

Republic of the Philippines
HOUSE OF REPRESENTATIVES

Quezon City
17th CONGRESS
First Regular Session

House Bill No. 4560



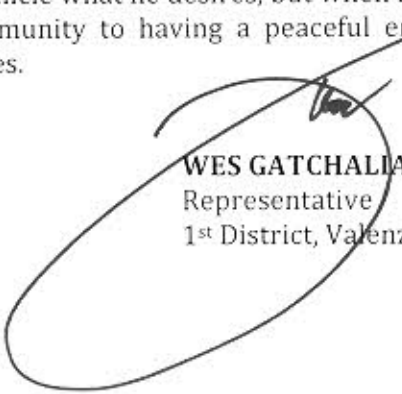
Introduced by Representative Wes Gatchalian

EXPLANATORY NOTE

Having a peaceful working environment is essential in ensuring that we are able to produce the most optimum output of our work in this ever competitive world we are all striving in. It allows us to better focus and as such our potentials are maximized. Having a peaceful place at home is also essential after a long day's work. Being at the comfort of one's home, each of us is entitled to the comfort of rest, free from unnecessary nuisance. These are simple and essential things that each of us truly treasures, and these are the things which this bill aims to protect.

This bill aims to regulate the sale of modifications on vehicles which has the potential of emitting noise, by amending provisions of PD 96 "DECLARING UNLAWFUL THE USE OR ATTACHMENT OF SIRENS, BELLS, HORNS, WHISTLES OR SIMILAR GADGETS THAT EMIT EXCEPTIONALLY LOUD OR STARTLING SOUNDS, INCLUDING DOMELIGHTS AND OTHER SIGNALLING OR FLASHING DEVICES ON MOTOR VEHICLES AND PROVIDING CERTAIN EXCEPTIONS THEREFOR." The aforesaid law already declares illegal the use of modifications which emit exceptionally loud or startling sound, this bill now aims to strengthen this policy by regulating their sale.

As a final word it is well to note that driving is not a right but a mere privilege. Everything that is therefore incidental to the use of motor vehicles are subject to the regulatory powers of the state. This current measure is well within this principle emphatically announced by the Supreme Court. But perhaps a more basic precept is that the right of one person ends when the right of other persons begin. A motor vehicle owner has an absolute autonomy to do with his vehicle what he desires, but when in the exercise of his right, he injures the right of his community to having a peaceful environment, he has without a doubt overstepped his liberties.


WES GATCHALIAN
Representative
1st District, Valenzuela City

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AN ACT
AMENDING PD 96 PROVIDING THEREFOR THE REGULATION OF SALE OF
MODIFICATIONS TO MOTOR VEHICLES EMITTING EXCEPTIONALLY LOUD OR
STARTLING SOUND

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

SECTION. 1. *Declaration of Policy.* - it has been observed that such unregulated use of sirens, bells, horns, whistles or similar gadgets that emit exceptionally loud or startling sounds, including domelights and similar signalling or flashing devices actually impede and confuse traffic, are inconsistent with sound traffic discipline and control on the highways, and in effect constitute a major problem in the maintenance of peace and order

SEC. 2. (1) PD 96 is hereby amended to read as follows:

1. That it shall be unlawful for the owner or possessor of any motor vehicle to use or attach to his vehicle any siren, bell, horn, whistle, or other similar gadgets that produce exceptionally loud or startling sound, including domelights, blinkers and other similar signalling or flashing devices.

Provided, that the sale of the aforementioned gadgets shall not be allowed to motor vehicles if the installation of said gadget to a motor vehicle would result to the emission of noise exceeding the maximum decibel allowed to be determined by the Land Transportation Office (LTO). For this purpose, the Land Transportation Office (LTO) shall accredit vendors of modification gadgets, taking into consideration the availability of facilities of the vendor to conduct sound testing. An accredited vendor violating the

provisions of this law shall be suspended engaging in the sale of the described merchandise, without prejudice to a criminal case punishable under the same terms as in the succeeding paragraph.

Provided further, that the sale of modification gadgets by vendors without LTO accreditation shall be punishable by imprisonment of three (3) months to one (1) year, a fine of not less than P 500, 000, or both; as well as the confiscation of the merchandise.

SEC. 3. *Separability Clause.* - If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 4. *Repealing Clause.* - All laws, executive orders, presidential decrees or issuances, letter of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 5. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.