

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8504



Introduced by HON. LINABELLE RUTH R. VILLARICA
4th District, Bulacan

EXPLANATORY NOTE

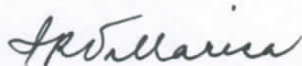
Public transportation has been the mode of transport for most Filipinos. In Metro Manila alone, travel by public transport accounts for 69% of the total number of vehicular trips taken every day. By 2030, it is further projected that mass transit in the city will likely reach 7.4 million passengers a day.

Coupled with the country's escalating population, the high demand for public transport has resulted to the jamming of passengers in public utility vehicles. Overloaded jeepneys and buses have become a common occurrence in provinces and cities, but these have gone largely unnoticed by authorities, save in cases that resulted to death or tragedy.

One such case is the Carranglan, Nueva Ecija bus tragedy in April 1997, which claimed the lives of more than 30 passengers. Leomarick Trans minibus, which was carrying 77 persons when its capacity was only 45, fell into a ravine after its driver lost control of the vehicle. Overloading has been known to cause vehicles to be less stable, difficult to steer and take longer to stop. Very recently, in September 2018, 14 people died when the brakes of an overloaded passenger van malfunctioned in Balbalan, Kalinga Apayao, and plunged off a cliff.

The overloading of public utility vehicles has already claimed many innocent lives, and its persistence continues to threaten the safety of passengers and commuters, as well as other road users. Thus, this practice must be stopped for the safety and protection of the riding public, through criminalizing and penalizing the carrying of passengers above the registered vehicle capacity.

Immediate approval of this measure is earnestly sought.


REP. LINABELLE RUTH R. VILLARICA

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AN ACT
INCREASING THE PENALTY OF OVERLOADING OF PASSENGERS IN PUBLIC
UTILITY VEHICLES AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. - This Act shall be known as the “*Anti-Overloading Act of 2018*”.

SEC. 2. Declaration of Policies. It is hereby declared the policy of the State to ensure the safety and protection of all its citizens. It shall also ensure strict implementation of the law. Towards this end, the State shall establish pro-active measures for the prevention of road traffic fatalities and for maintenance of peace and order, and public safety.

SEC. 3. Definition of Terms. As used in this Act,

- (a) Covered vehicles refers to any motor vehicle considered as a public transport conveyance or common carrier duly registered with the Land Transportation Office and granted a franchise by the Land Transportation Franchising and Regulatory Board;
- (b) Overloading refers to the act of loading people over and above the registered carrying capacity of the covered vehicle;
- (c) Passenger refers to any person being transported and conveyed in and by a motor vehicle for transportation of people, including persons expressly authorized by law or by the vehicle’s operator or his agents.

SEC 4. Prohibited Acts. – It shall be unlawful for owners, operators, drivers, conductors and other persons responsible for the operation of any covered vehicle to load above their registered carrying capacity as determined by the Department of Transportation (DOTr).

In the determination of the registered carrying capacity, the DOTr shall consider the measured weight of a motor vehicle plus the maximum allowable carrying capacity in passenger. The registered carrying capacity shall reflect the seating and standing capacity of the motor vehicle.

SEC. 5. Penalties. – Carrying passengers beyond the registered carrying capacity shall be imposed the following penalties:

- (a) For first offense, a fine in the amount of Fifty Thousand Pesos (P50,000.00) and one (1) year suspension of the franchise and driver's license of the driver;
- (b) For the second offense, a fine in the amount of Two Hundred Fifty Thousand (P250,000.00) and two (2) years suspension of the franchise and driver's license of the driver;
- (c) For third offense, a fine in the amount of One Million Pesos (P1,000,000.00) and revocation of the franchise and driver's license of the driver.

The imposition of the foregoing fines and penalties shall be without prejudice to any criminal action that may be instituted under existing laws, rules and regulations.

SEC. 5. *Implementing Rules and Regulations.* – The Land Transportation Office (LTO), in consultation with the Department of Transportation and the Land Transportation Franchising and Regulatory Board, shall formulate and issue the implementing rules and regulations for this Act within sixty (60) days after the effectivity of this Act.

SEC. 6. *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.

SEC. 7. *Separability Clause.* – If, for any reason, any section or provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of national circulation.

Approved,