

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)




Senate
Office of the Secretary

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SENATE

P.S. RES NO. 1246

RECEIVED BY: 

Introduced by **SENATOR PIA S. CAYETANO**

RESOLUTION

DIRECTING THE COMMITTEE ON PUBLIC SERVICES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE CONTINUED ISSUANCE OF PROVISIONAL AUTHORITIES/FRANCHISES BY THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD UNDER EXEMPTIONS DESPITE A TWELVE-YEAR-OLD MORATORIUM ON ISSUING FRANCHISES TO PUBLIC UTILITY VEHICLES WITH THE END VIEW OF REVIEWING AND REVISING LAWS, POLICIES AND REGULATIONS TO ENSURE TRANSPARENCY AND REGULARITY IN ALL GOVERNMENT ISSUANCES AND TRANSACTIONS

WHEREAS, the Department of Transportation and Communication (DOTC) is the agency responsible for the maintenance and expansion of viable, efficient and dependable transportation as effective instruments for national recovery and economic progress;

WHEREAS, the Land Transportation Franchising and Regulatory Board (LTFRB), an attached agency of the DOTC, is tasked to promulgate, administer, enforce and monitor policies, laws, and regulations on public land transportation services;

WHEREAS, on 17 November 2003, LTFRB issued Memorandum Circular Number 2003- 028 which put into place a nationwide moratorium on the issuance of franchises for all types of services except for truck-for-hire services;

WHEREAS, this moratorium was issued to address the heavy congestion of roads due to excessive number of public utility vehicles which is not congruent with the transportation demand;

WHEREAS, DOTC exempted certain public transport conveyances which use alternative fuels found to be environment-friendly particularly, Liquefied Petroleum gas fed engine air-conditioned Public Utility Bus, Compressed Natural Gas fueled Bus, and Electric Motor Powered Vehicles, as well as other classes of vehicles, namely Truck-for-Hire Services, School Transport Services, Public Utility Bus (Roll-on, Roll-Off) Services, Tourist Transport Services;

WHEREAS, the DOTC issued Department Order No. 2011-16, which included all electric vehicles for public transport among the exemptions to said moratorium, subject to the determination of Route Measured Capacity by the DOTC Planning and other conditions set forth in previous Department Orders;

WHEREAS, the exemption issued by the DOTC had nothing to do with the original purpose of the moratorium issued by the LTFRB, but was intended to

promote the operation of public transport conveyances using alternative fuels or electric motor powered vehicles;

WHEREAS, there are no clear guidelines from both agencies in establishing exemptions to the moratorium and there is no definition of “green” or “environmentally-friendly” vehicles in the exemptions;

WHEREAS, during the Senate deliberations on the budget of the DOTC on 20 November 2014, this representation inquired on the distinction between “green” and “sustainable” as it relates to vehicles, and DOTC had no basis to differentiate the same;

WHEREAS, this was affirmed during the 15 December 2014 hearing of the Subcommittee on Sustainable and Alternative Mode of Transportation which this representation chaired, wherein DOTC admitted its lack of policy on electric jeepneys and entertains each application on a case-to-case basis;

WHEREAS, there is a lack of scientific basis on the grant of franchises by LTFRB, more so for certain environmentally- vehicles under the exemptions, which is not consistent with the intent of the moratorium;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, the Senate of the Philippines, directs the Senate Committee on Public Services to conduct an inquiry, in aid of legislation, on the continued issuance of provisional authorities/franchises by the Land Transportation Franchising And Regulatory Board under exemptions despite a twelve year old moratorium on issuing franchises to public utility vehicles with end view of reviewing and revising laws, policies and regulations to ensure transparency and regularity in all government issuances and transactions.

Adopted,


PIA S. CAYETANO
Senator