

Court stops Edsa provincial bus ban

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Provincial buses can still ply their routes on Edsa, according to a Quezon City judge who on Friday stopped the Metropolitan Manila Development Authority and the Land Transportation Franchising and Regulatory Board from implementing the bus ban on Aug. 7. The judge noted the agencies' failure to sufficiently consult stakeholders and to cite enough basis for the prohibition.



No ban on provincial buses on Edsa—for now.

So ruled the Quezon City Regional Trial Court (RTC), which ordered the Metropolitan Manila Development Authority (MMDA) to stop the implementation of its proposed provincial bus ban, days before the agency was set to pilot test it to decongest traffic on the capital's busiest thoroughfare.

Insufficient consultations

In a 25-page decision released on Friday, **Quezon City RTC Branch 223** Judge Caridad Walse-Lutero said both the MMDA and the Land Transportation Franchising and Regulatory Board (LTFRB) seemed to have abused their police powers when they amended the routes of provincial buses and ordered the closure of provincial bus terminals along Edsa without sufficiently consulting the ban's stakeholders.

The injunction stemmed from an appeal filed by several provincial bus operators saying that the ban, which prohibits their buses from entering Metro Manila via Edsa, would severely affect their "livelihoods."

Incorrect conclusion

The proposed ban is propped up by the LTFRB's Memorandum Circular No. 2019-31, which amends the buses' routes to end at interim terminals on the metro's fringes, and Metro Manila Council Resolution No. 2019-2, which enjoins city governments to close down bus terminals along Edsa.

Lutero's decision also quoted the LTFRB's own data and used it against the agency. The LTFRB claimed that buses occupied a third of Edsa's road space, while private cars constituted 72 percent of the road traffic.

"It would seem that the conclusion reached by the LTFRB that provincial buses are the main reason for the traffic is incorrect," the judge said.

“The closure of the plaintiffs’ terminals has far-reaching effects. It would affect not only their respective businesses, but their respective contracts with others,” Lutero added. “While as a rule, the right to income or earning does not prevail over public welfare, in [this] case, the court has not yet been presented with a clear basis or sufficient justification for the issuances.”

The court ruling has placed in limbo the dry run of the proposed ban scheduled on Aug. 7, said MMDA traffic chief Bong Nebrija.

Traffic-easing proposals

While he promised to abide by the court order, the traffic czar expressed worries that it could undermine similar traffic measures proposed by the MMDA, such as the revival of the high-occupancy vehicle policy.

“We will continue to seek the advice of our lawyers,” Nebrija said. “But this is just so frustrating. How can we know if a policy is right if we never try it out, if we always want to have it suspended?”