

Guidelines on Public Transportation and Shuttle Service Operations within the Freeport

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(based on Guidelines dated Sept. 1, 2000)*

GUIDELINES FOR PUBLIC TRANSPORTATION AND SHUTTLES SERVICE OPERATIONS WITHIN THE FREEPORT

All operations of public transportation and shuttle service vehicles operating or desiring to operate within the Freeport shall secure necessary permits from the Transport Regulatory Division (TRD) of the Transportation and Communications Department (TCD) of the Subic Bay Metropolitan Authority (SBMA).

- I. **Definition of Terms** – For purposes of these guidelines, the following terms are defined as follows:
 1. **Public Transportation** – refers to any transport vehicles (cars, buses, vans) providing transport services to the commuting public within the Subic Bay Freeport Zone (SBFZ). *Public transport or shuttle service vehicles operating only within the SBFZ does not need a valid or appropriate LTFRB Franchise but must not be allowed to enter or exit the Freeport with passengers (approved by the SBMA Board on June 27, 2007)*
 2. **Shuttle Service** – refers to any transport services operated by either of the following operators:
 - a. *Those who have exclusive contracts with SBF locators for shuttle services of their employees; and*
 - b. *Those SBF locators who operate their own shuttle services, strictly to be used for their personnel and business operation as necessary consequence of their business.*
 3. **Car Pooling/Car Pool** – shall refer to any vehicle privately owned by employees of the SBMA and SBF locators or any private individual who offer to carry or transport guests or friends within the Freeport without compensation. Carpooling will be limited to five (5) passengers only **(approved by SBMA Administrator on 5 February 2010)**.
 4. **Public Transportation or shuttle service units** – refers only to cars, not more than five (5) years old; vans, not more than ten (10) years old; and buses, not more than fifteen (15) years old, and operating as public transportation or shuttle service within the Freeport. *(Service Level Agreement with the SBMA and SBF Transport Service as approved by SBMA Board on 14 March 2008)*.
 5. **Certificate of Registration** – a document issued to enterprises which operate their business inside the Freeport with a valid lease agreement covering any building or land with the SBMA, and upon compliance with the following requirements, be entitles to the incentive and privileges granted under RA 7227:
 - a. Provisions of at least:
 - i. *Twenty (20) units of public utility buses; or*
 - ii. *Fifty (50) units of taxi vehicle for chartered operation only; or*
 - iii. *Twenty (20) units of for chartered operation only.*

- b. Provision of regular schedules and routes;
 - c. A minimum employment generation of 60 personnel;
 - d. Proof of existence within the Freeport via lease of staging area and office facility;
 - e. Environmentally sound operations;
 - f. Provision of registration, permit or endorsement and such other documents issued by the SBMA Departments and other Government Agencies concerned and as may be required by the Business Group (e.g. SEC Registration)
6. **Permit to Operate (now Registration Certificate)** – is a document issued to enterprises which operate their business inside the Freeport with a valid lease agreement with SBMA, but which are not entitled to incentives and privileges granted under RA 7227, and which do not meet some of the criteria mentioned above for Registered Enterprises, as indicated in the immediately preceding paragraph.
7. **Certificate of Accreditation** – is a document issued to enterprises which are only contracted for its services by any locator, group or organization inside the Freeport, and does not have any valid lease agreement with SBMA for any space, building or land inside the Freeport. The said document is issued only upon compliance with requirements as maybe established in the SBMA-approved policies on accreditation.

II. **GENERAL REQUIREMENTS** – The following shall be the basic requirements in conducting or doing public transport or shuttle service operations in the Freeport:

- a) All public transportation or shuttle service units must be registered in the name of the applicant;
- b) All public transportation or shuttle service units operating within the Freeport only does not need any LTFRB Franchise (approved by the SBMA Board on 27 June 2007);
- c) All public transportation or shuttle service units must have appropriate clearances fro the Ecology Center and TRD (MVRO);
- d) All public transportation or shuttle service units must have appropriate Insurance Coverage, including third party liability and preferably, comprehensive coverage;
- e) All public transportation or shuttle service units must be in good working condition;
- f) All public transportation or shuttle service units must have uniform colors, and identification numbers;
- g) All public transportation or shuttle service units must have appropriate safety devices and features;
- h) All public transportation or shuttle service units must have such other amenities as maybe determined by the Business Group to be necessary or

desirable for the welfare of the locators' employees, tourists, commuters as well as the operator;

- i) All drivers of public transportation or shuttle service units must display their SBMA ID's and must have uniforms;
- j) All drivers of public transportation and shuttle service operators must have valid driver's license from LTO and SBMA.

