



Republic of the Philippines
Department of Transportation
LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD
East Avenue, Quezon City

BOARD RESOLUTION No. 08
Series of 2017

WHEREAS, the Land Transportation Franchising and Regulatory Board (LTFRB) issued Memorandum Circular No. 2016-008 (Re: Suspension of Acceptance of TNVS Applications) on 21 July 2016 ordering the suspension of the acceptance of all Transportation Network Vehicle Service (TNVS) applications proposing to ply on the route within Metro Manila or entering Metro Manila and directing the Technical Division not to accept any TNVS application upon effectivity of the said Circular. Likewise, the Regional Franchising and Regulatory Offices (RFROs) were directed not to accept TNVS applications with proposed route entering or within Metro Manila pending review of the existing policies and other relevant and pressing issues regarding the issuance of franchise to TNVS;

WHEREAS, Memorandum Circular No. 2016-012 (Re: Amendment to Memorandum Circular No. 2016-008) was issued on 01 September 2016 amending and modifying Memorandum Circular No. 2016-008 expanding the coverage of the suspension of acceptance of TNVS applications from applications with proposed routes plying Metro Manila to the suspension of acceptance of TNVS applications nationwide;

WHEREAS, the Board received reports that due to the issuance of Memorandum Circular No. 2016-008, some of the RFROs denied acceptance of all TNVS applications including those with proposed routes not entering or within Metro Manila as well as applications for the issuance or extension of Provisional Authority (PA) of TNVS applications already received by the said RFROs prior to the effectivity of Memorandum Circular No. 2016-012;

WHEREAS, Section 6, Rule VI of the Implementing Rules and Regulations of Republic Act No. 9485 otherwise known as the Anti-Red Tape Act provides:

SECTION 6. Automatic Extension of Licenses, Permits, and Authorities.
– If a government office or agency fails to act on an application and/or request for renewal of a license, permit or authority subject for renewal within the prescribed period, said permit, license or authority shall automatically be extended until a decision or resolution is rendered on the application for renewal. In this instance, the applicant shall be informed prior to the expiration of the original period that more time is required to evaluate the application or request.

XXX

WHEREAS, in order to address the said issue, a clarification by the Board is deemed proper for the proper guidance of the RFROs and all concerned.

NOW THEREFORE, the Board hereby resolves to direct all RFROs to ACCEPT and PROCESS all applications for issuance or extension of PA of all applications for TNVS filed and received prior to the effectivity of Memorandum Circular No. 2016-012 (Re: Amendment to Memorandum Circular No. 2016-008). An extension of the PA may be allowed only once but such extension shall not be more than another FORTY FIVE (45) days. Motion for further extension of PA may only be granted on compelling reasons or for a good cause.

Further, all PA with Motion for Extension of PA filed prior to the expiration of the said PA shall be deemed extended pursuant to Section 6, Rule VI of RA No. 9485 until the Motion for Extension of PA has been acted upon by the concerned Office.

APPROVED AND SIGNED this ___ day of JUN 2017 2017 at Quezon City, Philippines.

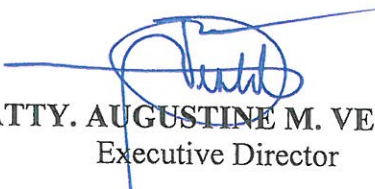

Atty. **MARTIN B. DELGRA III**
Chairman




Atty. **AILEEN LOURDES A. LIZADA**
Board Member


Engr. **RONALDO F. CORPUS**
Board Member

Attested by:


Atty. **ATTY. AUGUSTINE M. VESTIL, Jr.**
Executive Director