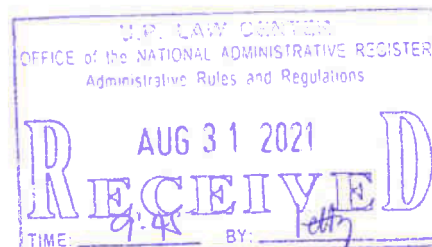




Republic of the Philippines
Department of Transportation

LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD

East Avenue, Quezon City



MEMORANDUM CIRCULAR

NO. 2621 -052

SUBJECT: 3rd EXTENSION OF THE EFFECTIVITY OF MEMORANDUM CIRCULAR NO. 2020-039 RE: INTERIM GUIDELINES EXEMPTING LEASED VEHICLES FROM SECURING CPC FOR THE DURATION OF GCQ AND MGCQ UNTIL DECEMBER 31, 2021

WHEREAS, in view of the declaration of State of National Health Emergency on 8 March 2020, placing the entire Philippines under community quarantine due to COVID-19 pandemic, Memorandum Circular No. 2020-039 otherwise known as the “Interim Guidelines Exempting Leased Vehicles from Securing CPC for the Duration of GCQ and MGCQ” was issued primarily to address the safe movement of workers or employees in going to and from their work station or office with the end view of avoiding further spread of COVID-19;

WHEREAS, amidst the pandemic, the IATF had issued Resolution encouraging business establishments to provide shuttle service for their employees necessary for the convenience and safe movement of their employees, and at the same time, preventing the risk of spread of Covid-19 virus;

WHEREAS, on 18 May 2021, the Board issued Memorandum Circular No. 2021-032 extending the effectivity of MC No. 2020-039 until 31 August 2021 in addressing the demand for smaller (Vans) Shuttle Service vehicles by Companies and Business establishments for the convenient and safe movement of their workers and employees to and from their workplace in light of the presence of threat of the Covid-19 virus;

WHEREAS, in a letter dated 10 August 2021 addressed to the LTFRB, the Philippine General Hospital, thru its Director, Gerardo D. Legaspi, has expressed its support to the appeal of its transportation providers for the extension of LTFRB Memorandum Circular No. 2021-032 amid the surge of the new Delta Variant that is highly transmissible, which will prevent PGH employees from the risk of exposure and infection of the virus, including the general public whom they serve;

WHEREAS, prompted by the clamor of the public due to the alarming number of Covid-19 cases brought by the new variant of Covid-19 virus that quickly spread nationwide, Companies and business owners are still compelled to continue to engage and hire shuttle services for their workers and employees;

WHEREAS, for the safety and convenience of workers and employees, and in preventing the spread of the Covid-19 virus, the Board deems it necessary to allow companies and business owners to continue to engage the services of shuttle vehicles in the midst of this pandemic crisis;

NOW THEREFORE, for and in consideration of the foregoing, and virtue of the powers of the Land Transportation Franchising and Regulatory Board (LTFRB) under E.O. No. 202 to promulgate, administer, enforce of and monitor compliance with the policies, laws and regulations relative to public land transportation services, the effectivity of Memorandum Circular No. 2020-039 is further **EXTENDED** until **31 DECEMBER 2021**, and **STRICTLY REITERATES** the following conditions:

1. Vehicles must be the subject of a Valid Contract of Lease between the Shuttle Service provider as the “Lessor” and the company/government agency requiring such shuttle service for their employees as the “Lessee” for only a period of until 31 December 2021, and said contract must at all times be readily available for presentation during

- on-road operations or as the Board deems necessary. The Contract of Lease must expressly state the purpose, which is “Strictly for Shuttle Service of Employees.
2. Vehicles must be currently registered and covered by a valid comprehensive passenger insurance policy;
 3. Vehicles subject of the lease contract shall bear the proper markings of the company that it is servicing, for identification.
 4. Vehicles covered in this MC must be used strictly used as shuttle service for the employees/workers of the lessee-company.

Should the vehicle owner/driver collect individual fare from the passengers (“ulo-ulo” system), it shall be construed as a violation of this Circular and shall be considered as “colorum” operation where appropriate penalties and consequent impoundment of vehicle shall be imposed. Further, violation of any of the above-mentioned conditions is a prima facie proof that the vehicle is used for “colorum” operation.

All issuances inconsistent herewith are hereby deemed superseded and amended accordingly.

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 – Office of National Administrative Registrar (ONAR).

SO ORDERED.

