

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



Thirteenth Congress
First Regular Session

House Bill No. 2986

Introduced by Honorable Catalino V. Figueroa

EXPLANATORY NOTE

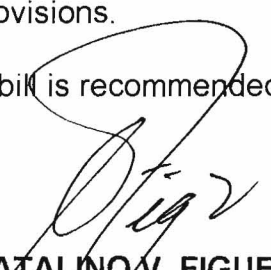
This bill seeks to provide greater security and comfort to the general public who rely mainly on land transportation service for their transport needs.

Land transport is one of the primary modes of transportation in the country. However, the present state of the land transport industry, particularly the public land utility vehicle (PLUV's) leaves much to be desired. Many PLUV's that ply the country's thoroughfares are dilapidated, poorly maintained and smoke belching vehicles and does not have sufficient facilities for passenger safety and comfort. This condition has to be answered if the welfare of the communities has to be promoted. The public should be assured of their safety and comfort while traveling to and from the provinces as well as within urban centers.

The proposed measure requires all operators of PLUV's traveling for at least six (6) hours to have a qualified alternate driver. Moreover, they shall be required to install comfort rooms in their buses in addition to the necessary equipment devices for safe, convenient and comfortable travel.

To ensure that the foregoing requirements are properly observed, a regular inspection shall be conducted by the Land Transportation Franchising and Regulatory Board (LTFRB). Certificates of inspection shall be issued and should be displayed in the PLUV concerned. Appropriate penalties are prescribed for violations of any of these provisions.

In view thereof, the approval of this bill is recommended.



CATALINO V. FIGUEROA

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AN ACT
PROVIDING FOR THE REGULATION OF THE PUBLIC LAND
TRANSPORTATION SERVICE AND PRESCRIBING PENALTIES FOR
VIOLATION OF ANY PROVISION THEREOF

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Title – This Act shall be known as the Public Land Utility Transport Act of 2004.

SECTION 2. Requirements for Public Utility Vehicles. – Operators of public land utility vehicles (PLUV) shall be required to maintain in good condition and shall equip with necessary devices and accessories their vehicles to insure the safety of the riding public.

No PLUV shall be operated unless the equipment on board the vehicle or bus is in good working order and it is in safe mechanical condition so as not to endanger the lives of the passengers, their properties or the driver.

For the purpose of this Act, vehicles or busses which have been plying for twenty years (20) and those which are mechanically unfit or unsafe on the roads, even if plying for less than twenty years, shall not be allowed to operate.

SECTION 3. Alternative Drivers. – Provincial PLUV's which have to travel continuously for six (6) hours or more are hereby required to have at least two (2) qualified drivers alternating during the travel.

SECTION 4. Installation of Comfort Rooms – Comfort rooms shall be installed in all PLUV's operated for provincial trips with travel time of at least four (4) hours.

SECTION 5. Inspection of PLUV's – Operators of PLUV's shall submit with the Land Transportation Franchising and Regulatory Board (LTFRB) or its duly designated inspection station their vehicles at least twice a year for inspection and issuance of official certificate of inspection and approval.

In the event a PLUV is found to be in unsafe condition or any required part or equipment is not on board or not in proper repair and adjustment, the LTFRB shall give a written notice to the operator. Said notice shall require that the vehicle be placed in safe condition and its equipment or devices in proper repair and adjustment as soon as practicable, specifying the particulars with reference thereto, and shall require that an official certificates of inspection and approval be obtained within ten (10) days, otherwise, the PLUV concerned shall not be allowed to ply the highways.

SECTION 6. Inspection Station – For the purposes of making inspections and issuing official certificate of inspection as provided under this Act, the LTFRB may establish permanent or temporary stations and may provide such equipment, either stationery or mobile, as the Board may deem necessary and suitable for such purposes and shall publicize the location of all stations or other places where and the times official certificates of inspection and approval maybe obtained.

SECTION 7 – Display of Certificates of Inspection and Approval – Every PLUV inspected under this Act shall at all times display the certificate of inspection and approval issued thereon.

SECTION 8 – Liability of PLUV Operators or Companies – In all cases of accidents causing death or serious injuries to passengers and damages to

are attributed to the driver or poor condition of the vehicle, such passengers shall be entitled to One Hundred Thousand Pesos (P100,000.00) each without prejudice to the filing of criminal complaint against the driver and the owner/operator of the PLUV concerned, under existing laws.

SECTION 9. Penalties – The following penalties shall be imposed for violation of this Act:

- a) The franchise or license to operate shall be cancelled or revoked when the PLUV is found to be poorly maintained or not properly equipped as provided under this Act and other existing laws.
- b) A fine of not more than Fifty Thousand Pesos (P50,000.00) for the first and second offenses and cancellation or revocation of the franchise or license to operate for the third offense shall be imposed for failure to assign alternate qualified drivers as provided herein.
- c) Revocation of driver's license and permanent ban from driving any PLUV, in addition to criminal liability in accordance with existing laws, shall be imposed on a driver of a PLUV found to be grossly incompetent in the performance of his duty, causing death or injury to his passengers.
- d) A thirty (30) day suspension or dismissal when an accident involving a PLUV causes death or injury to its passengers, without prejudice to criminal liability under existing laws, shall be imposed upon any official or employee of the government agency concerned who shall issue a franchise or license to operate or certificate of inspection and approval on PLUVs of more than twenty years (20) or which are mechanically unfit or unsafe on the roads.

SECTION 10. Appropriations – The amount necessary for the effective implementation of this Act shall be charged to the appropriations for the Department of Transportation and Communications under the current General Appropriations Act. Thereafter such amount as maybe necessary

for the continuous implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 11. Separability Clause – If, for any reason or reasons, any provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 12. Repealing Clause – All laws, decrees, orders rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or amended, accordingly.

SECTION 13. Effectivity – This Act shall take effect upon its approval.

Approved,