

**[LTFRB MEMORANDUM CIRCULAR NO. 2011-004,
May 25, 2011]**

**2011 REVISED TERMS AND CONDITIONS OF CPC AND
PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

For proper observance of all holders of Certificates of Public Convenience to Operate Public Land Transportation Services, and their drivers to obey, follow and observe orders, rules and regulations of the Land Transportation Franchising and Regulatory Board, which by express terms, are incorporated into and form an integral part of every Certificate of Public Convenience granted to every public utility engaged in operating land transportation services, and in response to the public demand for effective enforcement and strict observance of franchise related matters by the Board, **the following enumerated comprehensive terms and conditions shall now form part of every decision/CPC to be issued by this Board:**

1. The PUV operator shall ensure that the commuting public has adequate, safe, convenient, environment-friendly and dependable public land transportation services at reasonable rates through the strict implementation of land-based transportation policies, programs, and projects responsive to an investment-led and demand-driven industry, and in adherence to the provisions of the Clean Air Act and other related environmental laws.
2. The PUV operator shall prohibit smoking or the act of carrying lighted cigarette or other tobacco products within the terminal/garage or inside all PUVs and shall cause the prominent display of the "No Smoking" signs within the premises of the terminal/ garage and inside all PUVs.
3. The PUV operator shall not resort to cessation of service as a sign or demonstration of protest against any government decision or action under pain of suspension or cancellation of the authority to operate granted by the Board nor shall the PUV operator tolerate, allow or authorize personnel to join others committing acts prejudicial to the riding public, including, but not limited to, paralyzing transport services by intimidation, coercion or violence.
4. The PUV operator shall give his/her/its customers or users, all information and assistance pertaining to his services in order that they may secure proper, efficient and economical service.
5. It shall be unlawful for any PUV operator to give undue preferences or make unjust discrimination in his/her/its service.

6. Except for PUJs, the PUV operator shall adopt a commercial, trade or business name duly issued by any authorized government agency subject to the approval of the Board.
7. Should the PUV operator decide to adopt its own trade/company design, color scheme or combination of colors distinct from what is required by the Board such as in the case of (but not limited to) unit markings, uniforms and the like, the same should be subject to prior approval of the Board.
8. The installation of transit advertising materials and other types of markings on public utility vehicles shall be subject to the prior approval of the Board.
9. It shall be unlawful for any PUV operator to cause, allow or in any other manner help or consent to the registration in his/her/its name, fictitiously, surreptitiously or otherwise any equipment belonging to another person and/or to cause allow or in any other manner help or consent to the operation of the same or of any other equipment, under his/her/its Certificate of Public Convenience.
10. The PUV operator shall charge the passenger and freight rates as authorized by the Board. In no case shall fares lower or higher than those authorized to be charged without previous authority from the Board. The PUV operator shall post a copy of the Fare Matrix in a conspicuous place at his/her/its office, terminal or waiting stations, and in the interior of each motor vehicle which is in actual service.
11. Children less than 1 meter in height shall be transported free of charge and those from 1 to 1.30 meters in height shall pay half fare. PUV operators shall provide in an adequate place in their motor vehicles the necessary markings for verifying the heights of the children passengers who are entitled to free or half fare.
12. The PUV operators shall grant fare discounts as prescribed by law, policies, rules and regulations to Senior Citizens and Persons with Disability.
13. The PUV operator shall grant fare discounts to Students **during school days** and shall cover only those currently enrolled in Pre-school, Elementary, Secondary and collegiate schools, including academic, vocational or technical schools duly recognized by the Government, EXCEPT: those of dancing and driving schools, short term courses of seminar type, and Post-graduate studies (those taking up medicine, law, masteral, doctoral degrees and the like).
14. The PUV operator shall not deprive passengers granted fare privileges and discounted fares with appropriate seats.
15. The PUV operator shall display the International Symbol of Accessibility in their units and shall designate seats in all their units

specifically for the use of Persons with Disabilities as follows:

For PUBs

- Regular buses shall have at least five (5) designated seats for PWDs near entrance doors.
- Airconditioned buses shall have at least four (4) designated seats for PWDs near entrance doors.
- For regular and airconditioned city buses, other passengers may use those designated seats if not occupied but shall yield them to incoming PWDs whenever the occasion arises.
- For provincial buses, other passengers may use those designated seats if no PWDs shall occupy these seats at the start of the trip.
- Owners or operators of PUBs operating in highly urbanized cities shall install in their units audio-visual aids such as buzzers, bells, flashing lights to inform the driver of any alighting passenger.

For PUJs

- Owners of PUJs shall provide at least two (2) seats, at the convenience of the PWD, for the use of PWDs in their units.
- Other passengers may use those designated seats if not occupied but shall yield them to incoming PWDs whenever the occasion arises.

For Bus Terminals and Stations

- Widen doors/access to comfort rooms to be able to allow the entry of wheelchairs
- Provide ramps for easy access by wheelchairs to the waiting lounges; and
- Mark a bench or space for the use of PWDs in waiting lounges. This may be used by others if there are no PWDs using it.

It shall be considered discrimination for PUV operators and their drivers/personnel to charge higher fare or to refuse to convey a PWD, his orthopedic devices, personal effects, and merchandise by reason of his disability.

16. The PUV operator shall operate the unit/s authorized and registered pursuant to the authority granted only on the route authorized in

the Certificate of Public Conveyance unless otherwise authorized by the Board.

17. The PUV operator shall not allow any motor vehicle belonging to others to be registered and/or operated under the certificate of public convenience granted.
18. The PUV operator shall not allow any illegal transfer of motor vehicle plate/s or illegally reproduce the same (known as "kambal plaka") for the use by unauthorized motor vehicle units.
19. The PUV operator shall not allow the illegal use or transfer of chassis or engine motor (known as "pukpok chassis") for the use of unauthorized PUVs.
20. No PUV operator shall accept or carry in his/her/its motor vehicle passengers in excess of the capacity fixed by the Board.
21. Every passenger is entitled to a free carriage of 10 kilograms of baggage and shall pay the corresponding freightage for excess weight.
22. When the PUV operator's unit/s carry both passengers and freight, the freight shall be placed in a separate compartment, except packages or bundles the size of which will allow placement under the seats without causing inconvenience to, and compromising the safety of, the other passengers.
23. In case freight is carried on top of Public Utility Buses, it shall not exceed 20 kilos per square meter of roof area, distributed so that it will not endanger the lives of passengers or stability of the bus unit.
24. The PUV operator shall not load animals of any kind, except fowls. In the carriage of such fowls and other animals, the convenience, comfort and safety of passengers shall not in any way be sacrificed. Any cargo which emit foul odor shall be covered with canvass or any other suitable material so that it will not be offensive to passengers.
25. The PUV operator shall not carry nor transport cadavers or corpses in his/her/its motor vehicle unless it carries no other passengers, except relatives or friends of the deceased.
26. For the purpose of loading and/or unloading freight or passengers, motor vehicles should be drawn to the curb or to any designated loading and unloading areas/
27. All PUB and Taxi operators shall issue tickets/receipts to passengers in accordance with the requirements of the Bureau of Internal Revenue (BIR) for this purpose. In issuing the said tickets/receipts, the exact amount of fare collected, point of embarkation and