



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

MEMORANDUM CIRCULAR
NUMBER 20A-028

Subject: GUIDELINES ON THE RESPONSIBILITIES AND SELECTION OF TRANSPORT SAFETY OFFICERS 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, 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 Guidelines on the Responsibilities and Selection of Transport Safety Officers ("TSOs") are hereby promulgated:

I. REQUIREMENT FOR TRANSPORT SAFETY OFFICER

1. Within three (3) years from the effectivity of the OFG, all franchise holders of road-based public transport shall be required to comply with the provisions of Sections 5.1.1 and 5.1.2 on Safety Requirements, which oblige each transport operator to have at least one (1) Full-time Transport Safety Officer ("FTSO") for forty (40) Public Utility Vehicles ("PUVs").
2. The FTSO shall have the following responsibilities:
 - a. conduct daily inspection of drivers' fitness to drive, sobriety, and uniform;
 - b. conduct daily inspection of the PUVs' road-worthiness before dispatch;
 - c. issue the daily Safety Clearance of drivers and vehicles that pass the safety inspection;
 - d. prepare the daily Safety Inspection Report on each driver and dispatched vehicle, as well as those that fail the daily inspection process;

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- e. submit electronically to the LTFRB a daily Safety Inspection Report at the close of each day of PUV operation, and a monthly summary report within five (5) calendar days after the close of every month; and
 - f. conduct regular training/seminars/orientation briefings on road safety matters for drivers and other employees of the transport operator and for members of the local community (Local Government Units, law enforcers, schools, civic organizations, private sector, etc. in the barangay, city or municipality where the transport organization is registered).
3. The FTSO is required to be a regular employee of the transport operator with at least forty (40) hours of work every week.
 4. In line with item 2 (f) above, the FTSO, as part of his/her regular duties, is required every year to offer a minimum of twenty (20) hours of training/seminars/orientation briefings on safety matters for drivers/staff/new employees of the transport operator, plus a minimum of twenty (20) hours of briefings/seminars for members of the local community.
 5. Prior to the date of mandatory compliance, FTSOs are required to register at the relevant LTFRB-Regional Franchising Regulatory Office ("LTFRB-RFRO") and to furnish at that time the documentation of the FTSO's eligibility, as specified in Section II below.
 6. In addition to the FTSO, one (1) or more Alternate Transport Safety Officers ("ATSOs") may be employed by the transport operator to serve as temporary replacements of the FTSO and to perform all functions of the FTSO during periods when the FTSO is absent or incapacitated or when the FTSO position is vacant. The ATSOs are not required to be working full-time as Transport Safety Officers (they may perform, in parallel, other duties and functions within the transport organization). However, ATSOs may only be employed after undergoing the same training, certification, and registration process as FTSOs.
 7. Beyond the mandatory compliance date, no PUV and no PUV driver shall be permitted to transport passengers unless issued the daily Safety Clearance by a qualified FTSO or ATSO.
 8. Beyond the mandatory compliance date, a transport operator will be permitted to operate without a FTSO for up to three (3) consecutive months. If a FTSO is not present in the transport organization for more than three (3) consecutive months, the operator's franchise shall be immediately suspended, and shall not be re-activated by the Board until such time as a FTSO is appointed, registered with the LTFRB, and on duty.
 9. Further instructions shall be issued by the LTFRB regarding (a) the checklist and procedure for the daily safety inspection; (b) the format of the daily safety inspection report; and (c) the format of the monthly summary report.

II. SELECTION OF TRANSPORT SAFETY OFFICERS (TSO)

1. The positions of FTSO or ATSO must possess the following minimum qualifications:
 - a. High school graduate;
 - b. Completed the DOLE-approved TSO course; and
 - c. Received the TESDA Certification for Transport Safety Officer.
2. In selecting persons for the TSO positions, it is important to give preference to individuals who are: (a) passionate about improving road safety and in reducing the incidence of accidents in the community; (b) willing to advocate for improved road safety and accident prevention with stakeholders in the community and the general public; and

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(c) have formal or informal experience in serving as a teacher, coach or trainer, involved in the transfer of skills or knowledge.

3. In the selection of TSOs, preference shall be accorded to individuals who are currently employed in the road-based public transport industry as operator, driver, or allied worker, or were employed in the industry for any period during the preceding two (2) years.

III. TRAINING AND CERTIFICATION OF TRANSPORT SAFETY OFFICERS

1. The LTFRB/DOTr shall work closely with DOLE and TESDA so that TSO training and certification facilities shall be available nationwide at the earliest possible time.
2. In the identification of participants for any TSO course, preference shall be accorded to individuals who are currently employed in the road-based public transport industry as operator, driver, or allied worker, or were employed in the industry for any period during the preceding two (2) years.

IV. REPEALING CLAUSE

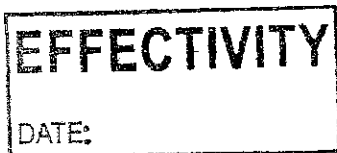
All other issuances inconsistent herewith are deemed modified or superseded accordingly.

V. EFFECTIVITY

This Memorandum Circular shall take effect immediately following its publication in at least one 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.




ATTY. MARTIN B. DELGRA III
Chairman




ENGR. RONALDO E. CORPUS
Board Member


ATTY. AILEEN LOURDES A. LIZADA
Board Member

Attested by:


ATTY. CARL SHA JEMIMAH F. MARBELLA
OIC, Executive Director