

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5930



Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

It is high time to seriously consider that deaths, injuries, and grave damage to properties could have been prevented in a car-into-truck collision accidents had there been a law passed setting appropriate technical standards for truck underride guards.

In other words, we can do something about fatal or nearly fatal vehicular accidents by requiring large trucks or trailers to have underride guards that would prevent a passenger vehicle in collision with a large truck to continue beneath the rear side of the taller truck that would decapitate the upper half of the passenger vehicle and its occupants.

There can be a number of feasible designs that are effective, lightweight, and economical and aimed at this kind of vehicle safety standards. If we are to save more lives, more individuals from major injuries, and more passenger vehicles from being damaged, then it will be worth enacting a law for improved crashworthy designs for truck underride guards based on certain technical standards proven to be already acceptable and tested.

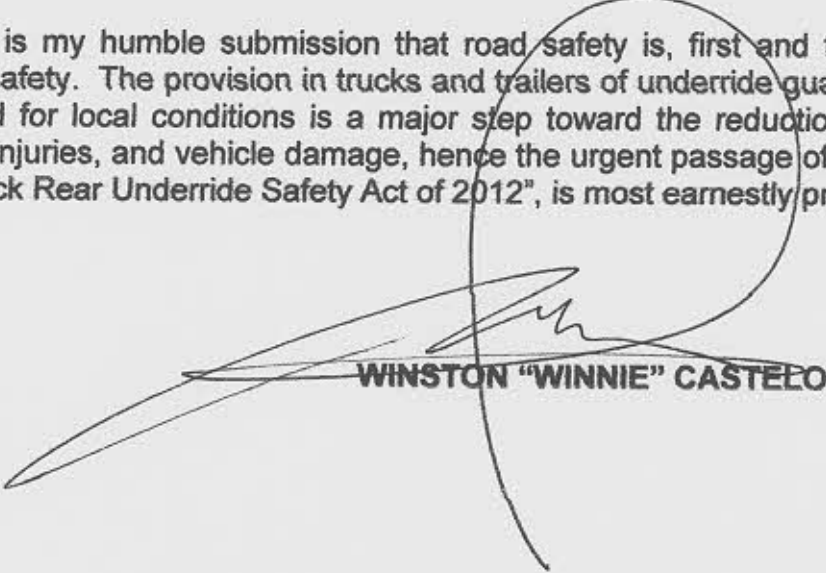
For instance, new regulations should consider as the permissible guard height above the ground to be within 16 to 18 inches to protect smaller vehicles from decapitation. Further, the guard's strength requirements must be strong enough as to absorb a given crash test like perhaps, it should be based on 40-plus mph requirements or our local equivalent. This means that at point of impact, it should resist a passenger vehicle from continuing underneath as to be badly decapitated.

This humble author is of the belief that there is a need for rear underride protection in so far as trucks, trailers and similar vehicles are concerned for the purpose of general highway or road safety against possible accidents, fatalities, injuries.

This said, there is an accompanying need to require the same class of vehicles for guard rail against lower side accidents or collisions. There is, of course, the so-called 'Brazilian Plyer Guard', a novel design for an underride prevention guard which was successfully crash-tested at the General Motors crash laboratory facilities. There may be other technologies available for use.

Available data on vehicular accidents involving car-into-truck collisions are not easy to gather as should provide helpful information, in aid of policy although in US alone, half of fatalities each year were caused by such accidents. Nevertheless, we can have a general picture that tells us readily that across regions, accidents per 10,000 vehicles registered is pegged at over 41% using old 2000 figures from the Traffic Management Group. Certainly, over 72% occurred in Metro Manila. Again, the number of fatalities on roads follows an increasing trend from about 4,000 in 1998 to nearly 10,000 in 2003.

It is my humble submission that road safety is, first and foremost, also vehicle safety. The provision in trucks and trailers of underride guards especially designed for local conditions is a major step toward the reduction in statistical deaths, injuries, and vehicle damage, hence the urgent passage of this important bill, "Truck Rear Underride Safety Act of 2012", is most earnestly prayed for.



WINSTON "WINNIE" CASTELO

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AN ACT
PRESCRIBING MOTOR VEHICLE SAFETY STANDARD REQUIRING REAR
UNDERRIDE PREVENTION GUARD FOR TRUCKS, TRAILERS, AND
SIMILAR LARGE VEHICLES AND FOR OTHER PURPOSES

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

SECTION 1. This Act shall be known as the 'Truck Rear Underride Safety Act of 2012'.

SEC. 2. It is the declared policy of the State to value the dignity of every human person and therefore, the safety of every individual ought to be a primordial concern.

SEC. 3. Under this Act, there shall herein be prescribed motor vehicle safety standard requiring rear underride prevention guard for trucks, trailers, and similar large vehicles.

The design shall be based on an 18 to 20 inch height as necessary to protect smaller vehicles in 40 mph crashes or its local equivalent of 64 kph engineered by a design certified to be effective, lightweight and economical.

SEC. 4. The Department of Transportation and Communications shall issue and prescribe appropriate technical guidelines, rules and regulations for the effective implementation of this Act.

Violation under this Act shall result in automatic impoundment of said truck, trailer or similar large vehicle involved in car-into-truck collision and to be

released only upon satisfaction of this safety requirement. Otherwise, renewal of vehicle registration shall be denied until after compliance of this vehicle safety requirement.

SEC. 5. All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 6. This Act shall take effect ninety (90) days after its publication in at least three (3) newspapers of general circulation and in the Official Gazette.

Approved,