

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



**HOUSE OF REPRESENTATIVES
HOUSE BILL No. 2025**

Introduced by REPRESENTATIVE CLAUDINE DIANA D. BAUTISTA-LIM

**AN ACT
FURTHER AMENDING REPUBLIC ACT NUMBER 4136, OTHERWISE KNOWN AS
THE “LAND TRANSPORTATION AND TRAFFIC CODE”, AS AMENDED, BY
PROVIDING FOR STIFFER PENALTIES ON OVERLOADING OF PUBLIC UTILITY
VEHICLES AND RECKLESS DRIVING RESULTING IN HOMICIDE**

EXPLANATORY NOTE

Tragic news of families grieving the loss of loved ones due to motor vehicle accidents at NAIA Terminal 1 and SCTEX have deeply saddened the country recently. As the victims’ families grapple over their loss and call for justice, the government has vowed to institute reforms to improve road safety and accountability.

Revisiting our traffic laws in order to effectively address rising road accident rates has long been necessary. Immediate action is needed to put in place stiffer penalties for traffic law violators, particularly on negligent and reckless motor vehicle operators.

This measure aims to amend Republic Act No. 4136, otherwise known as the Land Transportation and Traffic Code, as amended, by providing for tougher penalties on speeding and reckless driving. This is to deter violation and enhance discipline among drivers. This bill also aims to improve commuter experience by increasing the penalties for overloading of public utility vehicles.

The lives lost in the recent accidents should not end up as mere statistics. The least that Congress can do is to rectify our laws to ensure safer roads for the Filipino people by immediately approving this proposal.


REP. CLAUDINE DIANA D. BAUTISTA-LIM
DUMPER-PTDA Partylist

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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 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] **THE** vehicle than its registered carrying capacity **AND SEATING** capacity. [~~In 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] **LTO** and pay the fee prescribed by laws, for said license or permit issued in [his] favor **OF THE CONDUCTOR**, which shall be valid for three years, and the same is renewable on or before [the last working day before his or on his birthdate] **THE CONDUCTOR’S BIRTHDATE**, attaching a readily recognizable photograph taken by [the Bureau] **LTO** and after presentation of a medical certificate of fitness of the applicant.

“xxx.”

SEC. 2. Section 56, Article I, Chapter V of the same Act, as amended, is hereby further amended to read as follows:

“Section 56. *Penalty for violation.* – The following penalties shall be imposed for violations of this Act:

“(a) XXX

“XXX

“(g) FOR ALLOWING PASSENGERS IN THE PUBLIC UTILITY VEHICLE MORE THAN ITS REGISTERED CARRYING OR SEATING CAPACITY OR ALLOWING THE CARRYING OF PASSENGERS ON TOP, ON THE RUNNING BOARD, STEP BOARD OR MUDGUARD OF THE PUBLIC UTILITY VEHICLE, THE OPERATOR, DRIVER, AND CONDUCTOR SHALL SOLIDARILY LIABLE FOR:

“1. A FINE OF TEN THOUSAND PESOS (P10,000.00) AND THIRTY-DAY SUSPENSION OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND THE DRIVER’S AND CONDUCTOR’S LICENSES FOR THE FIRST OFFENSE;

“2. A FINE OF TWENTY THOUSAND PESOS (P20,000.00) AND SIX-MONTH SUSPENSION OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND THE DRIVER’S AND CONDUCTOR’S LICENSES FOR THE SECOND OFFENSE;

“3. A FINE OF FIFTY THOUSAND PESOS (P50,000.00) 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 PARAGRAPHS, 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]~~ **FIVE 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.”**

“XXX

“(n) If, as the result of negligence or reckless or unreasonable fast driving, any accident occurs resulting in death or injury of any person, the

motor vehicle operator at fault shall, upon conviction, be punished under the provisions of the Revised Penal Code. **PROVIDED, THAT THE DRIVER'S LICENSE OF ANY MOTOR VEHICLE OPERATOR, WHOSE NEGLIGENCE OR RECKLESSNESS RESULTS IN THE DEATH OF ANY PERSON, SHALL IMMEDIATELY BE REVOKED AND THE ERRING MOTOR VEHICLE OPERATOR SHALL BE PERPETUALLY BARRED FROM HOLDING SUCH LICENSE, UPON CONVICTION.**

PROVIDED FURTHER, THAT THE MOTOR VEHICLE OPERATOR SHALL IMMEDIATELY UNDERGO DRUG TESTING.

PROVIDED FINALLY, THAT IN THE CASE OF PUBLIC UTILITY VEHICLES, IN ADDITION TO THE PENALTIES PROVIDED IN THE PRECEDING PARAGRAPHS, THE FOLLOWING PENALTIES SHALL ALSO APPLY:

- A. THE OWNER, OPERATOR OR COOPERATIVE OF THE ERRING VEHICLE SHALL SHOULDER THE HOSPITALIZATION OR BURIAL EXPENSES OR PROVIDE COMPENSATION TO ANY PERSON KILLED OR AFFECTED BY SUCH NEGLIGENT OR RECKLESS DRIVING, AS THE CASE MAY BE;**
- B. THE CERTIFICATE OF PUBLIC CONVENIENCE OF THE ERRING VEHICLE SHALL AUTOMATICALLY BE SUSPENDED FOR A PERIOD OF AT LEAST THIRTY DAYS BUT NOT MORE THAN SIX MONTHS;**

SEC. 4. *Repealing Clause.* – All other laws, rules and regulations, orders, circulars, and other issuances or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 5. *Separability Clause.* – If for any reason any section or provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation in the Philippines.

Approved,