APPROVED AND ADOPTED THROUGH TELECONFERENCE
on August 20, 2021, Quezon City, Philippines

EFFECTIVITY
DATE: 26 AUG 2021


ATTY. MARTIN B. DELGRA III
Chairman




PCol. JOEL C. PERNITO (Ret.)
Board Member

Attested by:


JOEL J. BOLANO
Chief, Technical Division
OIC, Office of the Executive Director
(By virtue of Special Order No. 2021-051 dated 25 March 2021)

Wednesday, 25 August 2021
Daily Tribune



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

MEMORANDUM CIRCULAR
NO. 2021-032

SUBJECT: 3rd EXTENSION OF THE EFFECTIVITY OF MEMORANDUM CIRCULAR NO. 2020-039 RE: INTERIM GUIDELINES EXEMPTING LEASED VEHICLES FROM SECURING CPC FOR THE DURATION OF GCQ AND MGCQ UNTIL DECEMBER 31, 2021

WHEREAS, in view of the declaration of State of National Health Emergency on 8 March 2020, placing the entire Philippines under community quarantine due to COVID-19 pandemic, Memorandum Circular No. 2020-039 otherwise known as the "Interim Guidelines Exempting Leased Vehicles from Securing CPC for the Duration of GCQ and MGCQ" was issued primarily to address the safe movement of workers or employees in going to and from their work station or office with the end view of avoiding further spread of COVID-19;

WHEREAS, amidst the pandemic, the IATF had issued Resolution encouraging business establishments to provide shuttle service for their employees necessary for the convenience and safe movement of their employees, and at the same time, preventing the risk of spread of Covid-19 virus;

WHEREAS, on 18 May 2021, the Board issued Memorandum Circular No. 2021-032 extending the effectivity of MC No. 2020-039 until 31 August 2021 in addressing the demand for smaller (Van) Shuttle Service vehicles by Companies and Business establishments for the convenient and safe movement of their workers and employees to and from their workplace in light of the presence of threat of the Covid-19 virus;

WHEREAS, in a letter dated 10 August 2021 addressed to the LTFRB, the Philippine General Hospital, thru its Director, Gerardo D. Legasa, has expressed its support to the appeal of its transportation providers for the extension of LTFRB Memorandum Circular No. 2021-032 amid the surge of the new Delta Variant that is highly transmissible, which will prevent PGH employees from the risk of exposure and infection of the virus, including the general public whom they serve;

WHEREAS, prompted by the clamor of the public due to the alarming number of Covid-19 cases brought by the new variant of Covid-19 virus that quickly spread nationwide, Companies and business owners are still compelled to continue to engage and hire shuttle services for their workers and employees;

WHEREAS, for the safety and convenience of workers and employees, and in preventing the spread of the Covid-19 virus, the Board deems it necessary to allow companies and business owners to continue to engage the services of shuttle vehicles in the midst of this pandemic crisis;

NOW THEREFORE, for and in consideration of the foregoing, and virtue of the powers of the Land Transportation Franchising and Regulatory Board (LTFRB) under E.O. No. 202 to promulgate, administer, enforce of and monitor compliance with the policies, laws and regulations relative to public land transportation services, the effectivity of Memorandum Circular No. 2020-039 is further EXTENDED until 31 DECEMBER 2021, and STRICTLY REITERATES the following conditions:

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2. Vehicles must be currently registered and covered by a valid comprehensive passenger insurance policy;
3. Vehicles subject of the lease contract shall bear the proper markings of the company that it is servicing, for identification;
4. Vehicles covered in this MC must be used strictly used as shuttle service for the employees/workers of the lessee-company.

Should the vehicle owner/driver collect individual fare from the passengers ("ulo-ulo" system), it shall be construed as a violation of this Circular and shall be considered as "colorum" operation where appropriate penalties and consequent impoundment of vehicle shall be imposed. Further, violation of any of the above-mentioned conditions is a prima facie proof that the vehicle is used for "colorum" operation.

All instances inconsistent herewith are hereby deemed superseded and amended accordingly.

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 - Office of National Administrative Registrar (ONAR).

SO ORDERED.

APPROVED AND ADOPTED THROUGH TELECONFERENCE
on August 10, 2021, Quezon City, Philippines

ATTY. MARTIN B. DELGRA III
Chairman

PCol. JOEL G. PERNITO (Ret.)
Board Member

Attested by:

JOEL T. ROLANO
Chief Technical Division
OIC, Office of the Executive Director
(By virtue of Special Order No. 2021-051 dated 25 March 2021)