



**Department of Energy (DOE), Department of the Interior and Local Government (DILG), Department of Transportation (DOTr), and Metropolitan Manila Development Authority (MMDA)
Joint Administrative Order (JAO) No. 01
Series of 2018**

SUBJECT: SUPPLEMENTING DOE DEPARTMENT CIRCULAR NO. 2013-09-0022, ENTITLED "DIRECTING ALL LIQUEFIED PETROLEUM GAS INDUSTRY PARTICIPANTS TO OBSERVE THE MINIMUM SAFETY STANDARDS IN THE TRANSPORTATION AND DISTRIBUTION OF LPG IN CYLINDERS."

WHEREAS, the Department of Energy (DOE) is the government agency mandated by Republic Act No. 8479 or the "Downstream Oil Industry Deregulation Act of 1998" to supervise the downstream oil industry, including the trading of petroleum and/or petroleum products as well as the safe handling and transportation of the same;

WHEREAS, the Department of the Interior and Local Government (DILG), pursuant to Executive Order No. 262, s. 1987, titled, "Reorganizing the Department of Local Government and for Other Purposes," and Republic Act No. 6975, or the "Department of the Interior and Local Government Act of 1990," is the government agency tasked primarily to assist the President in the exercise of general supervision of Local Government Units (LGUs), through the Bureau of Local Government Supervision (BLGS), and the enforcement of the "Fire Code of the Philippines 2008" which aims to ensure public safety by prevention and suppression of all kinds of destructive fires, through the Bureau of Fire Protection (BFP);

WHEREAS, the Metropolitan Manila Development Authority (MMDA) is mandated to provide one of the Metro-wide services under its jurisdiction, the administration of transport and traffic management which include the formulation, coordination, and monitoring of policies, standards, programs and projects to rationalize the existing transport operations, infrastructure requirements, the use of thoroughfares, and promotion of safe and convenient movement of persons and goods within Metro Manila;

WHEREAS, the Land Transportation Office (LTO) of the Department of Transportation (DOTr) has the mandate to ensure the roadworthiness of motor vehicles, register the same, and issue license to drivers;

WHEREAS, the transportation and distribution of Liquefied Petroleum Gas ("LPG") in cylinders must be given preferential attention considering that LPG is a highly volatile and flammable product which, if not transported and distributed properly, may result in accidents that can cause loss of life, limb and/or property;

WHEREAS, the DOE Department Circular No. 2013-09-0022 which took effect on 04 October 2013 provides for the minimum safety standards in the transportation and distribution of LPG in cylinders;

WHEREAS, for the effective implementation of the DOE Department Circular No. 2013-09-0022, the assistance and cooperation of the DILG through the BFP and the BLGS, the MMDA and the DOTr through the LTO is deemed imperative and indispensable;

NOW, THEREFORE, pursuant to the relevant provisions of Republic Act No. 8479, this Joint Administrative Order (JAO) is hereby promulgated for the information, guidance and compliance of all concerned:

Section 1. Scope and Application. This JAO shall apply to all persons involved in importing, refining, refilling, storing, transporting, marketing, distributing, hauling, retailing, selling, and/or trading of LPG in cylinders ("LPG Industry Participants"). The LPG Industry Participants are hereby enjoined to adhere to and observe strictly the guidelines and all the submissions and compliances that are prescribed and mentioned in this JAO.

