



Department of Transportation & Communications
LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD
East Avenue, Quezon City
Tel. Nos. 922-9061 to 66

MEMORANDUM CIRCULAR
Number 97-007

**SUBJECT: SPECIAL PERMITS FOR OUT-OF-LINE
OPERATIONS AND SPECIAL HOLIDAYS**

By their essential nature, Special Permits for out-of-line operation and special holidays are supposed to meet an extraordinary increase in passenger volume owing to traditional holidays such as All Saints Day, Holy Week, Christmas season and other special holidays such as national elections, including emergencies like transport strikes.

Thus, Special Permits which are allowed to be issued under the Public Service Act without notice to affected parties and without public hearing as in the grant of regular certificates of public convenience are limited in duration, lasting only during the existence of the extraordinary increase in passenger volume. They are not, by any means, intended to be substitutes for regular certificates of public convenience.

To curb the propensity on the part of applicants/petitioners for Special Permits to abuse the process of securing Special Permits for out-of-line operations and for Special Holidays, henceforth the issuance by the Board of said permits shall be subject to the following guidelines:

1. Applications/petitions for Special Permits which must be verified shall indicate the total number of authorized and registered units of the applicants/petitioners;
 2. The line/s the applicants/petitioners propose to serve shall be indicated, with the units proposed for operation indicated by their chassis and motor numbers including the cases numbers they are presently authorized for operation;
 3. The ground/s and special reasons for the issuance of the Special Permit including the duration of the permit which must not last longer than the duration of the holiday and/or emergency intended to be addressed, in the case of All Saints Day from October 30 to November 3, Holy Week from Palm Sunday to the following day after Easter Sunday, Christmas season from December 20, to January 3, national elections from two days prior to Election Day to two days after, and for transport strikes during the duration of the strikes and for such other reasons as the Board may find necessary.
- Amor*

4. Celebrations such as local religious and civic festivities and town fiestas, except those where there is a tradition of a heavy passenger volume to the site of the festivities during a fixed period such as the Bicol Penafrañcia festivities, are not acceptable grounds for the issuance of Special Permits unless it is demonstrated by the applicants/petitioners that there are actual special reasons necessitating the grant of special permits subject to verification by the Board through its regional offices, otherwise existing operators will be neglecting their own franchised routes and will be intruding into new routes unfamiliar to their drivers to the detriment of public safety;

5. The Board reserves the right to deny the applications/petitions and/or reduce the number of proposed units for operation taking into account the capability of the existing operators on the routes proposed to be served by Special Permits to address the increase on passenger volume and the indicated number of authorized and registered units in the applications/petitions for Special permits and what is believed the ideal number of units to be authorized;

The Technical Evaluation Division is hereby directed to see to it that this Memorandum Circular is strictly complied with by all applicants/petitioners for Special Permits.

Provisions of existing Memo Circulars which are inconsistent with this Memorandum Circular are deemed revoked. Provisions in Memo Circular No. 87-021 dated December 24, 1987 with respect to applications/petitions for Special permits filed with Regional Offices shall stay and remain valid.

This Memorandum Circular shall take effect fifteen (15) days after the filing of three (3) copies hereof with the U.P. Law Center, in accordance with Presidential Memorandum Circular No. 11 dated October 9, 1992.

Quezon City, 8 July 1997


DANTE M. LANTIN
Chairman


LYDIO J. CATALUNA
Board Member


SAMUEL JULIUS B. GARCIA
Board Member