

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

17th Congress
Second Regular Session

HOUSE BILL NO. **5912**



Introduced by: **HON. LORNA C. SILVERIO**

EXPLANATORY NOTE

Public transport in our country has become a perennial problem which stems with the lack of infrastructure and modern facilities. Each day, our commuting public are faced with various challenges like crammed MRT's, jeepneys, buses and alike just to get to their destination. In the Metro Manila urban jungle, overcrowding is everywhere and the most famous is the MRT which has a design load capacity of 350,000 and is serving at almost 600,000 passengers daily. While the buses and jeepneys almost 70% of all trips are taken using this mode of transportation. Commuters comes from all facets in society and one particular sector which bears the brunt of the daily grind are our senior citizens. In spite of their frail condition, they are oftentimes competing for a seat or a chance to be seated in the bus, MRT or in the jeepney.

Batas Pambansa Bilang 344, popularly known as the Accessibility Law, mandates that posters or stickers shall be used on public conveyances to generate public awareness of the rights and needs of persons with disabilities (PWDs). This obviously includes the marking of "priority seats" for them. Unfortunately, a similar provision is not found in the Expanded Senior Citizens Act (R.A. no. 7432), despite having been amended several times.

In fact, the latest iteration of the law (R.A. No. 9994) merely states that "The Department of Transportation and Communications (DOTC) shall develop a program to assist senior citizens to fully gain access to public transport facilities. It is an unfortunate oversight in an otherwise generous and expansive law.

Thus, currently, although there are seats reserved for the elderly in public land transportation vehicles, there are no hard rules mandating the reservation and designation of priority seating for the elderly in air and sea transportation vehicles.

This bill, thus, seeks to provide priority seating for the elderly on jeepneys, buses, rail services, and commercial air and sea transport providers. If enacted, this measure will ensure that the seats closest to the entrance doors will be reserved for the elderly. In addition, elderly citizens can not be forced to transfer seats on commercial air and sea vessels without one (1) week of prior notice.

In view of the foregoing, approval of this bill is earnestly sought.


LORNA C. SILVERIO

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HOUSE BILL NO. 5912

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AN ACT REQUIRING LAND, AIR, AND SEA TRANSPORT PROVIDERS TO PROVIDE PRIORITY SEATING FOR THE ELDERLY, FURTHER AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 7432, AS AMENDED BY REPUBLIC ACT NO. 9257 AND 9994, OTHERWISE KNOWN AS THE "EXPANDED SENIOR CITIZEN'S ACT OF 2010"

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

SECTION 1. Short Title.- This Act shall be known as the "Priority Seating for the Elderly Act".

SECTION 2. Amendatory Provision.- For the purposes of this Act, the following provisions of Republic Act No. 7432, as amended by Republic Act No. 9257 and 9994, otherwise known as the "Expanded Senior Citizens Act of 2010" is hereby further amended to read as follows;

- a) Section 5, Paragraph (f) of Republic Act No. 7432, as amended," is hereby further amended to read as follows;

*SEC. 5. Government Assistance.-

x x x

“(F) PRIORITY SEATING FOR THE ELDERLY

ALL PUBLIC UTILITY VEHICLES (PUV), PUBLIC UTILITY BUSES (PUBS), RAIL TRANSPORT PROVIDERS, AND AIR AND SEA TRANSPORT PROVIDERS, SHALL RESERVE AND DESIGNATE THE BEST POSSIBLE SEATS FOR SENIOR CITIZENS AS DETERMINED BY THE DEPARTMENT OF TRANSPORTATION (DOTR), IN COORDINATION WITH THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD (LTFRB), THE MARITIME INDUSTRY AUTHORITY (MARINA), THE CIVIL AVIATION AUTHORITY OF THE PHILIPPINES (CAAP), AND THREE (3) REPRESENTATIVES FROM REPUTABLE AND CONCERNED CIVIL SOCIETY ORGANIZATIONS, AS DETERMINED BY THE DOTR.

THE PRIORITY SEATS SHALL BE CLEARLY LABELLED TO INDICATE THAT PASSENGERS MAY USE THEM BUT MUST VACATE THEM IF THEY ARE NEEDED BY AN ELDERLY PASSENGER: PROVIDED, THAT PASSENGERS WHO ARE PREGNANT OR DISABLED SHALL BE EXEMPTED FROM THIS PROVISION.

COMMERCIAL AIR AND SEA TRANSPORT PROVIDERS SHALL ENSURE THAT PRIORITY SEATS ARE MADE AVAILABLE TO ELDERLY PASSENGERS DURING THE RESERVATION OF SEATS. ELDERLY PASSENGERS MAY NOT BE TRANSFERRED TO OTHER SEATS OR BUMPED OFF WITHOUT AT LEAST ONE (1) WEEK OF PRIOR NOTICE AND WITHOUT REASON.

[The Department of Transportation (DOTr) shall develop a program to assist senior citizens to fully gain access to public transport facilities.]

X X X "

- b) Section 10 of Republic Act No. 7432, as amended, is hereby further amended to read as follows;

"SEC. 10. Penalties. - x x x

"(a) XXX

" (b) XXX

" (c) X X X

ANY PUV OR PUB OPERATOR WHO FAILS TO COMPLY WITH SECTION 5(F) OF THIS ACT SHALL, UPON CONVICTION, BE IMPRISONED FOR TWO (2) MONTHS TO ONE (1) YEAR OR PAY A FINE OF ONE THOUSAND PESOS 1 (PHP 1,000) TO FIVE THOUSAND PESOS (PHP 5,000), WITHOUT PREJUDICE TO THE IMPOSITION OF ADMINISTRATIVE SANCTIONS SUCH AS SUSPENSION OR REVOCATION OF THEIR FRANCHISE;

ANY RAIL TRANSPORT OPERATOR WHO FAILS TO COMPLY WITH SECTION (F) THIS ACT SHALL, UPON CONVICTION, BE IMPRISONED FOR FIVE (5) MONTHS TO TWO (2) YEARS OR PAY A FINE OF THIRTY THOUSAND PESOS (PHP 30,000) TO FORTY THOUSAND PESOS (PHP 50,000);

ANY COMMERCIAL AIR OR SEA TRANSPORT PROVIDER WHO FAILS TO COMPLY WITH SECTION 5(F) THIS ACT SHALL, UPON CONVICTION, BE IMPRISONED FOR FIVE (5) TO TEN (10) YEARS OR PAY A FINE OF ONE HUNDRED THOUSAND PESOS (PHP 100,000) TO FIVE HUNDRED THOUSAND PESOS (PHP 500,000).

XXX

SECTION 3. Appropriations. - Such funds necessary to carry out the provisions of this Act shall be included in annual General Appropriations Act.

SECTION 4. Implementing Rules and Regulations. — The DOTr, in coordination with the LTFRB, MARINA, CAAP, and three (3) representatives from reputable and concerned civil society organizations, as determined by the DOTr, shall promulgate the implementing rules and regulations of this Act within fifteen (15) days from its effectivity.

SECTION 5. Repealing Clause. - All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 6. Effectivity.- This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

A handwritten signature in dark ink, appearing to read "Lerna B. Pilones". The signature is fluid and cursive, with the first name "Lerna" being the most prominent part.