

[LTFRB MEMORANDUM CIRCULAR NUMBER 2011-014, December 13, 2011]

SAFETY COMPLIANCE ORDERS

SUBJECT SAFETY COMPLIANCE ORDERS

:

In case of road accidents involving public utility vehicles resulting in death, physical injury or damage to property, and in order to prevent or avoid further damage or injury to the riding public, the Board may order the following preventive measures:

1. If it is shown by an official police report or any other convincing evidence that the accident was due solely to the fault or negligence of the PUV's driver, all drivers of the PUV operator shall be required to undergo a Road Safety Seminar to be conducted by the UP-NCTS or any other agency accredited by the LTFRB, and drug testing by a drug testing center duly accredited by the Department of Health and Land Transportation Office within thirty (30) days from receipt of the Order.
2. Drivers, other than the driver/s of the particular vehicle/s involved, who have already undergone the road safety seminar within the immediately preceding twelve (12) months, shall be exempt from undergoing the same;
3. If it is shown by an official police report or other convincing evidence that the accident was caused by mechanical failure or improper vehicle maintenance of the vehicle involved, the entire fleet of the PUV operator shall be required to undergo a motor vehicle roadworthiness inspection to be conducted by the LTO-MVIS within thirty (30) days from receipt of the Order. In case of absence of LTO-MVIS facilities in the area, the roadworthiness inspection may be conducted by any other qualified entity in the presence of a duly authorized representative from the LTO/LTFRB;
4. The particular vehicle/s involved in the accident found not to be roadworthy, as well as the other vehicles of the PUV operator which have not passed the roadworthy inspection after the lapse of the thirty (30) day period, shall be dropped from the franchise and the yellow plates thereof confiscated, subject to the disposition of the LTFRB in accordance with existing laws, rules, and regulations;
5. In all instances, the manner of enforcement of the Order of imposing the foregoing Safety Compliance Order shall avoid causing severe public inconvenience;
6. Refusal to obey any lawful order of the Board, or failure to comply with the terms and conditions of the Order shall constitute a ground for the suspension or cancellation of the franchise/s of the operator concerned.