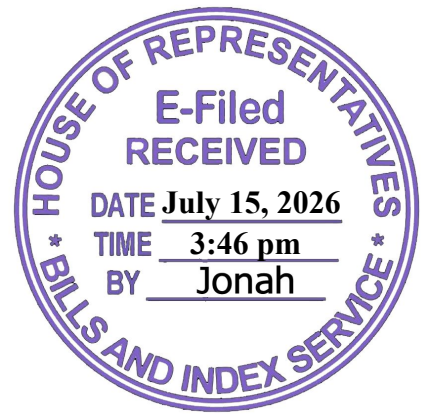


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. **10086**



Introduced by **Representative ERIC G. YAP**

EXPLANATORY NOTE

This bill seeks to prohibit overcapacity or overloading in public transportation. It establishes clear standards of passenger capacity in public utility vehicles to protect the commuting public.

Public transportation serves as the primary means of mobility for millions of Filipinos. Overloading remains a practice in both land and water transport which exposes passengers to preventable risks. Carrying passengers beyond the authorized capacity not only increases the likelihood of accidents resulting in injury or worse, loss of life, but also impairs emergency response and evacuation efforts.

The sinking of the MV Trisha Kerstin 3 off of Baluk-Baluk Island in Basilan in January 2026 cost the lives of fifty-eight (58) people and left several others missing. The Department of Transportation identified possible overloading as one of the factors that may have compromised the vessel and contributed to the tragedy¹. This has raised serious concerns over passenger safety and demonstrates the need for stronger safeguards to ensure strict compliance with authorized passenger capacities.

This measure mandates loading control measures, passenger counting and documentation procedures to further strengthen regulatory enforcement. It establishes accountability among drivers, conductors, operators, owners.

Safe public transportation must never be compromised by commercial gain or operational convenience. This measure reaffirms the State's commitment to protecting the lives and welfare of the commuting public and advances a culture of accountability, discipline, and safety across the transportation sector

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


HON. ERIC G. YAP

¹ FRANCE-PRESSE, Agence (2026). 'Overloading' may have led to deadly Philippine ferry sinking. Accessed from: <https://www.abs-cbn.com/news/regions/2026/2/11/dotr-overloading-eyed-as-possible-cause-of-basilan-ferry-sinking-0954>. Accessed on: 8 July 2026

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TWENTIETH CONGRESS
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House Bill No. **10086**

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AN ACT
DEFINING AND PROHIBITING OVERCAPACITY OR OVERLOADING IN
PUBLIC TRANSPORTATION, PRESCRIBING STIFFER PENALTIES THEREFOR,
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 “*Public Transport Anti-Overcapacity Act.*”

SEC. 2. *Declaration of Policy.* – It is hereby the declared policy of the State to protect life and promote public safety in public transportation by ensuring strict compliance with the authorized passenger capacity of public utility vehicles and vessels; to deter unsafe loading practices through stiff, certain, and enforceable penalties; and to hold accountable drivers, conductors or crews, and operators or owners who permit, allow or cause overcapacity conditions.

SEC. 3. *Definition of Terms.* – As used in this Act:

a. Overcapacity or Overloading refers to the carriage of passengers excess of the registered or authorized passenger capacity of a public transportation unit, as stated in its registration, certificate of public convenience (CPC), franchise, certificate of public convenience and necessity (CPCN), safety certificate, passenger ship safety certificate, or such equivalent authorization issued by the proper government agency;

b. Land Public Transportation Utility refers to utility buses and other public utility vehicles operating on land, whether city, provincial, point-to-point, or such equivalent classification recognized by the Land Transportation Franchising and Regulatory Board (LTFRB) or the Department of Transportation (DOTr);

c. Water Public Transportation Utility refers to passenger vessels, ferries, and other watercraft engaged in public transportation of passengers for compensation within Philippine jurisdiction, whether domestic sea, inland waterways, or inter-island operations, as regulated by the Maritime Industry Authority (MARINA) or such other competent agency; and

d. Operator or Owner refers to any person or entity holding the franchise, CPC/CPCN, or equivalent authority to operate a public transportation unit.

