



Republic of the Philippines
 Department of Transportation & Communications
LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD
 East Avenue, Quezon City
 Tel. Nos. 922-9061 to 66

MEMORANDUM CIRCULAR
 Number 91-004

SUBJECT : REGISTRATION OF UNITS

One of the conditions in the CPC issued by the Board, operators are required to register the authorized units within thirty (30) days from receipt of the decision.

However, the Board has observed that several operators have failed to register their units within the prescribed period to the detriment of public service as CPCs are granted on the basis of the existence of public need at the time of the grant.

In the interest of public service, the Board hereby sets a policy that failure to register unit/s within thirty (30) days from receipt of the decision as required therein shall cause the automatic cancellation of the whole CPC if all authorized units were not registered, or a portion of the CPC pertaining to the unregistered units, unless a verified petition is filed before the Board prior to the date of expiration, but in no case shall registration of units be extended more than once with a duration of thirty (30) days.

This Order takes effect immediately and supersedes all existing Memorandum Circulars or Board rules or regulations which are inconsistent with the same.

Quezon City, 25 January 1991.

RA Salazar-Fernando
 REMEDIOS A. SALAZAR-FERNANDO
 Chairman

Dante M. Lantin
 DANTE M. LANTIN
 Board Member

Nabor C. Gaviola
 NABOR C. GAVIOLA
 Board Member

LSS/asv

*Acceptance if signed since period +
 Subject to penalty if the same unit - Refer to
 penalty of P150/month - since since
 period +*



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**IMPLEMENTING GUIDELINES
(MEMORANDUM CIRCULAR NO. 91-004)**

For an orderly and uniform implementation of Memorandum Circular No. 91-004, dated 25 January 1991, requiring all units which have been authorized by this Board to operate as public utility vehicles to be registered with the Land Transportation Office (LTO) within a specific period of time, the following guidelines are hereby prescribed for the guidance and compliance of all concerned::

1. New applications for certificates of public convenience (CPC) filed after 25 January 1991 shall be covered, without exceptions, by MC No. 91-004.
 - a. The concerned units must be registered as "For Hire" within thirty (30) days from receipt of the decision/order.
 - b. For the purpose of determining the date of receipt of the decision/order, the actual date when the applicant/operator or his/her counsel receives the Board's decision/order from the Releasing Section of the Management Information Division, this Board, or the Records Section of the concerned Regional Office, shall be deemed as the start of the period within which the unit(s) must be registered.
 - c. For control purposes, no decision/order shall be furnished the operator or counsel by mail. Only a notice informing that the decision/order is ready for release shall be mailed to the concerned party ^(registered mail) ~~personally~~ *as already as is necessary.*
 - d. A copy/copies of the decision/order may be mailed to any of the other concerned parties only after a copy has been personally claimed/received either by the applicant/operator or his/her counsel from the Releasing Section.
 - e. For guidance of the LTO, the Releasing Section shall stamp on the Decision, upon its receipt by the concerned party(ies), the following: "Valid for registration up to (date) ".

f. For those who cannot comply with Section 1-A of these Guidelines, Petitions for Extension to Register must be filed with the Board before the expiration of the thirty (30) day reglamentary period, after which date the Board shall issue motu proprio an Order cancelling the CPC or pertinent portion(s) thereof.

2. Exemptions from MC. No. 91-004 may granted to the operator(s) for the unit(s) filed and approved under pro-forma basis, provided the same had been filed and approved before the effectivity date of MC No. 91-004 and, provided further, that a petition for extension of registration is properly filed with the Board.

a. Late registration may be allowed for those imported or brand new locally processed units that have just arrived or delivered, subject to appropriate penalties.

b. Units delivered and ready for registration but different from the ones reflected in the original pro-forma invoice and the decision/order may be accepted for registration in lieu of the latter, subject to appropriate penalties, provided the units to be used for substitution purposes are similar and/or comparable to the units originally being applied for. Thus, brand new or imported units can be replaced only by equally brand new or imported units. In no instance can a locally-processed second-hand unit be used to substitute a brand new unit, an imported unit, or another locally-processed second-hand vehicle.

3. The CPC or the pertinent portion(s) thereof authorizing the unit(s) which is/are not registered as "For Hire" within the reglamentary period shall be deemed automatically cancelled, without prejudice to the filing of a new CPC application therefor.

In light thereof and so that the Board shall not take action aimed at cancelling the CPC, all concerned operators shall

advise the Board in writing, including the submission of a xerox copy of the Official Receipt thereof, that the unit(s) have been registered as "For Hire".

5. The Management Information Division, this Board, shall submit an up-dated list of all operators and units covered by MC No. 91-004 and shall submit the same, on a monthly basis, to the Board. The list for a given month must be submitted to the Office of Board Member Dante M. Lantin, through the Office of the Chairman, on or before the 5th of the succeeding month, for information and appropriate action.

All Regional Offices shall also monitor the implementation of MC No. 91-004 within their respective jurisdiction and submit to the Board a monthly report thereof.

All previous memorandums, order and/or other issuances of the Board or any portion(s) thereof which are in conflict or inconsistent with this are hereby repealed or modified accordingly.

Quezon City, 04 March 1991.

REMEDIOS A. SALAZAR-FERNANDO
Chairman

DANTE M. LANTIN
Board Member

NABOR C. GAVIOLA
Board Member

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