

**[DOTC DEPARTMENT ORDER NO. 2010-18, July
06, 2010]**

**CREATION OF FRANCHISE CONFIRMATION UPLOADING
FACILITY**

WHEREAS, pursuant to Executive Order No. 292, otherwise known as the Administrative Code of 1987, the Department of Transportation and Communications, is empowered to formulate and recommend national policies and guidelines for the preparation and implementation of integrated and comprehensive transportation and communications systems at the national, regional and local levels, establish and administer comprehensive and integrated programs for transportation and communications, and for this purpose, it may call on any agency, corporation or organization, whether public or private, whose development programs include transportation and communications as integral parts thereof, to participate and assist in the preparation and implementation of such programs, administer and enforce all laws, rules and regulations in the field of transportation and communications, establish and prescribe rules and regulations for the issuance of certificates of public convenience for public land transportation utilities, such as motor vehicles, trimobiles, railways and establish and prescribe rules and regulations for the inspection and registration of air and land transportation facilities such as motor vehicles, trimobiles, railways and aircraft;

WHEREAS, under Republic Act No. 4136, otherwise known as the Land Transportation and Traffic Code as amended, the Land Transportation Office is authorized to issue rules and regulations prescribing the registration and re-registration of motor vehicles, and make arrests for violations of the provisions of the Code, among other powers;

WHEREAS, the Land Transportation Franchising and Regulatory Board is duly empowered under Executive Order No. 292, otherwise known as the Administrative Code of 1987 to issue, amend, revise suspend or cancel Certificates of Public Convenience or permits authorizing the operation of public land transportation services provided by motorized vehicles, and to prescribe the appropriate terms and conditions therefor, to formulate, promulgate, administer, implement and enforce rules and regulations on land transportation public utilities, standards of measurements and/or design, and rules and regulations requiring operators of any public land transportation service to equip, install and provide in their utilities and in their stations such devices, equipment, facilities and operating procedures and techniques as may promote safety, protection, comfort and convenience to persons and property in their charges as well as the safety of persons and property within their areas of operations, to coordinate and cooperate with other government agencies and entities concerned with any aspect involving public land transportation services with the end in view of effecting continuing improvement of such services and to perform such other functions and duties as may be provided by law, or as

may be necessary, or proper or incidental to the purposes and objectives of the DOTC;

WHEREAS, LTFRB Memorandum Circular No. 2001-010, on the Re-Accredited Insurance Groups, in relation to the Memorandum Circular No. 2001-001, which amends Memorandum Circular No. 99-011, prescribes a two (2) group system (the "Management Group), in the implementation of the Passenger Personal Accident Insurance Program (PPAIP) of the LTFRB.

WHEREAS, the current Management Group is mandated to establish a nationwide computer database link among all LTFRB offices to allow sharing of all covered public utility vehicles data, which shall be made accessible and available to the public in real-time through the LTFRB website, and to provide an information technology link with LTO to facilitate LTFRB confirmation prior to the public utility vehicle's registration at its sole account and at no cost to LTFRB;

WHEREAS, LTO is currently implementing its Information Technology Project, which was financed, constructed, and is being operated and maintained exclusively by a private Project Proponent pursuant to the LTO IT Project Build-Operate Agreement dated March 26, 1998, as amended (the "BOO Agreement), and between the Republic of the Philippines, through the DOTC/LTO, and the private Project Proponent.

WHEREAS, the LTO IT Project Proponent undertakes to design develop, implement, operate and maintain the Franchise Confirmation Uploading Facility (FCUF) which will electronically transmit and validate Confirmation of Franchise records from the IT System of LTFRB to the LTO IT Project's Systems, which proposal was accepted by the LTO, LTFRB and the Management Group;

WHEREAS, the interconnectivity between the LTO and LTFRB will provide a web-based facility that is linked to the LTO-IT Systems and database that will transmit the confirmation of franchise records to LTO and at the same time establish the authenticity of the franchise records;

WHEREAS, DOTC/LTO desires to pursue the implementation of the LTO-LTFRB Interconnectivity herein;

NOW, THEREFORE, premises considered, a Franchise Confirmation Verification Facility is hereby created.

1.0 COVERAGE

The LTO-LTFRB Interconnectivity covers the following:

1.1 Interconnectivity of the LTFRB nationwide computer database link and unified interface facility, to be provided by the Management Group, with the FCUF developed by the LTO IT Project Proponent;

1.2 In addition to the Confirmation of Franchise, or the document issued by LTFRB that certifies a motor vehicle under a "Fore Hire" classification as covered by a valid franchise, the following data fields of the Confirmation of Franchise shall be uploaded from the LTFRB database to the LTO IT Project systems through the FCUF, to wit: