

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

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 2346



Introduced by Honorable Lucy Torres-Gomez

EXPLANATORY NOTE

It is quite a familiar scene, especially in the metropolitan areas, that a commuter would hail a taxicab only to be asked by the driver, before boarding, where he is headed to. Not infrequently, the rather choosy driver would refuse to convey the passenger for a host of possible reasons – that he's not headed that way, or that traffic is heavy in said direction, or that he's about to turn-over the taxi unit to another driver or to the operator, or that he's about to take his lunch, or that the destination is too far, if at all the driver would be polite enough to give a reason for his refusal to convey. More often than not, the driver would simply shake his head or smirk upon learning of the destination, then speed away. Worse, assuming that one has already boarded the cab (since he knows his passenger rights under the law), the driver would sometimes tell the commuter to disembark for the same host of excuses.

If the commuter is lucky enough such that the driver allowed him to board the taxi, he is occasionally harangued by the practice of some drivers of being made to pay a "contractual" amount notwithstanding the presence of the taximeters. The more polite among the drivers would sometimes simply ask for a mark-up – "*Boss, pakidagdagan na lang po ng sinkwenta pesos at trapik*" (*o malayo*, etc.). In other times, when drivers do not resort to such abusive practices, commuters however are subjected to fast taximeters (either due to tampering or defect).

Imagine the incidence of the foregoing situations rising exponentially during rainy days, or during the holidays, or simply when traffic in a given area is horrible (due to road-diggings, accidents, etc.), and you have a clear picture of the convenience and safety of the commuting public being held hostage to the whims, abuses and predatory practices of taxicabs. This litany of woes does not even mention the

situations wherein taxi units are used by criminal elements to kidnap, to hold-up, or even to murder unsuspecting members of the public. Add to that the fact that these sordid events happen not only to our nationals but to tourists as well.

It is therefore high time that our laws keep in step with such social evils by regulating the malpractices and unprofessional conduct of many taxicab drivers and operators. Our present laws on transportation have not been able to address these myriad of activities of our common carriers which put a black eye on our face before the domestic and the international community.

In view of the foregoing, the early approval of this bill is earnestly requested.



LUCY TORRES GOMEZ
Representative
Fourth District of Leyte

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AN ACT
PROVIDING FOR THE REGULATION OF ACTIVITIES OF
TAXI DRIVERS AND OPERATORS, AND FOR OTHER
PURPOSES

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

SECTION. 1. *Short Title.* – This Act shall be known and cited as the “Taxi Transport Practices Regulation Act of 2013”.

SEC. 2. *Definition of Terms* – For purposes of this Act, these terms are defined as follows:

(a) “Taxi” shall include any motor vehicle held out for public transport with a seating capacity of up to fourteen (14) persons, including the driver, with no fixed route within a specified area.

(b) "Taxi operators and companies" shall refer to any individual, partnership, cooperative and corporate entities engaged in the business of operating and maintaining taxi units.

(c) "Taximeter" shall be understood as a device or instrument found inside a taxi unit that shows the fare due.

SEC. 3. *Fare System.* – A uniform rate shall be charged by taxi units throughout the country, consisting of a minimum rate plus additional rate per unit distance and time, as may be determined by the Land Transportation Franchising and Regulatory Board (LTFRB).

For taxi companies/operators that offer home or on-the-spot pick-up services upon telephone request, a premium or additional amount to the taximeter rate may be imposed upon the passenger; Provided, that the passenger shall be informed immediately of such premium or amount before pick-up.

For taxi companies/ operators that operate out of hotels, motels, resorts, airports, ports and duly accredited with such establishments, an additional amount imposed on the passenger not exceeding one hundred percent (100%) of the taximeter rate.

SEC. 4. *Issuance of Receipts.* – All taxi drivers are required to furnish their passengers, upon arrival at their destination with a receipt detailing the following information: name, address and telephone number of the taxi company and/or operator of the vehicle, the name of the driver, the distance traveled and the corresponding fare. The driver is mandated to keep a copy of every issued receipt and should submit these at the end of his shift to the company for record-keeping purposes.

