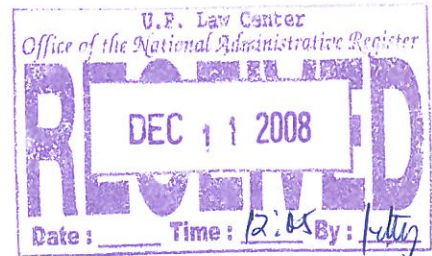




Republic of the Philippines
Department of Transportation and Communications
LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD
East Avenue, Quezon City

MEMORANDUM CIRCULAR
NUMBER 2008- 033



Subject: PROHIBITION ON THE USE OF UNAUTHORIZED TRADE NAME AND REQUIRING MANDATORY INSPECTION OF PROPOSED UNITS TO BE AUTHORIZED

It has been observed by this Board that sufficient number of authorized units, particularly of Public Utility Buses (PUBs) and Taxi Services have been operating under trade/ business name not authorized to the holder/grantee of Certificate of Public Convenience creating confusion to the riding public.

There are likewise public utility vehicles using trade name under “operated by” notice without approval and consent of the Board

In order to rectify the same, this Board resolves to mandate all applicants of new franchises, and those who have filed all forms of applications/petitions involving dropping and substitution of units or registration in lieu of, to subject the units proposed to be authorized as for hire for actual inspection prior to confirmation, to be conducted by personnel of the Legal Division. Otherwise, confirmation of the units shall be disallowed.

The use of trade/business name under “operated by” notice is not allowed.

Likewise, the Land Transportation Office is directed not to register all units, whose trade/business name is/are different or not authorized from the holder/grantee of franchise starting January 1, 2009. Those who/which have no business/trade name are given until December 31, 2008 to apply for approval of the same by this Board. Public Utility operators with authorized units bearing unauthorized trade or under “operated by” notice are likewise ordered to make the necessary corrections of their trade names



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All applicants/vendees or those who/which have bought Certificates of Public Convenience are not allowed to use their trade/business name until and unless application for approval of sale and transfer has been approved by this Board.

Failure to comply with this Memorandum Circular shall be subject to the following scale of penalties:

1 st Offense	-	PhP3,000.00
2 nd Offense	-	PhP5,000.00
3 rd Offense	-	Suspension of thirty (30) days of CPC
4 th Offense	-	Cancellation of CPC

All issuances inconsistent herewith are hereby superseded and amended accordingly.

This Memorandum Circular shall take effect immediately.

DEC 09 2008



GERARDO A. PINILI
Board Member



THOMPSON C. LANTION
Chairman



MA. ELLEN DIRIGE-CABATU
Board Member