Section 2. Definition of Terms

For the purpose of this JAO, the following terms shall be defined as follows:

2.1 **"Cylinder"** or **"LPG Cylinder"** shall refer to any portable pressure vessel or container designed for sale, transportation, storage or household/commercial/industrial consumption of LPG;

2.2 **"Dealer"** shall refer to any person engaged in the business of selling or trading of LPG in cylinders to consumers or retail outlets;

2.3 **"Delivery Vehicle"** shall refer to any tanker, 6-wheeled, 4-wheeled, 3-wheeled, 2-wheeled or trailer used in the transport of LPG, in bulk or in cylinders, and compliant with the Fire Code of the Philippines;

2.4 **"Hauler"** shall refer to any person involved in the transport and delivery of LPG in bulk, or in cylinders, from one place to another;

2.5 **"LPG Industry Participant"** shall refer to any person engaged in any LPG Industry Activity which refers to the business of importing, exporting, refining, refilling, marketing, distributing, hauling/transporting, handling, storing, retailing, selling, and/or trading of LPG;

2.6 **"LPG"** shall refer to liquefied petroleum gas, which consists of commercial propane or butane gas or a mixture of the two gases distributed and sold to consumers either in cylinders, through a pipeline system, bulk storage tanks, or other means of distribution;

2.7 **"Qualified LPG Servicemen"** shall refer to an individual who has been trained and certified by the DOE or any deputized agency thereof, or to an individual who has successfully completed an approved training course for LPG servicemen in a training school duly recognized and accredited by the Philippine government;

2.8 **"Refilling Plant"** shall refer to any installation that is used for refilling LPG into cylinders and has LPG bulk storage and refilling facilities;

2.9 **"Retail Outlet"** shall refer to any person engaged in the business of selling or trading LPG in cylinders supplied by a dealer or marketer;

2.10 **"SCC"** shall refer to Standards Compliance Certificate issued by the DOE to LPG Industry Participants.

Section 3. Responsibilities of Participating Government Agencies

3.1 The Department of Energy shall:

3.1.1 Issue the Standards Compliance Certificate (SCC) to all LPG industry participants who have complied with the requirements as provided for in the DOE DC 2014-01-0001, or "The LPG Industry Rules", including the Fire Safety Clearance, vehicle registration, and other requirements mentioned in this JAO;

3.1.2 Suspend or revoke the SCC of LPG industry participants found in violation of DOE DC 2014-01-0001 and DOE DC 2013-09-0022;

3.1.3 Conduct inspection of LPG delivery vehicles within industry participants' premises for compliance with specific provisions of DOE DC 2013-09-0022;

3.1.4 Constitute a Joint Inspection Team composed of DOE, BFP, LTO and MMDA personnel, and from other government agencies it may request for assistance, to undertake, on a periodic basis, flag down operations and inspection of LPG delivery vehicles, to verify compliance with the provisions DOE DC 2013-09-0022;

3.1.5 Recommend to the concerned local government units (LGUs) and to the LTO the suspension or revocation of the business license of a LPG industry participant and the suspension or revocation of the LTO registration of the industry participant's vehicles after suspension or revocation by the DOE of its SCC; and

3.1.6 Issue a joint summary inspection report of the operation activities containing the violations committed and which shall be used for reference and basis for the imposition of the appropriate sanctions/penalties by the participating agencies, including the prohibition on the continued use of the vehicles until corrective measures are thereby made on the vehicles, and the payment of all fines and fees.

3.2 The Department of the Interior and Local Government (DILG), through the :

3.2.1. Bureau of Local Government Supervision, shall issue a Memorandum Circular to all Local Chief Executives, enjoining them to:

- i. Direct LPG Industry Participants within their jurisdictions to comply with DC No. 2013-09-002;
- ii. Suspend or revoke licenses and permits issued by the concerned LGU to LPG Industry Participants which do not comply with existing rules being enforced by the participating agencies.

3.2.2. Bureau of Fire Protection (BFP) shall:

- i. Issue Fire Safety Clearance for each approved delivery vehicle used for the transport or conveyance of LPG in bulk and in cylinder;
- ii. Require the inclusion of safety signages and markings on the approved delivery vehicles that shall serve as warnings and precautionary measures during transport and delivery of LPG in bulk and in cylinder in accordance with the provision of RA 9514, otherwise known as Fire Code of the Philippines and its Implementing Rules and Regulations;

- iii. Conduct fire related training or drills and issue training certificate to LPG dealers and drivers of approved delivery vehicles for the proper storage, handling and transportation of LPG in cylinders;
- iv. Designate BFP personnel, through the Local Fire Marshals, who shall form part of the Joint Inspection Team.

