



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

MEMORANDUM CIRCULAR
NUMBER 2017-027

Subject: IMPLEMENTING GUIDELINES FOR GARAGES UNDER DEPARTMENT ORDER NO. 2017-011, OTHERWISE KNOWN AS THE OMNIBUS FRANCHISING GUIDELINES

WHEREAS, the Department of Transportation (“DOTr”) issued Department Order No. 011, series of 2017, otherwise known as the Omnibus Guidelines on the Planning and Identification of Public Road Transportation Services and Franchise Issuance or Omnibus Franchising Guidelines (“OFG”), which aims to provide a reliable, safe, adequate, accessible, environment-friendly, dependable, efficient, and comfortable public road transportation throughout the country;

WHEREAS, the Land Transportation Franchising and Regulatory Board (“LTFRB” and/or “Board”), a sectoral agency of the DOTr, is tasked to implement the OFG;

WHEREAS, under Section 16 of Commonwealth Act No. 146 or The Public Service Law, any public service may be compelled “to furnish safe, adequate, and proper service as regards the manner of furnishing the same as well as the maintenance of the necessary material and equipment” and required “to establish, construct, maintain, and operate any reasonable extension of its existing facilities”;

WHEREAS, Section 5 of Executive Order No. 202 mandates the LTFRB “to prescribe and regulate routes of service, economically viable capacities and zones or areas of operation of public land transportation services provided by motorized vehicles in accordance with the public land transportation development plans and programs approved by the Department of Transportation and Communications”, “to formulate, promulgate, administer, implement and enforce rules and regulations on land transportation public utilities, standards of measurements and/or design, and rules and regulations requiring operators of any public land transportation service to equip, install and provide in their utilities and in their stations such devices, equipment facilities and operating procedures and techniques as may promote safety, protection, comfort and convenience to persons and property in their charges as well as the safety of persons and property within their areas of operations”, and “to perform such other functions and duties as may be provided by law, or as may be necessary, or proper or incidental to the purposes and objectives of this Executive Order”;

WHEREAS, the following Implementing Guidelines for Garages are hereby promulgated:
A “garage”, as defined in the OFG, refers to “an off-street area where public utility vehicles are stored or parked while not in operation and where repair or maintenance works are done”;

I. PRINCIPLES

1. Pursuant to Subsections 2.2.1 to 2.2.9 of the OFG, operators of Public Utility Vehicles (“PUVs”) are required to provide their respective garages.
2. Proof of the required garage’s availability shall be a condition precedent in the issuance of PUV franchises.
3. Garages must be located at the outskirts of city centers and/or business centers.

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4. Franchises of units which cannot be accommodated in the designated garages shall be cancelled.

II. STANDARD GARAGE REQUIREMENTS

All PUV operators must adhere to the following minimum standards for garages:

1. Proof of ownership or right of possession (e.g, TCTs, Tax Declarations, Lease Contracts, Authority to Use) which coincides with the validity of the PUV franchise;
2. Sufficient parking space for all units including the maneuvering area, plus additional space of at least thirty percent (30%) of the total PUV space requirement for other facilities herein required.
3. The minimum additional 30% space requirement above-stated shall consist of the maintenance bay, check-up bay, refueling and/or clearing bays, rest rooms, and waiting and resting area.
4. Dispatching and/or schedule of regular trips available to the riding public;
5. Well-equipped with the necessary maintenance facilities, including, but not limited to, the following:
 - a. Adequate repair and maintenance tools;
 - b. Adequate spare parts, lubricants, and supply; and
 - c. Reserve tires equivalent to one (1) tire for every two (2) units;
6. Availability of at least one (1) mechanic and one (1) helper for every ten (10) units;
7. Adequate CCTV cameras and/or monitors which must be: a) continuously recording the last seventy-two (72) hours of operation; and b) positioned to capture video of (1) all entry and exit points, (2) the PUV parking area, and (3) the conduct of the daily vehicle safety inspection;
8. Well-maintained rest rooms, separate for male and female;
9. Waiting and resting area for drivers and/or conductors; and
10. Presence of adequate number of Transport Safety Officers, the minimum of which is at least one (1) transport safety officer for forty (40) PUVs.
11. The operator may utilize multiple garages provided that such garages are under common fleet management system, provided further that each of these garages could accommodate at least three (3) units and with individual zoning clearances, provided furthermore that such garages complies with Section II, Paragraph 2 of this MC.

III. COMPLIANCE

The Regional Franchising Regulatory Office ("RFRO") concerned shall conduct surprise inspections of the garages within their respective jurisdictions at least once a year and submit an annual report thereon to the Board. Operators with garages found to be non-compliant with the above-mentioned requirements shall be subjected to disciplinary sanctions and/or penalties, as follows:

1. First Offense – the RFRO to issue a reprimand with Notice to Comply within sixty (60) days from receipt;
2. Second Offense – suspension of the CPC until the requirements are met; and

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3. Third Offense - cancellation of the CPC.

IV. REPEALING CLAUSE

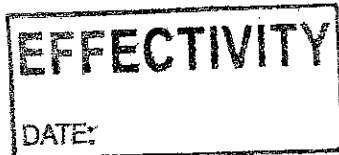
All other issuances inconsistent herewith are deemed modified or superseded accordingly

V. EFFECTIVITY

This Memorandum Circular shall take effect immediately following its publication in at least one (1) newspaper of general circulation. Let three (3) copies hereof be filed with the UP Law Center pursuant to Presidential Memorandum Circular No. 11, dated 09 October 1992.

SO ORDERED.

Quezon City, Philippines, 01 DEC 2017.



Martin B. Delgra III
ATTY. MARTIN B. DELGRA III
Chairman



Ronaldo E. Corpus
ENGR. RONALDO E. CORPUS
Board Member

Aileen Lourdes A. Lizada
ATTY. AILEEN LOURDES A. LIZADA
Board Member

Attested by:

Carl Sha Jemimah F. Marbella
ATTY. CARL SHA JEMIMAH F. MARBELLA
OIC, Executive Director