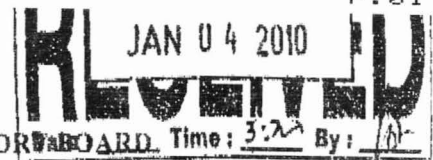




Republic of the Philippines
Department of Transportation and Communications
LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD
East Avenue, Quezon City



MEMORANDUM CIRCULAR

Number 2009 - 036

Subject: 100% SMOKE FREE PUBLIC UTILITY VEHICLES (PUVs) AND PUBLIC LAND TRANSPORTATION TERMINALS

Pursuant to R.A. No. 9211, also known as the Tobacco Regulation Act of 2003, and the Philippine's obligation under Article 8 of the Framework Convention on Tobacco Control, the Land Transportation and Franchising Regulatory Board (LTFRB) hereby resolves to adopt and impose a 100% SMOKE FREE policy on all public utility vehicles and public transport terminals, requiring all holders of Certificates of Public Convenience, to observe the Smoking Prohibition in all Public Utility Vehicles and Public Land Transportation Terminals as well as to prominently post No Smoking Signages in their authorized units and premises in accordance with this memorandum circular.

This policy aims to promote a healthful environment and to protect the public from second-hand smoke, to which there is no safe level of exposure. Second-hand smoke exposure is a known cause of lung cancer; is known to increase the risks of heart disease; to trigger asthma attacks; and to cause acute respiratory maladies.

1.) **Smoking Prohibition-** Smoking, or the act of carrying a lighted cigarette or other tobacco product, is prohibited in all public utility vehicles and public transportation terminals.

2.) **"No Smoking" Signs in Terminals** - All persons who operate, administer, manage, own, operate, and/or possess public land transportation terminals are mandated to post at least one NO SMOKING SIGN at each entrance to the terminal and at least another one in a conspicuous location inside the waiting area of the public land transportation terminal.

3.) **"NO SMOKING" SIGNS IN VEHICLES-** All holders of certificate of public convenience are mandated to prominently display NO SMOKING SIGNS inside their authorized units.

- a. For jeepneys, the NO SMOKING SIGN of at least 3.5 sq in shall be placed at the back of the windshield and another sign of at least 10sq in shall be placed at the back of the front row seats.



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- b. For taxis, FX or similar vehicles, the NO SMOKING SIGN of at least 3.5 sq inch shall be placed on the glove compartment at the front right side of the taxi, windshield and another sign of at least 10sq in shall be placed at the back of the driver's seat.
- c. For buses, the NO SMOKING SIGN of at least 3.5 sq inch shall be placed at the back of the windshield, and another sign of at least 10sq in shall be placed at the back of the driver's seat facing the passengers or a similarly prominent area of the bus.
- d. For other types of vehicles, the NO SMOKING SIGN of at least 3.5 sq inch shall be placed at the back of the windshield, and another sign of at least 10sq in shall be placed at a prominent location facing the passengers or a similarly prominent area of the vehicles.

The No Smoking Sign should prominently display, without a border or frame, a pictorial representation or symbol of a burning cigarette enclosed in a red circle with a red bar across it. This symbol should occupy at least 90% of the signage or alternatively, at least 70% of the signage with the remaining portion of the signage depicting the statement "STRICTLY NO SMOKING" or "Bawal Manigarilyo" or other similar warning or health warnings.

4.) SMOKING AREAS: Smoking areas shall not be designated in indoor areas or in any indoor or outdoor area that is near the entrance or exits or near places where people congregate.

5.) DUTIES & RESPONSIBILITIES:

- a. The operator and the driver of the public utility vehicle shall be responsible for posting the NO SMOKING SIGN.
- b. The driver of the public utility vehicle shall be responsible for warning the passengers and co-workers who fail to comply with the smoking prohibition and for asking them to leave the public utility vehicle in such cases.
- c. The operator, administrator, manager, owner and/or possessor of the public land transportation terminal shall be responsible for posting the NO SMOKING SIGN and for issuing and implementing such rules and procedure to ensure that the passengers staying in the public land transportation terminals comply with the smoking prohibition.



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Failure to comply with this Memorandum Circular shall be subject to the following penalties:

- a. 1st offense: P500/mo for failure to post the No Smoking signages in the appropriate locations and P500 Fine for other violations
- b. 2nd offense: P5,000 Fine and Suspension of the Certificate of Public Convenience, where applicable
- c. 3rd offense: P10,000 Peso Fine and Cancellation of the Certificate of Public Convenience

LTFRB shall endeavor to partner with government agencies, civil society organizations, and the private sector, except those representing tobacco industry interests, in order to fully implement this memorandum circular as well as to provide stickers, posters and related IEC materials to indigent operators and drivers.


This Memorandum Circular repeals and supersedes any and all issuances inconsistent herewith, and shall take effect fifteen (15) days following its publication in a newspaper of general circulation or the official gazette.

SO ORDERED.

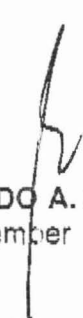
DEC 21 2009

Quezon City, Philippines

EFFECTIVITY DATE:
JANUARY 7, 2010


ALBERTO H. SUANSING
Chairman




GERARDO A. PINALI
Member


MA. ELLEN DIRIGE-CABATU
Member