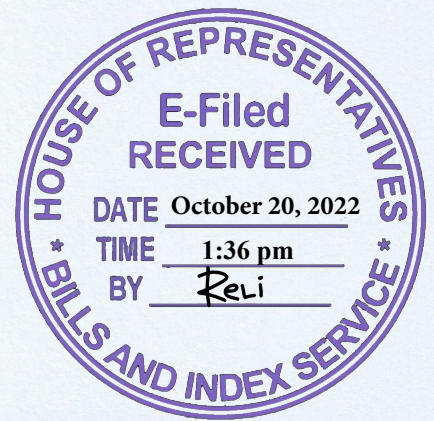


Republic of the Philippines
HOUSE OF REPRESENTATIVES

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5618



Introduced by Representative Rex Gatchalian

AN ACT
PROHIBITING THE USE OF MOTOR VEHICLES WITHOUT MUFFLERS OR THOSE
THAT ARE DEFECTIVE OR HAVE BEEN MODIFIED WHICH INCREASE THE
SOUND EMITTED BY MOTOR VEHICLES, PENALIZING OWNERS AND DRIVERS
THAT CONTRIBUTES TO NOISE POLLUTION IN THE ENVIRONMENT

EXPLANATORY NOTE

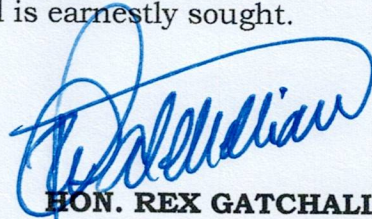
The Constitutional right to health of every Filipino includes the right to be protected from noise pollution. According to the World Health Organization (WHO), community noise is defined as “noise emitted from all sources (except noise at the industrial workplace). This includes road, rail and air traffic, industries, construction and public work, and the neighborhood.” Noise pollution is a steadily growing, but underestimated issue today. Its detrimental effects on health include noise-induced hearing impairment, interference with speech communication, and disturbance of rest and sleep. It also has psychophysiological, mental health, and performance effects, as well as effects on residential behavior and annoyance.¹

In the Philippines, some of the main sources of noise pollution are vehicles without mufflers, defective mufflers, and modified mufflers. A muffler is beneficial as it serves a three-fold purpose: to absorb and dissipate noise, to reduce exhaust gases, and to maintain power while performing the first two purposes. Unfortunately, there is no national policy at the time to regulate the use of mufflers on vehicles. Vehicles without mufflers or with modified or defective mufflers have been proven to be distracting to drivers. It agitates them as it affects hearing, vision, reaction time, and judgment. This increases the risk of danger for everyone on the road.

¹ WHO, Guidelines for Community Noise, available at <https://apps.who.int/iris/handle/10665/66217>.

This bill seeks to regulate the use of mufflers, those that are missing, defective, and their modifications that increases the sound emitted by vehicles, contributing to noise pollution, penalizing owners and drivers that contribute to the sound that exacerbates noise pollution to our environment.

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



HON. REX GATCHALIAN

Representative

1st District, Valenzuela City

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

1 **SECTION 1.** *Short Title.* - This Act shall be known as "Muffler Act of 2022".

2
3 **SEC. 2.** *Definition of Terms:*

- 4 a) *Decibel* refers to a measure of sound level and is equal to ten (10) times the
5 logarithm of the square of a measured sound pressure level (SPL) divided by
6 a reference sound pressure.
- 7 b) *Emission* refers to any measurable air contaminant, pollutant, gas stream or
8 unwanted sound from a known source which is passed into the atmosphere.
- 9 c) *Motorcycle* refers to any two-wheeled motor vehicle with at least one headlight,
10 taillight and stoplight, and one or more saddle seats. For purposes of this Act,
11 the term shall likewise include motorcycles to which are attached cars,
12 commonly known as "tricycles".
- 13 d) *Motor Vehicle* refers to any vehicle propelled by gasoline engine or by any
14 means other than human or animal power constructed and operated
15 principally for the conveyance of persons or the transportation of goods in a
16 public highway or street open for public use.
- 17 e) *Muffler* refers to a device that reduces the noise from the exhaust of an internal
18 combustion engine.

- 1 f) *Modified Muffler* refers to a devise attached to a motor vehicle on which a
2 sound booster and other sound emitting devise is installed in order to increase
3 noise and for other purposes.
- 4 g) *Noise* refers to any unnecessary, erratic, discordant loud or blaring sound
5 which annoy, disturb, distract or offend the senses.
- 6 h) *Noise Pollution* refers to the emission of loud, excessive, disturbing, unhealthy
7 sound amplification devices or equipment and/or other sources of sound such
8 as, but not limited to commercial, industrial and construction activities,
9 vehicle exhaust, mufflers, animal noise, and noise produced by human beings
10 such as loud conversation and laughter and found to exceed the normal
11 allowable decibel ratio.
- 12 i) *Nuisance* refers to anything that injures health, endangers life, offends the
13 senses or produces discomfort to the community.
- 14 j) *Unnecessary Noise* refers to any unusually loud sound that annoys, disturbs,
15 or endangers the health, peace, safety and comfort of a person or causes injury
16 or harm to human beings and animals alike.
- 17

18 **SEC. 3. Declaration of Policy.** — The protection of the health and well-being of
19 the members of the community should be the primordial concern of our society,
20 hence, it is imperative that rules are laid down and observed to protect them from
21 the dangers of prolonged exposure to noise pollution by unregulated use of motor
22 vehicles which by reason of lack of maintenance, deliberate tampering or
23 inappropriate use, has missing, defective, or modified mufflers emitting loud and
24 unnecessary noise disturbing the peace and harmony of nature.

