

MEMORANDUM CIRCULAR NO. 2020-013
Series of 2020

TO : ALL BOI CLIENTS AND ALL OTHERS CONCERNED

SUBJECT : AMENDMENTS TO THE 2017 INVESTMENT PRIORITIES PLAN (IPP) UNDER THE LISTING FOR INFRASTRUCTURE AND LOGISTICS INCLUDING LGU-PPPs

DATE : 16 NOVEMBER 2020

WHEREAS, the Board of Investments (BOI) is mandated to promote and generate foreign and local investments, and develop globally competitive industries. As such, it pursues robust industrial policy to further enable major industries and stimulate productivity and job creation;

WHEREAS, BOI has the mandate to prepare the annual Investment Priorities Plan and promulgate such rules as may be necessary to implement the intent and provisions of E.O. No. 226;

WHEREAS, BOI Memorandum Circular No. 2017-004 entitled “General Policies and Specific Guidelines to implement the 2017 Investment Priorities Plan” was approved by the Board and published on 18 June 2017;

WHEREAS, Article 30 of E.O No. 226 provides that subject to publication requirements and criteria for investment priority determination, the Board of Investments, may, at any time, add additional areas in the plan, after any of the terms of the declaration of an investment area or designation of measured capacities or terminate the status of preference;

WHEREAS, the advancement towards modern, well-managed and sustainable land transport will enable a safe, reliable, efficient, and environment-friendly transport system which is critical for strengthening the investment climate and enhancing economic growth;

WHEREAS, the Board conducted a review of M.C. No. 2017-004 to consider recent developments in the industry and adopt reasonable and justifiable positions of the private sector and related government agencies;

NOW THEREFORE, in order to effectively carry out the intent and purpose of E.O. 226, the Board in its meeting of 25 September 2020 and by virtue of Board Resolution No. 21-02, Series of 2020, approved the following amendments to the 2017 Investment Priorities Plan under the Infrastructure and Logistics including LGU-PPPs Listing, as follows:

1. Additional coverage under the “Infrastructure and Logistics including LGU-PPPs” Listing in item D. SPECIFIC GUIDELINES, as follows:

“6. Infrastructure and Logistics including LGU-PPPs

X X X

(k) Integrated Terminal Exchange

This covers the operation of Integrated Terminal Exchange as defined under LTFRB MC No. 2017-030 and additional requirements from RA No. 11311 or “An Act to Improve Land Transportation Terminals, Stations, Stops, Rest Areas, and Roll-on, Roll-off Terminals”.

To qualify for registration, the applicant must:

- *be accredited by the DOTr;*
- *be compliant to the minimum locational standards as provided by the HLRUB “Locational Guidelines for Land Transportation Terminals and Garages”;*
 - *If the municipality has an approved zoning ordinance, the location of bus stations/terminals, freight/truck terminals should be at the periphery of a Commercial Zone;*
 - *If the municipality has no approved zoning ordinance, the location of bus stations/terminals, freight/truck terminals should be outside of the center of commercial activities to minimize street congestion;*
 - *Terminals should be more than 100 meters away from institutional establishment particularly schools and hospitals as a safeguard against noise and air pollution; and*
 - *Terminals must be accessible to commuters, i.e., transfer routes are available or within its service radius. However, direct access to major thoroughfares especially high-speed highways and expressways should be discouraged for the safety and smooth traffic flow purposes.*
- *be compliant with the standards pursuant to Section 54, Chapter IX (Rest Areas, Bus Terminals, Bus Stops, and Service Stations) of the Code on Sanitation of the Philippines (PD No. 856), or any subsequent amendments thereto;*
 - *Rest areas, bus terminals, bus stops and service stations shall be established with ample area to prevent overcrowding of motor vehicles and travelers;*
 - *They shall be provided with adequate ventilation and lighting away from sources of nuisance;*
 - *Safe and adequate water supply shall be provided in accordance with the provisions of Chapter II (Water Supply);*
 - *Excreta and sewage collection and disposal shall be provided in accordance with the provisions of Chapter XVII (Sewage Collection and Disposal, Excreta Disposal and Drainage);*
 - *Refuse collection and disposal shall be in accordance with the provisions of Chapter XVIII (Refuse Disposal);*

