

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6881



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

The State continuously endeavors to ensure that its public roads and highways are safe for all. In the midst of the various transportation problems that besiege the country, this bill proposes a closer regulation of trucks or vehicles that weigh more than 3,000 kilograms and usually ferry goods and other cargoes from one destination to another.

There are at least 80,000 trucks plying the roads of Metro Manila alone on a daily basis¹, with 800,000 registered in 2015. They share the roads with some 2.2 million more vehicles which are relatively smaller and lighter than these trucks. Given the current condition of some roads and weather in the country, this bill seeks to require the installation of mudguards in all trucks navigating through public roads and highways to prevent instances of rocks, mud, water, grime, and other debris from hitting the vehicles near and/or around these trucks, causing accidents.

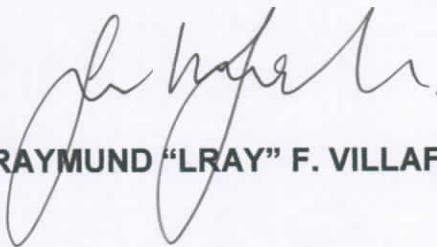
Motorcycles and trucks have top the list of modes of transportation with the most number of deaths or injuries from road accidents in 2015², the main reason is usually not human error, but poor and improper maintenance of vehicles cannot be discounted as a factor.

¹ <http://www.gmanetwork.com/news/news/metro/315407/map-metro-manila-streets-most-traveled-by-trucks/story/>

² <https://www.autoindustriya.com/auto-industry-news/mmda-95-615-road-accidents-recorded-in-2015.html>

This representation believes that one injury or death is one too many. It is about time that we require trucks to attach such mudguards to the rear wheels of their vehicles, or face penalties.

In consideration of the foregoing premises, the quick passage of this bill is humbly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT
MANDATING THE INSTALLATION OF MUDGUARDS IN TRUCKS AND
PROVIDING PENALTIES FOR NONCOMPLIANCE

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

SECTION 1. **Title.** – This Act shall be known as the "Truck Mudguards Act of 2017".

SEC. 2. **Declaration of Policy.** – It is the policy of the State to ensure the safety of its roads, motorists, pedestrians, and residents in areas by roads and highways. Hence, it is incumbent upon the State to closely regulate vehicles, especially trucks, which impose heavier burden upon its public roads and highways, and pose greater danger to other road users due to the overall tonnage of these vehicles, including the weight of their cargo.

SEC. 3. **Definition of Terms.** – For the purposes of this Act, the following terms shall mean:

- a. **Mudguard:** an automotive accessory made of flexible material that helps prevent dirt and grime from reaching sensitive parts of the vehicle specially the under carriage;
- b. **Trucks:** all vehicles including trailers, trucks, truck-tractors and/ or semi-trailers with a gross vehicle weight rating (GVWR) exceeding 3,000 lbs.;

c. Road: a stretch with smooth or paved surface, made for travelling by motorized and non-motorized vehicles, and to which the public has access; and

d. Motorist: any person operating a motor vehicle.

SECTION 4. *Installation of Mud Guards.* – All buses, trucks and semi-trailers shall have mudguards sufficiently covering the rear of the rear wheel to prevent as far as practicable gravel, stones or other materials from being thrown into the windshields of other vehicles.

Mudguards shall be attached directly to the rear of the rearmost wheels, hanging perpendicularly at right angles to the body of the vehicle, and parallel with the rearmost axle. They shall be of such size, weight and substance as to prevent the bulk of the spray or other substance picked up from the roadway from being thrown on the windshield of a following vehicle. Mudguards shall maintain distance from the ground.

They shall be at least as wide as the tires they are protecting. If said rearmost wheels are not adequately covered at the top by fenders, body or other parts of the vehicle, said mud guards shall be extended to a point directly above the rearmost axle.

Lamps or wiring shall not be attached to mudguards, and any reflectors or reflectorized material attached to or made a part mudguards shall be in addition to the reflectors required by law on the vehicle.

SECTION 5. *Prohibited Acts.* – No truck shall be driven or operated in any road at any time of the day without the prescribed mud guards, and attached as provided in SECTION 5 of this Act.

SECTION 6. *Penalties.* – Any motorist caught driving or operating a truck without mudguards on any road or highway at any time of the day shall be liable to pay the amount of five thousand pesos (P 5,000.00).

A second offense will be meted with a fine of ten thousand pesos (P 10,000.00) and one-month suspension of the driver's license. Additionally, the owner of the vehicle is required to explain in writing (within three (3) business days from the date of the violation), the reason for the failure to attach the required mudguards despite a prior violation. Failure to submit a written explanation addressed to the Land Transportation Office (LTO) shall automatically warrant a fine of twenty thousand pesos (P 20,000.00) upon the registered owner of the vehicle.

Any succeeding offense shall result in the six-month suspension of the motorist's driver's license, and a fine of twenty-five thousand pesos (P 25,000.00) upon the registered owner of the vehicle.

SECTION 7. *Separability Clause.* – If any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions shall not be affected.

SECTION 8. *Repealing Clause.* – All laws, Presidential decrees, executive orders and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 9. *Effectivity.* – This Act shall take effect fifteen (15) days from the date of its complete publication in at least two (2) newspapers of general circulation.

Approved,