

*Red File*

MEMORANDUM CIRCULAR  
NUMBER 94-004

SUBJECT : SMOKE-BELCHING PUV's AND SANCTIONS THEREON

Air pollution, particularly in Metro Manila, has reached a point far exceeding the tolerable level considered by environmentalists as safe. This problem which is attributable, to a large measure, to the daily bombardment of smoke emissions from numerous public utility vehicles plying various routes in Metro Manila, undoubtedly poses a clear danger to the health of residents of the metropolis. Medical findings have shown that smoke spewed by motor vehicles causes respiratory ailments to those exposed to it and sometimes results in deaths.

In order to reduce to the lowest tolerable level, if not totally eliminate, the life-threatening effect of air pollution caused by motor vehicles and protect public health, all operators of public land transportation services within the jurisdiction of this Board are hereby required to operate and/or field only units that are in tip-top condition, roadworthy and pollution-free.

Henceforth, any apprehension on smoke-belching public utility vehicles made by agents of the DENR, LTO, MMA or local government units shall be considered substantial proof of smoke-belching and the Board shall impose the following sanctions, to wit:


1. First Violation . . . . Stern warning to the operator about the unit involved;
2. Second Violation . . . . Suspension of the Certificate of Public Convenience of the unit involved for sixty (60) days; and,
3. Third Violation . . . . Cancellation of the Certificate of Public Convenience of the unit involved.

*[Handwritten Signature]*  
*6/24*

This Memorandum Circular shall take effect fifteen (15) days after the filing of three (3) copies hereof with the U.P. Law Center, pursuant to Presidential Memorandum Circular No. 11, dated October 9, 1992, and any or all Board issuances which are inconsistent herewith are hereby modified accordingly, superseded and/or revoked.

Quezon City  
10 February 1994.

  
DANTE M. LANTIN  
Chairman

  
NABOR C. GAVIOLA  
Board Member

  
JESUS C. CRUZ  
Board Member

*Effective Date - March 4, 1994*

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*BM JCC - [Signature] 2-16*