3.3 The Department of Transportation (DOTr) through the Land Transportation Office (LTO), shall:

3.3.1. Designate LTO personnel through the regional offices, who shall form part of the Joint Inspection Team;

3.3.2 Apprehend drivers or owners of motor vehicles and motorcycles found in violation of any provision of JAO No. 2014-01, re: Revised Schedule of Fines and Penalties for Violations of Laws, Rules and Regulations Governing Land Transportation.

3.4 The Metropolitan Manila Development Authority (MMDA) shall:

3.4.1 Designate personnel who shall form part of the Joint Inspection Team for the National Capital Region (NCR) areas that will conduct flag down operations and inspection of LPG delivery vehicles at specific locations within the NCR;

3.4.2 Provide impounding areas in the NCR for vehicles found in violation DOE DC 2013-09--0022.

Section 4.0 Procedural Guidelines

4.1 The participating agencies, including its regional/provincial units, shall designate their personnel who shall constitute the Joint Inspection Team to conduct monitoring, surveillance and flag down operations for the effective implementation of DC 2013-09-0022;

4.2 The DOE, as the lead agency, shall schedule on a regular basis the conduct of inspection and field operations of the Joint Inspection Team. For complaint-initiated operations, a formal complaint under oath shall be filed with the DOE;

4.3 Each participating agency may, *motu proprio*, initiate, independently or jointly, administrative proceedings against industry participants found in violation of any provisions of DOE DC 2013-09-0022, or of its respective mandate. The initiation of administrative action shall be without prejudice to the filing of any criminal case against such person pursuant to existing laws, rules and regulations;

4.4 The Joint Inspection Team shall **impound** LPG delivery vehicles found in violation of DOE DC 2013-09-0022 and this JAO, which shall be brought to LTO-designated or MMDA authorized impounding areas, provided that the LPG cylinders loaded at such delivery vehicles shall be brought at DOE designated warehouse/impounding areas ;

4.5 The Joint Inspection Team shall issue a joint summary report containing the violations that may have been committed including a directive prohibiting the continued use of the vehicle until corrective measures are made, and the penalties and fees are paid.

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4.6 The Joint Inspection Team shall release the impounded LPG delivery vehicles after compliance with mandatory requirements pertaining to DOE-SCC, LTO registration, BFP's Fire Safety Clearance, including the payment of corresponding fines, storage fees, and doing the corrective measures to comply with the specifications prescribed in DOE DC 2013-09-0022;

4.7 The participating agencies shall jointly develop and implement an effective strategy for the dissemination of information to both the LPG industry participants and the consuming public regarding the safe transport and distribution of LPG in cylinders.

Section 5.0 Separability Clause

If for any reason, any provision of this JAO is declared unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 6.0 Repealing Clause

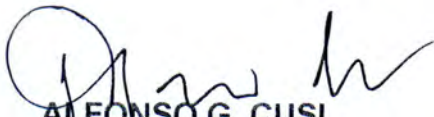
Administrative issuances, orders, rules or regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

Section 7.0 Publication and Effectivity

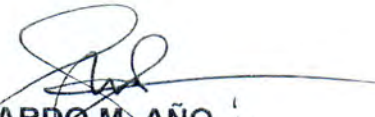
This JAO shall take effect fifteen (15) days upon publication in a newspaper of general circulation.

Issued this MAY 07 2018 in Taguig City, Philippines.

APPROVED BY:
IMPLEMENTING AGENCIES


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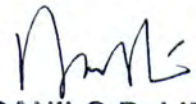



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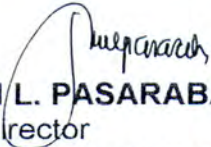

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