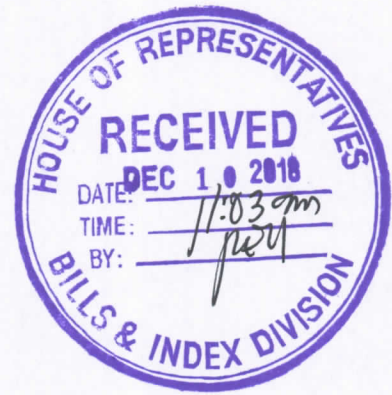




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8746

Introduced by **DIWA Party-list Representative Pepito M. Pico**

EXPLANATORY NOTE

A dutiful parent's primary concern when sending their children to school is their children's safety. While it is understandable that not all accidents could be prevented, we, as responsible service consumers, must still remain vigilant and pro-active when it comes to ensuring that our children get the safest and most reliable transportation to and from their school. This is why it is important to evaluate and scrutinize the safety and security of school buses in the country.

In the United States of America, for example, school bus drivers are required to go through a meticulous screening process and a rigorous training as part of their federal regulations. They are obliged to undergo an even more extensive set of trainings and certifications than drivers of any other highway vehicle. Not only must they have a commercial driver's license, they must also have specific passenger and school bus endorsements. Trainings in first aid, security, emergency evacuation, and student behavior management are also mandated. Even more, they also conduct pre-employment and periodic background checks as well as drug and alcohol testing.

The protection of students in school buses, should therefore, be well ensured here in the Philippines because it is the right of every child to be able to attend school without having any fear or threat of being harmed. Considering the escalating number of transportation-related accidents, I believe that the proper attention must be given to our various transportation mechanisms, including our school bus systems. This bill, a re-filing of House Bill 757 filed by former DIWA Party-list Representative Emmeline Villar, intends to professionalize our school bus system and mandates the installation of security features in every unit of school bus, operating in every school throughout the country.


PEPITO M. PICO
Representative, DIWA Party-list



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AN ACT
PRESCRIBING SCHOOL BUS SAFETY STANDARDS 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 "School Bus Safety Act."

SEC. 2. Declaration of Policy. It is hereby declared the policy of the State to promote safety in order to protect passengers of school buses from injury in case of accidents.

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

- A. "Bus" means a motor vehicle with motive power, except a trailer, designed for carrying more than ten (10) persons;
- B. "School Bus" means a bus that is used for purposes that include carrying students to and from public or private school or school-related events on a regular basis, but does not include a transit bus or a school-chartered bus;
- C. "School-Chartered Bus" means a bus that is operated under a short-term contract with the school authorities who have acquired exclusive use of the bus at a fixed charge in order to provide transportation for a group of pupils to a special school related event;
- D. "Secretary" means the Secretary of Transportation and Communication;
- E. "Seat Belts" refer to the combined lap belt and shoulder strap that fasten a rider to a moving vehicle and prevent him or her from being thrown out or against the interior of the vehicle during sudden stops.

SEC. 4. Special License for School Bus Drivers.

A. Qualifications: Subject to the following minimum standards, the DOTC shall, not later than one (1) year after the date of enactment of this Act, prescribe qualifications to apply for special licenses of school bus drivers and conductors:

- a. Must be at least eighteen (18) years old;
- b. Must be physically and mentally fit to work and operate a motor vehicle;
- c. Must not be a drug user or an alcoholic;
- d. Must not be afflicted with any contagious disease, epilepsy, or any other medical condition which may affect motor skills;
- e. Must be able to read and write in Filipino or English; and
- f. Must be clean, neat and presentable.

B. Requirements: Subject to the following minimum requirements, the DOTC shall, not later than one (1) year after the date of enactment of this Act, prescribe requirements before the issuance of special license for school bus drivers and special license for school bus conductors:

- a. Properly accomplished application form for special license of school bus drivers or special license of school bus conductors, as the case may be;
- b. Medical certificate issued by any licensed physician practicing in the Philippines;
- c. Original birth certificate or NSO authenticated birth certificate with official receipt and 1 photocopy;
- d. Valid student driver's permit;
- e. NBI clearance; and
- f. Police clearance;

C. Additional Certification Requirement: Before the issuance of the special license for school bus drivers or operators, the applicant must show proof of having completed the following certification programs to be facilitated by the Department:

- a. Course on basic first aid training and emergency response protocols;
- b. Course on security management; and
- c. Course on proper student management and child behavior.

The certification courses shall be regularly taken by school bus drivers and/or conductors as a continuing requirement. The regularity by which the courses are to be required shall be prescribed by the Department.

D. Demonstration of Proficiency. Each school bus driver and/or school bus conductor shall demonstrate at such interval as the Secretary shall prescribe,

to the employer-school/s of the driver, or other person or agency responsible for regulating school bus drivers as may be established by the Department, the proficiency of such drivers in operating a school bus in accordance with this Section.

SEC. 5. Seat Belts in School Buses.

A. Requirement for Installation. - Not later than one (1) year after the date of the enactment of this Act, the Secretary shall prescribe regulations requiring driver seat belts and passenger seat belts (including lap safety belts or other child safety devices, meeting applicable government safety standards) for each seating position in any newly manufactured school bus. Owners of school buses which are not currently equipped with seat belts shall be given a period of six (6) months from the publication of the regulations by the Secretary to install the necessary seat belts in their school buses.

B. Promotion of Seat Belt Usage.

1. In General. - The Secretary, in consultation with appropriate safety organizations and parent-teacher organizations, shall conduct a program to promote and encourage the use of seat belts in school buses.
2. Elements of the Program. - In conducting the program required under this subsection, the Secretary shall -
 - a. Encourage local government units to monitor the mandatory usage of seat belts in school buses;
 - b. Develop and disseminate educational materials on the importance of using seat belts to passengers and drivers of school buses; and
 - c. Recognize in an appropriate manner the schools that achieve a high level of seat belt usage by passengers and drivers of school buses.

SEC. 6. Emergency Exit and Other Emergency Equipment in School Buses.

A. Emergency Exit Door. - Every school bus shall have safe emergency exits at the back end of the bus other than the regular ingress/egress door at the usually located at the front or at the middle of the bus. The emergency exits shall be properly indicated as such and shall always be maintained in such a way that it shall always be safe for the passenger-students and can only be used in case of actual emergency situations.

B. Emergency Equipment. - Every school bus shall also have functioning emergency equipment such as, but not limited to, fire extinguishers, first aid kits, emergency lights, etc. Such facilities shall be stored inside the bus in such a way that it shall always be safe for the passenger students and can only be used in case of actual emergency situations.

SEC. 7. Registration. - No school bus shall be allowed to acquire, maintain and renew registration unless it is equipped with the necessary seat belts.

SEC. 8. Implementing Authority. - The Secretary shall be primarily responsible for the enforcement of the provisions of this Act. The Secretary may provide for a reasonable period for public notice and comment consistent with ensuring expeditious but full implementation of the prescribed safety requirement of this Act.

SEC. 9. Separability Clause. - Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SEC. 10. Repealing Clause. - All laws, decrees, executive orders, 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. 11. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,