terminals, upon their completion;

c. Garage for maintenance services must be available in the proposed destination, subject to inspection by the Technical Evaluation Division;

d. Applicant extending to Metro Manila must be a holder of a PUB CPC with at least five (5) units. Applicant extending to other Metropolitan cities must be a holder of a PUB CPC with at least three (3) units;

6. Criteria for selection shall be:

a. Financial Capacity _ 30%
b. Age of Unit _ 30%
c. Garage _ 20%
d. Terminal _ 10%; and
e. Quality of Service _ 10%

7. Metropolitan cities refer to the following:

a. Metro Manila;
b. Metro Baguio;
c. Metro Cebu;
d. Metro Iloilo;
e. Metro Davao; and
f. Metro Cagayan de Oro.

8. An Amnesty Fee for Extension of Route in the amount of One Hundred Thousand Pesos (PhP 100,000.00) per unit shall be excluding the regular fees and charges of the Board.

9. After proper evaluation and allocation of RMC, fifty percent (50%) of the Amnesty Fee, depending on the number of units applied for, shall be paid to the Regional Offices. The remaining 50% shall be paid to the Board before the release of the Decision granting the said Application.

10. In case of any Opposition filed to the Application, the Board shall adopt a summary proceeding by directing the parties concerned to file their respective Position Paper within a non-extendible period of ten (10) days from the date of hearing of the said Application. Thereafter, the case shall be submitted for resolution.

11. No Applications for Dropping and Substitution of Unit shall be allowed within one (1) year from grant thereof.

12. No Application for Sale and Transfer of the Approved Application shall be allowed within five (5) years from the date of the grant.

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.

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SO ORDERED.

Adopted: 02 Sept. 2005

(SGD.) MARIA ELENA H. BAUTISTA

Chairperson

(SGD.) MA. ELLEN DIRIGE-CABATU

(SGD.) GERARDO A. PINILI

Board Member

Board Member

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