25 Acts that endanger the environment from further degradation and those that
26 are discordant with a balanced and healthful development should be controlled and
27 abated. Operators and owners of motor vehicles should be made responsible for
28 ensuring that noise from their vehicles is kept within reasonable levels.

29

30 **SEC. 4. Mufflers and Noise Controlling Devices.** — No motor vehicles shall be
31 allowed to be driven or operated without having been properly equipped, at all times,
32 with either a muffler or any noise dissipative device in constant operation and of
33 sufficient capacity to its motor engine to prevent the escape of excessive and
34 disturbing noise.

35 Noise control should include both the exhaust system and engine components
36 of a motor vehicle.

1
2 **SEC. 5. *Modified and Defective Muffler.*** - No motor vehicle, motorcycle,
3 motorbike, scooter, tricycle whether for private or public use shall likewise use any
4 modified muffler, sound booster or any device that will increase the noise of said
5 vehicle or emit a sound of more than seventy (70) decibels.

6 Any owner or operator of a motor vehicle who has caused or permitted a
7 vehicle to be used when its muffler or noise control equipment is defective or not
8 securely in place shall likewise be liable under this Act.
9

10 **SEC. 6. *Reasonable Level/Decibel/Standard.*** - Exhaust noise should not
11 exceed the maximum prescribed level of seventy (70) decibels.
12

13 **SEC. 7. *Exception.*** - Motor vehicles not utilized for transport of goods and
14 people but are merely used for sports competition, motor shows and similar
15 endeavors are hereby exempted from this Act.
16

17 **SEC. 8. *Noise Pollution Emission Testing.*** - The Land Transportation Office
18 (LTO) shall conduct noise pollution testing upon and during yearly registration of all
19 motor vehicles in the country. It shall equip its registration centers with testing
20 meters to measure the vehicle's noise standard of a maximum of seventy (70)
21 decibels.

22 Registration shall be held in abeyance pending compliance with the standard
23 decibel requirement.
24

25 **SEC. 9. *Penalties.*** - Any person who drives a motor vehicle without a muffler,
26 a defective or modified muffler, sound booster or any device that will increase the
27 noise of said vehicle or emit a sound of more than seventy (70) decibels shall be
28 penalized as follows:

- 29 a) For the first offense, a fine of five thousand pesos (P5,000.00) and confiscation
30 of the modified muffler or sound booster;
31 b) For the second offense, a fine of ten thousand pesos (P10,000.00) and
32 impoundment of the motor vehicle for a period of one (1) month;
33 c) For succeeding offenses, a fine of fifteen thousand pesos (P15,000.00) and
34 suspension of the driver's license of the violator for six (6) months.
35

1 **SEC. 10. *Implementing Agency.*** — The LTO shall be the lead government
2 agency in implementing the provisions of this Act. *Provided, That* the LTO may
3 deputize the Metro Manila Development Authority (MMDA) agents, local public safety
4 and other officers of the LGU to assist in the implementation of this Act.

5 LTO officers, MMDA agents, and local public safety and order officers, shall
6 be equipped with a decibel meter to effectively gauge the intensity of loudness of a
7 motor vehicle.

8
9 **SEC. 11. *Appropriations.*** - The amount needed for the initial implementation
10 of this Act shall be charged against the current year's appropriations of the LTO.
11 Thereafter, such amount as may be necessary for the continued implementation of
12 this Act shall be included in the General Appropriations Act.

13
14 **SEC. 12. *Implementing Rules and Regulations.*** - Within ninety (90) days upon
15 the approval of this Act, the Department of Transportation shall, in consultation with
16 the various stakeholders, formulate the rules and regulations necessary for the
17 proper implementation of this Act.

18
19 **SEC. 13. *Separability Clause.*** - If any part, section or provision of this Act is
20 declared invalid or unconstitutional, the other parts thereof, not affected thereby
21 shall remain in full force and effect.

22
23 **SEC. 14. *Repealing Clause.*** - All laws, acts, presidential decrees, executive
24 orders, administrative orders, rules and regulations, or parts thereof, inconsistent
25 with or contrary to the provisions of this Act are hereby amended, modified or
26 repealed accordingly.

27
28 **SEC. 15. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
29 publication in the Official Gazette or in at least two (2) newspapers of general
30 circulation.

Approved,