

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE OF REPRESENTATIVES
H.B. No. 5851



Introduced by Representative H. Harry L. Roque Jr.

AN ACT
AMENDING REPUBLIC ACT NO. 8794, ALSO KNOWN AS AN ACT
IMPOSING MOTOR VEHICLES USER'S CHARGE ON OWNERS OF ALL
TYPES OF MOTOR VEHICLES AND FOR OTHER PURPOSES, SECTION 6 ON
THE PENALTY FOR OVERLOADING

EXPLANATORY NOTE

Republic Act No. 8794 or the Anti-Overloading Act of 2000, Section 1 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

R.A. No. 8794 was enacted to protect the roads in the country by penalizing overloading. However, according to a report by Ms. Marganx Ortiz of the Philippine Daily Inquirer on 13 May 2008, Former Public Works Secretary Hermogenes Ebdane Jr. claimed that R.A. No. 8794 should be amended because it is not effective in protecting the roads from damage caused by overloading.

Former Sec. Ebdane said at a press conference at the DPWH Office that the cost of maintaining 30,000 kilometers of national roads was about ₱13.5 billion annually. He added that the truckers allege they would lose ₱5 billion if they adhere to

the weight limit, but their continuing violation of the law involves ₱20 billion worth of damage to the road networks yearly. Noncompliance with the anti-overloading law has led to the rapid deterioration of the road network, resulting in repeated repair work.

Former Sec. Ebdane further noted that the Philippines had the highest allowable axle load limit in the world. He said the DPWH had recommended to Congress that this be reviewed.

Compared to the 13.5 metric ton per axle limit prescribed by the law, other countries have the following limits: United States, 9.1 MT/axle; United Kingdom, 11.5 MT/axle; France, 13 MT/axle; Thailand, 9.1 MT/axle; Pakistan, 12 MT/axle, and India 9.3 MT/axle.

This bill aims to remedy the flaws of R.A. No. 8794 to conform to internationally accepted standards.



H. HARRY L. ROQUE JR.

1. This bill was originally filed by Senator Miriam Defensor Santiago during the Sixteenth Congress, Third Regular Session.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE OF REPRESENTATIVES
H.B. No. 5851

Introduced by Representative H. Harry L. Roque Jr.

AN ACT
AMENDING REPUBLIC ACT NO. 8794, ALSO KNOWN AS AN ACT
IMPOSING MOTOR VEHICLES USER'S CHARGE ON OWNERS OF ALL
TYPES OF MOTOR VEHICLES AND FOR OTHER PURPOSES, SECTION 6 ON
THE PENALTY FOR OVERLOADING

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

1 SECTION 1. Republic Act No. 8794, Section 6 on the penalty for overloading,
2 is hereby amended to read as follows:

3 Section 6. Penalty for Overloading. -An amount equivalent
4 to twenty five percent (25%) of the MVUC shall be imposed on
5 trucks and trailers for loading beyond their prescribed gross
6 vehicle weight: Provided, That no axle load shall exceed [thirteen
7 thousand five hundred kilograms (13,500kgs)] NINE
8 THOUSAND FIVE HUNDRED KILOGRAMS (9,500 KGS). IN
9 ADDITION TO THE PENALTY, THE VIOLATORS ARE
10 REQUIRED TO UNLOAD THEIR EXCESS WEIGHT

BEFORE THEY CAN CONTINUE THEIR TRIP. FAILURE TO COMPLY WITH THE UNLOADING REQUIREMENT IS PUNISHABLE BY IMPRISONMENT NOT EXCEEDING ONE YEAR OR FINE NOT EXCEEDING TEN THOUSAND PESOS (P10,000.00), OR BOTH AT THE DISCRETION OF THE COURTS.

ANY TRUCK OPERATOR WHO VIOLATES THE OVERLOADING LIMIT THREE OR MORE TIMES SHALL BE PUNISHED WITH IMPRISONMENT OF NOT LESS THAN THREE (3) MONTHS BUT NOT EXCEEDING THREE (3) YEARS AND FINE OF NOT LESS THAN ONE HUNDRED THOUSAND PESOS (P100,000.00) BUT NOT EXCEEDING ONE MILLION PESOS (P1,000,000.00).

SECTION 2. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

SECTION 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,