

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 8013



Introduced by Pangasinan Fifth District Representative
HON. RAMON V. GUICO III

EXPLANATORY NOTE

Buses and trucks have been very well known to cause devastating road fatalities. The weight and size of these road behemoths, coupled with its more often than not overworked drivers, and our subpar road and transportation system had become a malicious combination that has claimed hundreds of lives and injured many others.

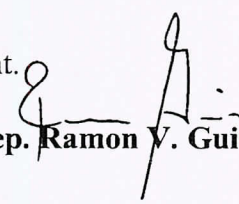
Take for instance the “Don Mariano” bus line accident on December 2013, wherein the bus full of passengers had crashed down from the Skyway in Alabang. It resulted to the death of 18 persons and injuries to 11 others. Upon investigation, it was revealed that the driver was forced to work non-stop for 19 hours just so he can meet his daily quota and earn enough for his commission.

More recently in San Jose del Monte, Bulacan, a mother and her infant child were killed after they were crushed by a flatbed truck carrying a backhoe. Nine (9) others were injured. The driver, after being subjected to a drug test, had admitted and was proven to have used drugs prior to the accident. While it might be difficult to surmise the motivations behind the driver’s drug use, we can agree that many kinds of illegal drugs, including *shabu*, are known to be highly addictive stimulants and can be abused to surpass a person’s physiological limits, therefore enabling one to work for extended periods of time. Ultimately, this puts a strain not only to a person’s mental capacity, but his physical wellbeing as well.

The very thought of these freak accidents had led this representation to mull over a measure to minimize, if not wholly prevent the recurrence of these deadly events. The root of the problem is readily apparent: unregulated work hours and improper fatigue management for drivers. As such, under this Act, the government shall impose standardized work hours and give bus and truck drivers the right to a monthly salary. Ultimately, it shall preserve the health and overall wellbeing of these drivers; and provide greater safety for passengers and innocent bystanders alike.

In honest exchange for better working conditions and regular pay, this representation seeks to hold our bus and truck drivers to a higher standard. They are beholden to be in peak health and should only be operating road-worthy vehicles, thus the additional requirement for a medical certificate and a Certificate of Roadworthiness as they renew their license every year.

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


Rep. Ramon V. Guico III

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 8013

Introduced by Pangasinan Fifth District Representative
HON. RAMON V. GUICO III

AN ACT
ESTABLISHING STANDARDIZED WORK HOURS FOR BUS AND TRUCK DRIVERS,
PROVIDING A MONTHLY SALARY, AND PROVIDING PENALTIES THEREOF

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “**Standardized Heavy Vehicle**
2 **Driving Act.**”

3
4 **SEC. 2. Declaration of Policy.** – It is hereby declared a policy of the State to foster just and
5 humane working conditions for bus and truck drivers to secure and safeguard citizens from the risks of
6 vehicular accidents brought forth by competing and overworked drivers.

7
8 **SEC. 3. Definition of Terms.** – For the purposes of this Act:

- 9
10 a. **Night rest breaks** are 7 continuous hours stationary rest time taken between the hours
11 of 10PM on a day and 8AM on the next day or a 24 continuous hours stationary rest
12 break.
- 13 b. **Standard Work Hours** refers to the tasks of driving a Restriction 8 heavy vehicle,
14 including:
- 15 1. Loading and unloading a vehicle;
16 2. Inspecting, servicing, and repair work;
17 3. Attending to the load or to passengers (on a bus);
18 4. Cleaning or refueling the vehicle.
- 19 c. **Stationary Rest** refers to the time a bus or truck driver spends out of a heavy vehicle
20 or in a sleeper berth of a stationary Restriction 8 heavy vehicle.

21
22 **SEC. 4. Coverage.** – All licensed professional drivers operating vehicles within Driver’s License
23 Restriction Code 8 (4501 & above GVW) who are currently employed by a private entity to transport
24 people, goods, and provide other transportation services. This shall include public utility bus (PUB)
25 drivers under the employ of persons who have been issued a Certificate of Public Convenience to operate
26 a public utility bus service.

27
28 **SEC. 5. Driver Qualification Standards.** – All operators providing bus and truck transportation
29 services shall comply with the driver qualifications and standards to be established by the Land

Transportation Office (LTO) to ensure the employment of qualified and experienced bus and truck drivers.

SEC. 6. Standard Work Hours. – The following shall be the standard work hours for bus and truck drivers:

a. **Solo Drivers** – In any period of:

1. 5 ½ hours work time, a driver must not work for more than a maximum of 5 ¼ hours work time and must have the rest of that period off work with at least a minimum rest break of 15 continuous minutes rest time;
2. 8 hours work time, a driver must not work for more than a maximum of 7 ½ hours work time and must have the rest of that period off work with at least a minimum rest break of 30 minutes rest time in blocks of 15 continuous minutes;
3. 11 hours work time, a driver must not work for more than a maximum of 10 hours work time and must have the rest of that period off work with at least a minimum rest break of 60 minutes in blocks of 15 continuous minutes;
4. 24 hours work time, a driver must not work for more than a maximum of 12 hours work time and must have the rest of that period off work with at least a minimum rest break of 7 continuous hours stationary rest time;
5. 7 days work time, a driver must not work for more than a maximum of 72 hours work time and must have the rest of that period off work with at least a minimum rest break of 24 continuous hours of stationary rest time;
6. 14 days work time, a driver must not work for more than a maximum of 144 hours work time and must have the rest of that period off work with at least a minimum rest break of 2 night rest breaks and 2 night rest breaks taken on a consecutive day;

b. **Two-Up Drivers** – In any period of:

