

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8172



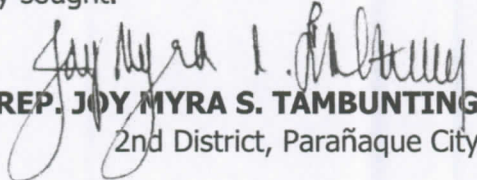
Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

Overloading vehicles poses grave danger not only to the passengers and driver of overloaded vehicles but also to other motorists on the road. By carrying more than the maximum capacity, a vehicle is more prone to overheating, steering and brake issues, among others. In smaller public utility vehicles (such as taxis, UV express etc.), the driver's control and operating space is compromised, thus increasing the risk of road accidents. Considering the COVID-19 pandemic and the new normal, overloading also poses health risks to the community as it does not allow for physical distancing among passengers which increases the risk of disease transmission.

In this regard, this measure seeks to introduce stiffer penalties for overloading passengers in public utility vehicles. Under this proposed measure, violators would face a fine of fifty thousand pesos (P50,000.00) to five hundred thousand pesos (P500,000.00) with suspension or cancellation of their certificate of public convenience and the driver's and conductor's licenses.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
IMPOSING STIFFER PENALTIES FOR OVERLOADING PASSENGERS IN PUBLIC
UTILITY VEHICLES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4136, AS
AMENDED, OTHERWISE KNOWN AS THE "LAND TRANSPORTATION AND TRAFFIC
CODE"

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

SECTION 1. Section 32 (a) of Republic Act No. 4136, as amended, is hereby further amended to read as follows:

"SEC. 32. (a) *Exceeding registered capacity, issuance of conductor's license, validity, and fee.* – No person operating any motor vehicle shall allow more passengers or more freight or cargo in his vehicle than its registered carrying **AND SEATING** capacity. ~~[In the case of public utility trucks or buses, the conductor shall be exclusively liable for violations of this section or of Section thirty two, letter (c) hereof: *Provided, That the*~~ **THE** conductor before being employed by any public service operator shall get a permit or license from the Bureau and pay the fee prescribed in accordance with law, for said license or permit issued in his favor, which shall be valid for three years, and the same is renewable on or before the last working day prior to his or on his birthdate, attaching a readily recognizable photograph taken by the Bureau and after presentation or a medical certificate of fitness of applicant.

"xxx."

SEC. 2. Section 56 of the same Act, as amended, is hereby amended to read as follows:

"SEC. 56. *Penalty for violation.* – The following penalties shall be imposed for the violations of this Act:

"(a) XXX

"xxx

"(f) xxx

"(g) FOR ALLOWING MORE PASSENGERS IN THE PUBLIC UTILITY VEHICLES MORE THAN THEIR REGISTERED CARRYING OR SEATING CAPACITY OR ALLOWING THE CARRYING OF PASSENGERS ON TOP OF THE PUBLIC UTILITY VEHICLES OR ALLOWING ANY PERSON TO RIDE ON THE RUNNING BOARD, STEP BOARD OR MUDGUARD OF THE PUBLIC UTILITY VEHICLES WHILE SUCH VEHICLES ARE IN MOTION, THE OPERATOR, DRIVER AND CONDUCTOR ARE SOLIDARILY LIABLE FOR:

"I. A FINE OF FIFTY THOUSAND PESOS (P50,000.00) AND THIRTY-DAY SUSPENSION OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND THE DRIVER'S AND CONDUCTOR'S LICENSES FOR THE FIRST OFFENSE;

"II. A FINE OF TWO HUNDRED THOUSAND PESOS (P250,000.00) AND SIX-MONTH SUSPENSION OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND THE DRIVER'S AND CONDUCTOR'S LICENSES FOR THE SECOND OFFENSE; AND

"III. A FINE OF FIVE HUNDRED THOUSAND PESOS (P500,000.00) AND CANCELLATION OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND THE DRIVER'S AND CONDUCTOR'S LICENSES FOR THE THIRD OFFENSE.

"VIOLATIONS OF SECTION THIRTY-TWO NOT PENALIZED UNDER THE PRECEDING PARAGRAPH, AND [Violation of] Sections [thirty-two,] thirty-four (a), (b), and (b-1), thirty-five and forty-six OF THIS ACT, a fine not exceeding [one hundred] TWO THOUSAND pesos: *Provided, however,* That in the case of violation of Section thirty-four (b) the vehicle or vehicles affected may not be allowed to operate, unless the requirement provided in this section are complied with."

SEC. 3. Within ninety (90) days from the approval of this Act, the Secretary of Transportation, in coordination with the Assistant Secretary of the Land Transportation Office and Chairperson of the Land Transportation Franchising and Regulatory Board, shall promulgate rules and regulations implementing the provisions of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in two (2) newspapers of general circulation.

SEC. 4. All laws, orders, issuances, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,