- Adequate number of comfort rooms shall be provided as well as auxiliary facilities therein in accordance with provision on Chapter XVII (Sewage Collection and Disposal, Excreta Disposal and Drainage);
- Sale of foodstuffs in those establishments shall be done in conformity with the provisions of Chapter III (Food Establishment);
- be compliant with the Omnibus Public Transport Protocols/Guidelines set by the Department of Transportation and Inter-Agency Task Force for the Management of Infectious Diseases on Road Transport;
 - Disinfecting practices of vehicles, terminals, and even among passengers are required; and
 - Disinfecting facilities established in terminals shall be equipped with alcohol and/or soap
- provide free internet access;
- establish at least one (1) lactation station.

(l) Motor Vehicle Inspection Centers

This covers the operation of Private Motor Vehicle Inspection Centers (PMVICs) under the Motor Vehicle Inspection System (MVIS) of the Department of Transportation as defined under DOTr DO No. 2018-019 and Land Transportation Office MC No. 2018-2158:

To qualify for registration, the applicant must:

- be an authorized PMVIC, as proven by a Notice to Proceed Construction issued by the LTO-Authorization Committee;
- have a minimum of (2) Light Vehicle lanes and (2) Motorcycle lanes with a total contiguous area of at least 1,500 sq.m.
- be located in areas identified by MC No. 2018-2158

(m) Scrapping and Treatment, Storage and Disposal (TSD) facilities

Subject to compliance with the “Guidelines for the Scrapping of Old Public Utility Vehicles under Department Order No. 2017-011 otherwise known as the Omnibus Franchising Guidelines” to be issued by the DOTr

2. Inclusion of Locally-produced vehicles and Integrated Terminal Exchange under item C. DEFINITION OF TERMS to read as follows:

“Locally-produced vehicles – refers to vehicles produced and assembled by participants of the Motor Vehicle Development Program (MVDP)

Integrated Terminal Exchange – refers to an intermodal transport terminal which can simultaneously accommodate/serve at least four (4) types of public land transport vehicles such as PUBs, Mini Buses, PUJs, UV Express Services, and Taxis.”

3. Amendment of Land Mass Transport under the “Infrastructure and Logistics including LGU-PPPs” Listing in item D. SPECIFIC GUIDELINES to read as follows:

“This covers the operation of public utility vehicles (PUVs) under the Public Utility Vehicle Modernization Program (PUVMP) of the Department of Transportation as defined under its DO No. 2017-11:

To qualify for registration, the applicant must:

- *Be a corporation or cooperative registered under the PUVMP, as proven by a Certificate of Public Convenience (CPC) or other documentary proof showing participation under the Program;*
- *use brand new vehicles that are BOI-registered models manufactured by MVDP participants in good standing and are compliant with the specifications and standards required by the PUVMP;*
- *have a minimum of 15 units per franchise is required but may follow a gradual scheme (3, 6, and 9 months) as prescribed in LTFRB MC No. 2019-66”*

This Circular shall take effect immediately upon publication in a newspaper of general circulation. Three (3) copies thereof shall be filed with the Office of the National Administrative Register, University of the Philippines Law Center, Diliman, Quezon City pursuant to Presidential Memorandum Circular No. 11 dated 09 October 1992.

16 November 2020, Makati, Philippines

By the Authority of the Board,


DR. CEFERINO S. RODOLFO
Undersecretary and BOI Managing Head

SECRETARY’S CERTIFICATE

This is to certify that Memorandum Circular No. 2020-013, Series of 2020 has been approved by the BOI through Board Resolution No. 21-02, Series of 2020.


ATTY. ELYJEAN DC PORTOZA
Board Secretary