SEC. 5. *Uniform for Taxi Drivers.* – All taxi operators shall require their drivers to wear a company-prescribed uniform while driving, and with name plates on left breast sides, and long pants. All drivers are likewise required to wear shoes while driving.

SEC. 6. *Prohibited Practices.* – It shall be unlawful for any taxi driver and operator to engage in the following practices:

- a) Asking passengers their intended destination without allowing them inside the vehicle first;

b) Refusing to accept and convey passengers to their intended destination for any reason(s). However, refusal to convey passengers on the basis of the following grounds shall not be deemed unlawful:

(1) mechanical failure

(2) low fuel

(3) car barn time, or the time a taxi driver is expected to return his vehicle to the home garage of the operator, either to cease operation for the day or to change shift with another driver

(4) potential threats of robbery or hold-up in a particular area, determined from a certain notoriety of the place or palpable danger signs such as isolated and dark areas

(5) excess of cargo or passenger limit

(6) conveyance of hazardous or dangerous cargoes and materials

(7) passenger's refusal to use the seatbelt

c) Charging a specific sum of money as fare or the practice of imposing a fixed amount to be paid by the passengers upon arrival at their intended destination without using their taximeters;

d) Asking passengers to pay an amount over and above the fare reflected in the taximeter; Provided that this additional amount does not fall under allowed additional rates mentioned in Section 3;

e) Operating with a set route or in a specific area in violation of their franchise agreement and refusing to convey passengers beyond that route or area;

f) Not employing a taximeter inside their vehicles or utilizing “fast” or tampered meters;

g) Violating their respective franchise agreement and rules and guidelines set by the LTFRB and the DOTC governing their operations;

h) Failure or refusal to be in prescribed uniform;

i) Discourtesy or arrogance towards passengers;

j) Failure or refusal to use seatbelts;

k) Failure or refusal to issue receipts;

- l) Installing advertising signs without a permit;
- m) Using unauthorized commercial or business name or allowing another to use his commercial or business name;
- n) Engaging in "*kabit system*" or the multiple use of taxi units under one franchise.

SEC. 7. *Penalties.* – The following penalties shall be imposed on taxi companies, operators and drivers found violating the provisions of this Act:

(a) First (1st) Offense – suspension of the license of the erring driver for a period of seven (7) days and a fine amounting to two thousand pesos (P2,000.00) imposed upon the taxi company or operator;

(b) Second (2nd) Offense – suspension of the license of the erring driver for a period of one (1) month, if it is the same driver mentioned in paragraph (a); otherwise, it will be considered only as a first offense with respect to that driver. In either case, the operating franchise shall be suspended for a period of six (6) months and a fine of ten thousand pesos

(P10,000.00) imposed upon the taxi company/operator for the second violation;

(c) Third (3rd) Offense – revocation of the drivers license and franchise, including a fine of fifty thousand pesos (P50,000.00) shall be imposed upon the erring taxi company or operator.

The Land Transportation Franchising Regulatory Board (LTFRB) shall be vested with the authority to act on all verified complaints by the commuting public of violations of the provisions of this Act within a period of thirty (30) calendar days from receipt of such complaints with due notice and hearing.

SEC. 8. *Special Fund for Education Seminars.* – Fines paid by the offending parties for violations of this Act shall accrue to a special fund to be held by the LTFRB for the benefit of taxi drivers and operators. The fund shall be disbursed exclusively for the educational seminars of erring taxi drivers and operators. Attendance by the concerned drivers and operators in such seminars shall be mandatory, failure of which shall constitute a violation of this Act punishable under Section 7 hereof.

SEC. 9. *Implementing Rules and Regulations.* – The LTFRB, in consultation with the Land Transportation Office (LTO), shall issue the necessary rules and regulations to implement the provisions of this Act.

SEC. 10. *Repealing Clause.* - All acts, decrees, executive orders, rules and regulations and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, modified or amended.

SEC. 11. *Separability Clause.* - If for any reason, any portion or provision of this Act be declared invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 12. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication either in the Official Gazette or in a newspaper of general circulation.

Approved,