

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 3543



Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

Being an underdeveloped country wherein majority of the people do not own private cars, commuting has already been a necessary activity in the day to day lives of Filipinos - be it students, laborers, employees of the public and private sector and even high ranking professionals. However, with recent reports of the proliferation of taxi-related crimes especially committed against passengers (i.e. drugging female passengers and robbing them of their belongings, increased incidents of rape, murder, theft and other crimes) it is quite an understatement to say that public transportation has become less and less of a safe endeavor in our country, particularly in Metro Manila through the years, especially for the women. Undeniably, there is an impelling need for State intervention to ensure that the commuters are provided adequate protection from harm of their life and property.

Taxi cabs in particular are very susceptible to the commission of crimes because of its peculiar nature or characteristic as a public utility vehicle whereby a passenger thereof does not share the ride with numerous other people unlike in cases of jeepneys, fx/shuttles/vans, buses and the MRT and LRT. Because of this, the passenger of a taxi is rendered completely helpless and powerless once a crime has been indiscriminately plotted against him/her either by random aggressors who manage to flag down a cab, or worse, by the taxi driver himself, and/or by the cooperation of the two. As there is no one ready to rescue or help out a victim of a crime committed inside a cab, the safety of a person's life, liberty and/or property is completely jeopardized. To make the situation even graver, the said wrongdoers do not get successfully prosecuted because of lack of witnesses.

The role of the State in protecting the life, liberty and property of the Filipino commuters, especially the women who are more exposed to heinous crimes such as rape, molestation, physical abuse and even murder due to their delicate anatomical attributes and weaker physical strength as compared to their aggressors, becomes vital especially and specifically with respect to taxi cabs which are by far the most risky of all means of public transportation. The alarming increase in the official statistics of the crime rate committed inside the taxi cabs, not to mention the rapid circulation of unofficial reports of similar incidents via social networking sites usually committed against female passengers cannot be ignored anymore.

There is a need for an immediate solution to this serious problem that would effectively deter taxi drivers and/or other

potential crime perpetrators from committing criminal acts against the helpless passengers thereof.

The mandatory installation of GPS devise in every taxi in the country will allow the taxi operators to detect and monitor the route and the movement of every taxi cab real-time. Knowing that their movement can be traced through the GPS, the potential criminal, whether it be the driver himself or another person/stranger, will be dissuaded from victimizing passengers thereof.

Moreover, the GPS devise will also be able to facilitate post-crime investigations (in the event that the crime gets consummated) by providing more leads, thereby allowing the competent authorities to easily and more accurately prosecute the criminals involved therein. Apprehending the accountable persons in such taxi-related crimes has always been difficult, if not nearly impossible, for our law enforcers because of the lack of leads. Through the approval of this bill, such limitation will be downright addressed.

Indeed, GPS vehicle tracking units can accurately determine a wide-variety of location-based data. In fact, aside from the advantages explained above, the data from the GPS trackers can also be used to calculate whether or not the cab drivers were fairly charging customers.

Undeniably, the mandatory installation of GPS tracking devise in every taxi operated for public utility would be beneficial to all the parties involved – the owners/operators who can maintain goodwill and reputation by promising the public good and safe transportation services; the innocent taxi drivers who

may also be victimized at times; and more importantly, the riding public who, aside from having to deal with the little inconveniences entailed by commuting, expose themselves to great risk upon doing so because they have no choice and they need the said transportation.

It is for this reason that the approval of this Bill is being sought.



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**AN ACT PROVIDING FOR THE MANDATORY INSTALLATION
OF GPS TRACKING DEVICE IN EVERY TAXI CABS BEING
OPERATED FOR PUBLIC UTILITY IN THE COUNTRY**

SECTION 1. *Name.* This Act shall be known as the
“Mandatory GPS Act of 2013”.

SECTION 2. *Definition of Terms.*

GPS - “*Global Positioning System*” - a space-based satellite navigation system that provides location and time information in all weather conditions, anywhere on or near the Earth where there is an unobstructed line of sight to four or more GPS satellites.

Public Utility Owners/Operators - for purposes of this Act, it shall mean owners or operators of at least one vehicle which primarily offers its taxi/cab services to the public at large.

SECTION 3. *Mandatory Installation of GPS.* All taxi owners/operators, whether under an existing franchise or upon application of a new one, are hereby required to install a GPS device in every taxi unit he/she presently owns/operates or will own/operate in the future.

SECTION 4. *Allowance for Owners/Operators with Subsisting Franchise.* Owners/Operators of taxi cabs under an existing franchise are given two (2) months from promulgation of this Act to comply with the requirement of installing GPS device in their taxi cabs.

SECTION 5. *Monitoring.* The Land Transportation Franchising and Regulatory Board (LTFRB) shall conduct regular ocular inspections after the lapse of two (2) months from the promulgation of this Act to ensure that all licensed taxi owners/operators have complied with the requirements of this Act.

SECTION 6. *Requirement for Application of a New Franchise.* Application for a franchise to operate a taxi business by a person or persons who wish to own/operate taxi cabs as public utility vehicles, shall not be granted until and unless the owner or operator, upon the inspection and assessment of the Land Transportation Office (LTO), is ready and/or equipped to install a GPS device for every taxi cab it owns/ will operate.

SECTION 7. *Applicants to Obtain Certification from Land Transportation Office.* Applicants of a new franchise shall obtain a certification from LTFRB stating that it is equipped with a GPS Device, and the said certification shall be attached or incorporated to the other pertinent documents necessary for the application process of a franchise to operate a taxi business.

SECTION 8. *Pending Applications for Franchise.* Applications for franchise already filed before the LTFRB but pending approval thereof upon the promulgation of this Act shall be deferred until and unless applicants comply with the additional requirement as provided under this Act and thereby acquire and/or equip their business with necessary GPS device. An additional requirement of obtaining Certification from the LTFRB as stated in Section 7 hereof shall be submitted by the applicants whose franchise applications are pending. Only upon the attainment and submission of the said certification, along with compliance with other requirements as required by existing laws, shall the application be finally granted or approved.

SECTION 9. *Unannounced Inspections.* Authorized personnel of the LTFRB may conduct unannounced or surprised inspections of any taxi business to ensure compliance with this Act.

SECTION 10. *Requirement for LTO Registration.* After the expiration of two (2) month grace period required by this Act for the installation of GPS, no taxi shall be allowed registration by the LTO sans the GPS.

SECTION 11. *Violation of this Act.* Violation of any of the provisions of this Act shall be meted with a revocation of license/franchise to operate a taxi business by the LTFRB and imprisonment for not more than one (1) year and a fine of not more than TWENTY (20) THOUSAND PESOS against the proprietor of the business to be imposed by a court of competent jurisdiction, as the case may be;

SECTION 12. *Implementing Rules and Regulations.* The Department of Transportation and Communication (DOTC) in coordination with the LTFRB and LTO shall promulgate the Implementing Rules and Regulations to carry out the provisions of this Act. Such rules and regulations shall take effect upon their publication in three (3) newspapers of general circulation.

SECTION 13. *Repealing Clause.* – All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are inconsistent with this Act, are hereby repealed or amended as the case may be.

SECTION 14. *Separability Clause.* – In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

SECTION 15. *Effectivity Clause.* – This Act shall take effect after its complete publication in at least three (3) newspapers of general circulation.

APPROVED.