III. **GENERAL PROVISIONS:**

1. Said Registration, Registration Certificate and Accreditation shall, unless sooner revoked by the SBMA upon recommendation by the Business Group through TRD, be effective for a period of one (1) year from the issuance thereof.
2. The Business Group through TRD shall be authorized to recommend revocation of said registration, permit to operate or certificate of registration including imposition of penalties or sanctions to the operators on any of the following grounds, and upon immediate notice:
 - a) Any major or a series of minor violations of SBMA traffic rules and other related and applicable laws;
 - b) Any violation of the rules and regulations of the Transport Regulatory Division (MVRO)
 - c) Any violation of the terms and conditions of the Lease Agreement or Service Level Agreement (SLA) between the Locator and the public transportation or shuttle service operators, at the instance of any of the parties;
 - d) Upon termination of the Lease Agreement or Service Level Agreement;
 - e) Failure to follow the prescribed fare, schedules, routes and exclusivity of operations.
3. All public transportation or shuttle service operators shall register with the TRD and furnish the same with information on their contractual commitments with locators, group or organization within the Freeport, including their schedules, the routes to be plied, the amount of fares, the registration details of their respective motor vehicles and such other information or documents as may be required by the TRD. All public transportation operators operating within the Freeport shall display or post the amount of fares in conspicuous public areas and in their shuttle service units.
4. All public transportation and shuttle service operators with existing contracts with locators within the Freeport shall be allowed to operate until the expiration of said contracts, provided that they secure the required permits as specified above, and duly register with the TRD. After the promulgation of these guidelines, no shuttle service operators shall be allowed to conduct its business without the aforesaid permits and proper registration with the TRD.

5. All public transportation and shuttle service operators, upon issuance of the necessary permits, shall comply with the environmental rules and regulations prescribed by the Ecology Department.
 - 5.1 No major or minor repairs and body-building shall be conducted within the Freeport, unless cleared and permitted by the Ecology Department. The Ecology Department shall define those major and minor repairs that shall be subject to permits and clearances, as the case may be.
 - 5.2 All public transportation and shuttle service units of the operators shall be subject to an annual smoke-belching test by the Ecology Department, prior to issuance or renewal of necessary permits.
 - 5.3 All duly authorized public transportation and shuttle service operators within the Freeport shall at all times maintain their units in good condition. Smoke belching, oil spills from engines and other gas emissions shall be considered violations of these guidelines and shall be subjected to corresponding penalties and sanctions;
 - 5.4 All public transportation or shuttle service operators shall at all times conduct proper disposal of waste through duly accredited haulers;
 - 5.5 Any violation of the foregoing shall be subject to penalties and sanctions with corresponding fines as may be imposed by the Ecology Department.
6. All public transportation and shuttle service operators shall at all times see to it that their personnel, including dispatchers and drivers are well-groomed and wearing their proper uniform during operating hours.
7. All public transportation and shuttle service operators shall at all times ensure the safety, health and interest of their commuters/passengers and personnel including compliance with traffic, environmental, land transportation and other SBMA rules and regulations.
8. The SBMA, together with the public transportation and shuttle service operators, shall jointly observe the provisions on the Code on Sanitation of the Philippines requiring provision of sanitary facilities for the convenience and personal necessities of the traveling public.

IV. **MISCELLANEOUS PROVISIONS:**

1. All shuttle and tourist services shall only be permitted to load and unload passengers from pick-up and drop-off points. No shuttle and tourist services shall be allowed to load or unload passengers in between pick-up and drop-off points.

2. A parking fee to be determined by SBMA shall be charged to shuttle service operators for the use of the designated area for either pick-up or drop-off point.
3. Hired vehicles entering and carrying tourists or investors in the Freeport or passing through the Freeport are not covered by these guidelines and shall not in any way engaged in servicing other commuters in the Freeport. Such vehicles shall be subject only to the issuance of applicable pass after examination and inspection of vehicles, belongings, and passengers upon entry and compliance with applicable SBMA rules and regulations.
4. Employees of either Locators/Investors and the SBMA who practice carpooling and/or car pool shall not be covered by these guidelines.

V. **PENALTIES FOR THE FOLLOWING VIOLATIONS:**

1. **Illegal shuttling: (approved by the SBMA Board on 21 December 2007)**
 - 1a. First Offense - PhP 1,200.00
 - 1b. Second Offense - PhP 2,000.00
 - 1c. Third Offense - PhP 3,000.00
2. Operating Colurum vehicles - PhP 3,000.00
3. **Traffic Violations (approved by SBMA Board as of 6 October 2006)**
 - 3a. First Offense - based on LTO approved penalties
 - 3b. Second Offense - PhP 700.00
 - 3c. Third Offense - PhP 1,200.00
4. Environmental Violations:
 - 4a. Smoke belching - PhP 1,500.00
 - 4b. oil spill - PhP 5,000.00
5. Late renewal of accreditation - USD 25.00 (per quarter)*
6. Non-display of Permit to Operate - USD 10.00 (per violation)*
7. Non-wearing of uniform - USD 5.00 (per violation)*
8. Non-wearing of SBMA ID - USD 5.00 (per violation)*
9. No SBMA driver's permit - USD 5.00 (per violation)*

10. No Driver's license - PhP5,000.00
(per SLA)

11. Non-posting of destination board - USD 5.00
(per violation)*

***Consolidated Fines and Penalties approved by SBMA Board on 18 September 2008.**