

EXECUTIVE ORDER NO. 712

DIRECTING THE IMMEDIATE REVIEW OF EXISTING ORDERS, RULES AND REGULATIONS ISSUED BY LOCAL GOVERNMENT UNITS CONCERNING PUBLIC TRANSPORTATION, INCLUDING THE GRANT OF FRANCHISES TO TRICYCLES, ESTABLISHMENT AND OPERATION OF TRANSPORT TERMINALS, AUTHORITY TO ISSUE TRAFFIC CITATION TICKETS, AND UNILATERAL REROUTING SCHEMES OF PUBLIC UTILITY VEHICLES, AND FOR OTHER PURPOSES

WHEREAS, numerous transport organizations have complained about the establishment of common transport terminals by the Local Government Units in their respective jurisdiction, the use of their own traffic citation tickets known as Ordinance Violation Receipts (OVR), re-routing schemes in violation of authorized routes as provided in their respective certificates of public convenience issued by the LTRFB, and the enactment of various ordinances which result in additional cost to operators and drivers, such as the mandatory purchase of stickers and driver's identification cards;

WHEREAS, said transport organizations have also objected to the continuous issuance of new franchises for the operation of tricycles and pedicabs despite the existence of too many units already operating on the road and the unsynchronized truck ban resulting in the delay in the delivery of goods;

WHEREAS, the operations of public utility vehicles is imbued with paramount public interest, such that factors that increase the cost of operations of public utility vehicles have a direct impact on transport fares, hence local ordinances, programs and projects which require a fee should be coordinated with the DOTC to ensure that public interest is not prejudiced;

WHEREAS, Section 5 (d) of Executive Order No. 125 as amended grants the Department of Transportation and Communications (DOTC) the power and function to administer and enforce all laws, rules and regulations in the field of transportation while Republic Act No. 4136, otherwise known as the Land Transportation and Traffic Code grants unto the Land Transportation Office (LTO) the power and duty to enforce



traffic laws and issue the appropriate traffic citation tickets to erring drivers as well as confiscate their driver's license;

WHEREAS, the establishment and use of transport terminals by public utility vehicles with franchises issued by the national government as well as the determination of their routes fall within the jurisdiction of the DOTC/Land Transportation Franchising Regulatory Board (LTFRB);

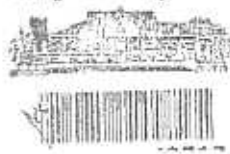
WHEREAS, pursuant to Article 458 of the Local Government Code, the power of the Local Government Units (LGUs) to regulate the operation of tricycles and to grant franchise is subject to the guidelines prescribed by the DOTC;

WHEREAS, under Section 17, Article VII of the Constitution, the President has control of all executive departments, bureaus and offices, and pursuant to Section 4 Article IX exercises general supervision over all local government units;

NOW THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by Constitution, do hereby order:

SECTION 1. The Department of Transportation and Communications (DOTC) is hereby directed to immediately review all existing orders, rules and regulations issued by Local Government Units (LGUs) concerning public transportation within their jurisdiction, including the grant of franchises to tricycles, establishment and operation of transport terminals, authority to issue traffic citation tickets, and unilateral rerouting schemes of public utility vehicles.

SECTION 2. Pending the review by the DOTC under Section 1 hereof of existing orders, rules and regulations issued by LGUs, the Department of Interior and Local Government (DILG) shall, subject to existing laws, advise LGUs to suspend (1) the establishment and operations of new and existing transport terminals that charge fees and require compulsory use by public utility vehicles, (2) the enforcement of re-routing schemes that violate the authorized routes as provided for in the PUV franchises, (3) the issuance of new tricycle franchises while respecting those that have been issued already, (4) the increase in local fees and charges applicable to public transportation, and (5) the implementation of local programs, projects and ordinances that have impact on the cost of operations of public utility vehicles without first coordinating and getting the approval of the DOTC to ensure that these programs, projects and ordinances do not prejudice public interest by way of higher transport fares.



SECTION 3. The DOTC shall establish a National Land Transport Policy Framework, which shall facilitate the modernization of the land transport industry through the promotion of utility services which are environment-friendly and shall provide assistance to the land transport sector through lease-to-own programs, technical assistance, subsidies, and the encouragement of the use of alternative fuels and/or renewable energy, among others.

SECTION 4. The Metropolitan Manila Development Authority (MMDA) shall implement a single ticketing system throughout Metro Manila in accordance with Republic Act 7924.

SECTION 5. The DILG shall, subject to existing laws, establish and implement uniform truck ban hours that shall be applicable to LGUs located in a common area nationwide.

SECTION 6. If any section or part of this Executive Order shall be declared unconstitutional or illegal, the other sections or parts thereof shall not thereby be affected.

SECTION 7. All other orders, issuances or portions thereof, which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SECTION 8. This Executive Order shall take effect immediately following its publication in a national newspaper of general circulation.

DONE in the City of Manila, this 11th day of March in the year of our Lord, Two Thousand Eight.

By the President:


EDUARDO R. ERMITA
Executive Secretary





FORM No. 100-10
43798