

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3924**

Introduced by Representative ERIC L. OLIVAREZ

EXPLANATORY NOTE

A significant portion of traffic accidents recorded this year proved to be caused by violation of speed limit. This is not only true with private cars but also, and even worse, on public utility vehicles, especially buses and trucks. In fact two incidents have been recorded within just a span of less than two (2) months, one in December 16, 2013 and another on February 7, 2014, wherein a public utility bus carrying several passengers fell over a flyover which is supposedly a relatively safe road with hardly any accident occurring and another bus accident resulting from over-speeding left fourteen (14) passengers including celebrity Tado Jimenez and other artists dead. These unfortunate, horrendous events can only be attributed to the wanton disregard for the traffic laws (i.e. prescribed speed limit) by the undisciplined drivers and the equally negligent bus operators.

Of equal need of attention are the multi-wheeler trucks carrying tons of goods and other cargoes. Trucks are often involved in vehicular collisions, imbalance and toppling down of the very truck itself due to the fact that said truck is running in a dangerously fast speed despite the weight it carries.

Due to this kind of recklessness, tens and hundreds of innocent lives have been wasted all throughout the years – Motorists,

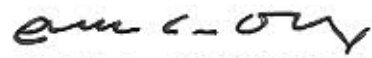
passengers and civilians alike have just been suddenly deprived of their precious lives for a very unacceptable reason. The increase in the rate of mortality, injuries and damage to property as the years go by is a testament to the saddening fact that the State has been failing in giving the general public, the motorists, the commuters and other ordinary people the protection and safety they need and deserve.

We must be reminded that majority of the Filipinos are commuters. Being in a third world country, most of the people do not own private cars. The people heavily rely on public transportation to go from one place to another and do their jobs and duties for the day. As such, it is the duty of the State to ensure the safety of these people. In the same wise, private motorists also deserve to be driving on safe roads, free from overspeeding public utility vehicles which are typically the cause of traffic accidents.

This bill seeks to address the problem of overspeeding in the country and tries to reduce, if not totally eliminate the number of unnecessary casualties, fatalities and damage to properties caused by accidents brought about by the violation of the speed limit.

By installing a speed limiter in every public utility bus and multi-wheeler cargo truck, every driver will be forced to run under a calibrated/calculated speed and necessarily, speed-related accidents will surely be diminished.

The state has the power to regulate the public utility vehicles and multi-wheeler cargo trucks for the sake of public interest. This bill represents the vigilance of our government with respect to preserving the right of its people to life and property.


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**“AN ACT MANDATING THE INSTALLATION OF ELECTRONIC
SPEED LIMITERS TO ALL PUBLIC UTILITY BUSES AND MULTI-
WHEELER CARGO TRUCKS FOR THE PROTECTION OF THE
RIDING PUBLIC AND FOR OTHER PURPOSES”**

SECTION 1. *Short Title.* This Act shall be known as the “PUB and Multi-wheeler Cargo Trucks’ Speed Limiter Act of 2014”.

SECTION 2. *Declaration of Policy.* It is hereby declared as a policy of the state to ensure at all times the protection of the riding or commuting public and to instill discipline to public utility vehicle drivers and operator, specifically of buses and multi-wheeler cargo trucks.

SECTION 3. *Maximum Speed Limit on Buses* – A speed limiter with a programmed maximum speed limit of eighty kilometers per hour (80kph) shall be installed in every public utility bus traversing any route in the country.

SECTION 4. *Maximum Speed Limit on Cargo Trucks* - A speed limiter with a programmed maximum speed limit of sixty kilometers (60kph) shall be installed in every multi-wheeler truck regardless of the weight of cargoes they carry, or of whether or not they are empty.

SECTION 5. *Installation of Speed Limiters as Prerequisite for Granting of Franchise*. All applicants of a franchise and/or license to operate public utility buses and/or multi-wheeler cargo trucks, or the renewal thereof as the case may be, shall install the speed limiters as provided in this Act and the failure to comply with this requirement shall be a sufficient ground for the denial of the said application.

SECTION 6. *Installation of Speed Limiters for Bus Operators with Subsisting Franchise and/or License*. All bus operators with subsisting franchise and/or license shall cause the installation of Speed Limiters within three (3) months from the effectivity of this Act.

SECTION 7. *Failure to Install and Maintain Functional and Accurate Speed Limiters*. A fine of P200,000.00 and suspension or revocation of franchise and/or Certificate of Registration of buses and cargo trucks shall be imposed upon bus operators or truck owners who fail to install and maintain accurately programmed and untampered speed limiters after the lapse of three (3) months as provided for in Section 6 of this Act.

SECTION 8. *Deliberate Tampering of Speed Limiters*. Any person found to have deliberately tampered with the speed limiters as provided for in this Act shall be imprisoned for a period of not less than one year but not more than five years and shall pay a fine of not less than P10,000.00 up to P50,000 at the discretion of the court of appropriate jurisdiction.

SECTION 9. *Public Utility Buses and Trucks Involved in Vehicular Accidents Found to be with Deliberately Tampered Speed Limiters.* If any public utility buses and/or multi-wheeler cargo trucks which met any kind of vehicular accident and which was later on found out to have had tampered or had no speed limiters installed when the said accident happened, the driver shall suffer the penalty of five (5) years of imprisonment for violation of this Act without prejudice to the filing of a separate criminal case of Reckless Imprudence or other quasi-offenses against him. On the other hand, the bus or truck operator or proprietor shall be fined in the amount of not less than P200,000.00, separate from and in addition to the fine imposed under the preceding paragraphs.

SECTION 10. *Implementing Rules and Regulations.* The Land Transportation Franchising and Regulatory Board (LTFRB) and the Land Transportation Office (LTO) shall promulgate the implementing rules and regulations for the effective and immediate implementation of this Act.

SECTION 11. *Repealing Clause.* All laws, decrees, executive orders, letters of instructions, rules and regulations or parts thereof, which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 12. *Separability Clause.* If any provision of this Act is judicially declared invalid or unconstitutional, the remaining provisions of this Act not affected thereby shall continue to be in full force and effect.

SECTION 13. *Effectivity Clause.* This act shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

APPROVED.