1. 5 ½ hours work time, a driver must not work for more than a maximum of 5 ¼ hours work time and must have the rest of that period off work with at least a minimum rest break of 15 continuous minutes rest time;
2. 8 hours work time, a driver must not work for more than a maximum of 7 ½ hours work time and must have the rest of that period off work with at least a minimum rest break of 30 minutes rest time in blocks of 15 continuous minutes;
3. 11 hours work time, a driver must not work for more than a maximum of 10 hours work time and must have the rest of that period off work with at least a minimum rest break of 60 minutes in blocks of 15 continuous minutes;
4. 24 hours work time, a driver must not work for more than a maximum of 12 hours work time and must have the rest of that period off work with at least a minimum rest break of 5 continuous hours stationary rest time in a sleeper berth while the vehicle is moving;
5. 7 days work time, a driver must not work for more than a maximum of 60 hours work time and must have the rest of that period off work with at least a minimum rest break of 24 continuous hours of stationary rest time and 24 hours stationary rest time in blocks of at least 7 continuous hours of stationary rest time;
6. 14 days work time, a driver must not work for more than a maximum of 120 hours work time and must have the rest of that period off work with at least a minimum rest break of 2 night rest breaks and 2 night rest breaks taken on a consecutive day;

SEC. 7. Payment of Monthly Salary. – The monthly salaries of bus and truck drivers shall be no less than the minimum wage required by law and shall be paid in cash no later than the fifteenth (15th)

and thirtieth (30th) day of every month. All benefits and incentives as provided in the Labor Code and other related laws shall be accorded in full and without fail to all bus and truck drivers.

SEC. 8. *Renewal of Professional Driving License.* – All bus and truck drivers, as specified under this Act, shall renew their driving license every 12 (twelve) months with the additional requirements, to wit:

- a. a medical certificate issued by a licensed physician from a government or accredited private hospital indicating that the driver is in good health;
- b. a Certificate of Road Worthiness for the vehicle which the driver operates; and
- c. a Driver Work Record specified under Sec.11 of this Act.

SEC. 9. *Employment Status.* – All bus and truck drivers, except those under probationary employment shall be considered as regular employees and shall be accorded the full berth of rights and privileges granted to regular workers pursuant to the provisions of the Labor Code.

SEC. 10. *Security of Tenure.* – All bus and truck drivers can only be terminated for just or authorized causes pursuant to the provisions of the Labor Code.

SEC. 11. *Driver Work Record.* – All bus and truck operators shall require their drivers to maintain a driver work record, which shall contain:

- a. Driver/s Name;
- b. Driver/s License Number;
- c. Work Hour Option under which the driver is operating;
- d. Date and day of the week;
- e. Work and rest hours;
- f. Plate Number, including any vehicle changes;
- g. Name of location at each work and rest change (rest area, bus or truck stop, city or town)
- h. Total Number of Hours of each activity at the end of the day; and
- i. Signature Over Printed Name.

A copy of the summary of the driver work record shall be submitted to the LTO as a requirement for driver's license renewal. In the case of PUBs, a copy of the summary of driver work record shall be furnished to the LTFRB as a requirement for the annual renewal of registration of the PUB.

SEC. 12. *Roadside Drug Testing.* – The Philippine National Police (PNP) is hereby authorized to conduct roadside drug testing operations that will specifically target bus and truck drivers operating Restriction 8 vehicles.

Likewise, if the manner by which a bus or truck driver operating a Restriction 8 heavy vehicle indicates that he/she is impaired by drugs or is involved in a fatal crash, the PNP shall have the power to order the vehicle to halt and take the driver to the nearest hospital to obtain a blood and urine sample. The sample shall be analyzed for any drug, including prescription drugs which are known to impair driving.

1 **SEC. 13. Penal Provisions.** – Failure to comply with any of the provisions of this Act shall incur
2 a fine of not less than One Hundred Thousand Pesos (P100,000.00) but no more than Two Hundred
3 Thousand Pesos (P200,000.00) and suspension of the franchise to operate; *Provided, That,* the
4 suspension shall be lifted once the operator has complied and has paid the drivers of their wages and
5 appropriate benefits.

6 **SEC. 14. Implementing Rules and Regulations.** – The LTFRB, LTO, and DOLE shall
7 coordinate in formulating, and within ninety (90) days, issue the necessary rules and regulations for the
8 effective implementation of this Act.

9 **SEC. 15. Repealing Clause.** – All laws, decrees, executive orders or parts thereof inconsistent
10 with the provisions of this Act is hereby repealed or modified accordingly.

11 **SEC. 16. Separability Clause.** – If any part or provision of this Act is declared invalid or
12 unconstitutional, the other parts not otherwise affected shall remain in full effect and force.

13 **SEC. 17. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the
14 Official Gazette or at least two (2) newspapers of general circulation.

Approved,