



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

MEMORANDUM CIRCULAR
NUMBER 2022- 028

SUBJECT : SETTING THE APPLICABLE PASSENGER CAPACITY IN PUBLIC UTILITY VEHICLES (PUVs) UNDER ALERT LEVEL 1

WHEREAS, President Rodrigo Roa Duterte signed Proclamation No. 922 entitled “Declaring a State of Public Health Emergency Throughout the Philippines” on 8 March 2020 in view of the reported COVID-19 cases in the country;

WHEREAS, the Covid-19 infection rate in the Philippines has substantially declined as a result of the unceasing vaccination drive of the government across the country, as the economy is gradually opening and recovering;

WHEREAS, pursuant to the recommendation of the Department of Transportation (DOTr) to the Inter-Agency Task Force (IATF), the latter issued Resolution No. 146, series of 2021 dated 28 October 2021 granting the increase in passenger capacity at seventy percent (70%), thus the Board consequently issued Memorandum Circular No. 2021-064 increasing the passenger capacity in PUVs operating in the National Capital Region (NCR) and nearby provinces included in the Metro Manila Urban Transportation Integration Study (MMUTIS) Update and Capacity Enhancement Project (MUCEP) to seventy percent (70%);

WHEREAS, on 27 February 2022, the IATF, through Resolution No. 163-A, series of 2022, has approved the guidelines on the nationwide implementation of the Alert Level System for COVID-19 response, and in placing the NCR and thirty eight (38) other areas under Alert Level 1 from March 1 to 15, 2022, it further declared that public transportation in areas under Alert Level 1 shall be at full seating capacity;

WHEREAS, the DOTr, on 28 February 2022, has issued a Memorandum reminding the Land Transportation Franchising and Regulatory Board (LTFRB) to issue the necessary Memorandum Circular outlining the amended guidelines relative to the increased passenger capacity in road-based public transportation and the implementation of minimum health protocols and measures to curb the spread of COVID-19 virus;

NOW THEREFORE, for and in consideration of the foregoing, the Board hereby adopts the following guidelines in road-based transportation services, to wit:

1. For National Capital Region (NCR) and other areas placed under **ALERT LEVEL 1**, the passenger capacity is hereby increased from seventy percent (70%) to **ONE HUNDRED PERCENT (100%)/ FULL SEATING CAPACITY**;
2. For all other areas not included in the Alert Level 1, the passenger capacity is hereby set at seventy percent (70%), subject to the strict compliance with the applicable IATF-EID and DOH health protocols;

3. For Intrazonal and Interzonal travels involving public land transportation services between an area with a higher alert level classification and an area under Alert Level 1, the passenger capacity shall be that which has the lower passenger capacity rate between the point of origin and point of destination.
4. Complete removal of acrylic and/or plastic barriers to improve airflow and accommodate full passenger capacity.
5. Passengers, drivers, and conductors shall strictly observe the mandatory and proper use of well-fitted face masks, and the applicable IATF-EID and DOH health protocols, including compliance to sanitary standards in terminals pursuant to Republic Act No. 11311.

Failure to comply with any of the provisions of this MC shall be considered as a violation of the terms and conditions of their CPC and appropriate penalties shall be imposed against the operator, in accordance with the provisions of Joint Administrative Order No. 2014-01, without prejudice to the filing of appropriate charges as may be determined and filed by other enforcement agencies.

For violation/s committed by the drivers of PUVs, the Board may recommend to the Land Transportation Office (LTO) for the suspension of their Driver's License, also without prejudice to the filing of appropriate charges against the said driver, as may be determined and filed by other enforcement agencies.

All issuances inconsistent herewith are hereby 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 28 February 2022, Quezon City, Philippines**


ATTY. MARTIN B. DELGRA III, REB REA EnP
Chairman




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


ENGR. SHERWIN MYLIL S. BEGYAN
Board Member

Attested by:


MARIA KRISTINA E. CASSION
Executive Director