

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

17th Congress
First Regular Session

5125
HOUSE BILL NO. _____



Introduced by: HON. JOSE ANTONIO R. SY-ALVARADO

EXPLANATORY NOTE

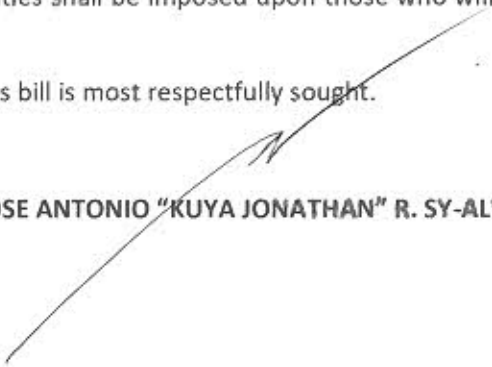
A Public Utility Vehicle (PUV) is engaged in the business of carrying or transporting passengers or goods, or both, for compensation, and offering such services to the general public. Article 1755 of the Civil Code provides that those engaged in the business of carrying or transporting passengers or goods, or both, is bound to carry the passengers and/or goods safely as far as human care and foresight can provide, using the utmost diligence of very cautious persons, with due regard for all circumstances. As such, all matters related to the operations of a PUV is imbued with public interest and necessitates strict regulation by the government.

At present, any driver who possesses a Professional Driver's License duly issued by the Land Transportation Office (LTO) can drive a PUV without regard to his skills, experience, attitude, regard for public safety and knowledge of traffic rules and regulations.

This set-up is quite dangerous as proven by many accidents that affected or destroyed the lives, limbs and properties of persons which were later determined to be caused primarily by human error. Mechanical defects leading to accidents is greatly outnumbered by those traced to human errors. In short, PUV drivers, if not regulated properly and under more stringent measures, poses a clear danger to themselves and to the public.

The safety and well-being of the driver, the operator and the public must be assured. There is now a cogent reason to establish a system in the LTO that will ask for more requirements and conduct specialized training for PUV drivers. In addition, aside from the preventive measures mentioned, insurance coverage for all those injured or affected by an accident involving a PUV must be assured. Finally, to give more teeth to the law, stiffer penalties shall be imposed upon those who will violate the same.

In view of the foregoing, the passage of this bill is most respectfully sought.


JOSE ANTONIO "KUYA JONATHAN" R. SY-ALVARADO

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Introduced by: **HON. JOSE ANTONIO R. SY-ALVARADO**

**AN ACT REQUIRING PUBLIC UTILITY DRIVERS TO SECURE A SPECIAL UTILITY
LICENSE**

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

Section 1. Short Title. This Act shall be known as the "Public Utility Driver's Licensing Act of 2017"

Section 2. Declaration of Policy. It is the policy of the State to enhance the safety of public transport by ensuring that only qualified individuals will be allowed to drive or operate public utility buses, jeeps, and other similar modes of mass public transportation.

Section 3. Definition of Terms. – For the purpose of interpreting the provisions of this Act, the following terms shall mean;

- A). Public Utility Bus – any mode of public transport which can carry between twenty five (25) to sixty five (65) passengers;
- B.) Public Utility Jeep – any mode of public transport which can carry between seven (7) to twenty four (24) passengers;
- C.) Public Utility Tricycle – any mode of transport which can carry (1) one to six (6) passengers.
- D.) Public Utility Train – any mode of public transport which can carry sixty six (66) passengers or more.

E.) Public Utility Operator – any natural or juridical person who owns and /or operate public utility vehicles regardless of capacity.

Section 4. Special License – All Public utility vehicles are hereby required to secure a Utility Driver's License before being allowed to drive and ferry commuters to one place to another.

The Land Transportation Office (LTO) is hereby authorized to create a Special Driver's Licensing Division that shall exclusively administer the issuance and entertain applications for the Utility Driver's Licenses.

No Public Utility Driver's License shall be issued unless the following conditions shall have been complied with to wit;

A.) Fifteen (15) days of actual driving examinations for public utility train, (10) ten days for bus drivers and public utility jeeps, and (5) five days for tricycles that will show the actual driving habits of the said applicants, exclusive of (2) two days orientation regarding internationally accepted traffic rules and regulations;

B.) A certificate of safe driving habits to be issued by an LTO accredited private driving evaluation entity.

Section 5. Liability Insurance. – No Public Utility Driver's License shall be issued unless the applicant shall have purchased or contracted an insurance agreement with a reliable insurance firm to compensate damages, injuries, or death to passengers or third parties in case of intentional, wrongful, negligent, or accidental injuries in the course of driving a utility vehicle.

For public utility trains, buses, and jeeps, the insurance coverage shall be obligated to pay each injured passenger or third party not less than one hundred fifty thousand pesos (P150,000.00), or the total cost of hospitalization of whichever is higher based on medical assessment. In case of death, the insurance agreement shall cover the payment of three hundred thousand pesos (P300,000.00) for each victim.

For public utility tricycles, the insurance coverage shall be obligated to pay each injured passenger or third party not less than one hundred thousand pesos (P100,000.00), or the total cost of hospitalization or whichever is higher based on medical assessment. In case of death, the insurance agreement shall cover payment of two hundred thousand pesos (P200,000.00) for each victim.

Section 6. Speed Limit. – All public utility vehicles shall not be allowed to run faster than sixty (60) kilometers per hour of speed. All drivers and/or operators of public utility vehicles must ensure that speed meters are functioning while the said vehicles are in operation. At the instance that the driver or operator detects a faulty or malfunctioning

speed meter, they must immediately request the passengers to disembark and bring the vehicle to the repair shop to fix the necessary problem.

Section 7. Penalties. – Any person whether of juridical nature or the operator who shall have been found to be guilty violating the provisions of this Act shall be meted the following penalties:

- a.) For persons driving a utility vehicle without the necessary Utility Driver's License, a penalty of five (5) months imprisonment and a fine of fifty thousand (P50,000.00);
- b.) For licensed utility drivers violating any traffic regulation, a penalty of three (3) months license suspension and a fine of ten thousand pesos (P10,000.00) for the first offense, a penalty of six (6) months license suspension and a penalty of twenty thousand pesos (P20,000.00) will be meted for the second offense and one (1) year license suspension and fine of fifty thousand pesos (P50,000.00) for succeeding violations.

Aside from the penalties, violators shall be required to undergo a five (5) day refresher course on safe driving. Drivers who are guilty of three consecutive violations shall no longer be allowed to operate a public utility vehicle.

Section 8. Implementing Rules and Regulations. – The Land Transportation Office (LTO) is hereby mandated to issue the necessary implementing rules and regulations within ninety (90) days from the approval of this Act.

Section 9. Repealing Clause. – All laws or parts of any law, orders, rules, and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 10. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or at least in two (2) newspapers of general circulation.

Approved,

