



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

BOARD RESOLUTION NO. 190
Series of 2020

WHEREAS, the Land Transportation Franchising and Regulatory Board (LTFRB) was created by Executive Order No. 202 on June 19, 1987, as administrative agency with quasi-judicial powers, and is the existing franchising and regulatory body for land transportation today;

WHEREAS, as a regulatory body, the Board has been receiving complaints against holders of Certificates of Public Convenience for violations of their terms and conditions, existing issuances of this Board, and CA 146, otherwise known as Public Service Act, as Amended;

WHEREAS, under Sec. 28 of Public Service Act, *“Violations of the orders, decisions, and regulations of the Commission and of the terms and conditions of any certificate issued by the Commission shall prescribe after sixty (60) days, and violations of the provisions of this Act shall prescribe after one hundred and eighty (180) days.”*

WHEREAS, substantial number of complaints received were for violations of terms and conditions of CPC or existing issuances of this Board which have imposable penalty ranging from stern warning to imposition of fine for first offense;

WHEREAS, due to unavoidable circumstances such as severance of the Hearing Officer from the Board handling the case, change in the composition of the Board, and logistical issues, among others, there were complaints filed and heard from 2015 to 2018 which to date remain undisposed of;

WHEREAS, taking into account the existing national health emergency with the public transport sector identified as one of the most affected thereof as a result of the suspension of operations for several months and reduced passenger capacity upon resumption of operations thereby reducing revenues for the operators, the Board deems it necessary to provide some humanitarian consideration in the disposition of complaints involving the terms and conditions of CPC;

NOW THEREFORE, the Board resolves to consider all complaints filed and heard from years 2015 to 2018 for violation of terms and conditions of CPC, which are pending resolution, to be **CLOSED AND TERMINATED** subject to following conditions:

1. Complaints covered herein should have no imposable penalty of either suspension or cancellation of CPC.
2. Complaints involving accidents resulting in death or serious physical injuries are not covered herein.
3. Holders of CPC complained of are **STERNLY WARNED** to strictly comply with the terms and conditions of its CPC. Subsequently complaint against the operator shall be dealt with severely by the Board.

To expedite the disposition of said Complaints, the Board **DIRECTS** the handling Hearing Officer to issue and sign the corresponding Orders of said Complaints covered herein on behalf and by authority of the Board. All assigned Hearing Officers shall submit an Accomplishment Report within one (1) month from date hereof.

SO ORDERED.


OCT 06 2020

**Adopted and Approved Through Teleconference
on the 6th of October 2020, Quezon City, Philippines**


ATTY. MARTIN B. DELGRA III
Chairman




ENGR. RONALDO F. CORPUS
Board Member


P/COL. JOEL C. PERNITO (Ret.)
Board Member

Attested by:


Col. RENWICK K. RUTAQUIO (Ret.)
OIC-Executive Director