SEC. 4. *Government Agencies.* – The agency that determines, fixes, certifies, or recognizes the authorized passenger capacity of a public transportation unit for purposes of this Act, are as follows:

a. For Land Public Transportation Utilities – the Land Transportation Office (LTO) for purposes of vehicle registration and the vehicle's registered carrying capacity, and the Land Transportation Franchising and Regulatory Board (LTFRB) for purposes of the terms and conditions of the Certificate of Public Convenience (CPC) or Certificate of Public Convenience and Necessity (CPCN), including safety-related operating requirements; and

b. For Water Public Transportation Utilities – the Maritime Industry Authority (MARINA) for purposes of vessel authorization and safety certification, in coordination with the Philippine Coast Guard (PCG) and such other agencies as may be provided by law for maritime safety and enforcement.

SEC. 5. *Prohibited Acts.* – It shall be unlawful for any person operating a land public transportation utility to allow more passengers than its registered carrying capacity. In the case of public utility buses, the conductor, if any, shall be primarily liable for on-board loading violations without prejudice to the liability of the driver and operator or owner under this Act.

For water public transportation utilities, it shall be unlawful for the master, captain, crew, or operator or owner to allow boarding or carriage of passengers in excess of authorized passenger capacity, including passengers accommodated in areas not intended for passenger carriage under safety regulations.

SEC. 6. *Duties to Prevent Overcapacity.* – Operators or owners shall:

a. Ensure that the authorized passenger capacity is conspicuously posted inside the unit or vessel and at boarding points;

b. Adopt and implement loading control measures such as ticketing, passenger counting, boarding control, and crew training; and

c. Maintain records of trips and manifests, where applicable, in a manner prescribed by the regulating agency.

SEC. 7. *Penalties; Land Transportation Utilities.* – After due notice and hearing, the following penalties shall be imposed for overcapacity:

a. For the driver and/or conductor:

i. First offence: fine of Twenty thousand pesos (Php 20,000.00) and suspension of driver's license for one (1) month;

ii. Second offense: fine of Fifty thousand pesos (Php 50,000.00) and suspension for three (3) months;

iii. Third offense: fine of One hundred thousand pesos (Php 100,000.00) and suspension for six (6) months; and

iv. Fourth and subsequent offenses: fine of Two hundred thousand pesos (Php 200,000.00) and revocation of the driver's license, subject to existing laws on due process.

b. For the operator or owner:

i. First offense: fine of One hundred thousand pesos (Php 100,000.00);

ii. Second offense: fine of Two hundred thousand pesos (Php 200,000.00) and impoundment of the unit for thirty (30) days;

iii. Third offense: fine of Five hundred thousand pesos (Php 500,000.00) and suspension of the CPC/CPCN or franchise for not less than six (6) months; and

iv. Fourth and subsequent offenses: fine of One million pesos (Php 1,000,000.00) and cancellation of the CPC/CPCN or franchise.

Provided, That where overcapacity results in death, serious physical injuries, or a major accident, the regulating agency may impose immediate preventive suspension subject to summary proceedings and the requirements of due process.

SEC. 8. *Penalties; Water Public Transportation Utilities.* – After due notice and hearing, the following penalties shall be imposed for overcapacity:

a. For the master/captain and responsible officers:

i. First offense: fine of Fifty thousand pesos (Php 50,000.00) and suspension for three (3) months;

ii. Second offense: fine of One hundred thousand pesos (Php 100,000.00) and suspension for six (6) months; and

iii. Third offense: fine of Two hundred thousand pesos (Php 200,000.00) and revocation of the driver's license, subject to existing laws on due process.

b. For the operator or owner:

i. First offense: fine of Five hundred thousand pesos (Php 500,000.00);

ii. Second offense: fine of One million pesos (Php 1,000,000.00) and suspension of authority to operate for not less than six (6) months;

iii. Third and subsequent offenses: fine of Two million pesos (Php 2,000,000.00) and cancellation of authority to operate.

Provided, That the vessel may be ordered detained until compliance and payment of administrative fines, consistent with maritime safety regulation and due process.

SEC. 9. *Determination of Overcapacity; Presumptions.* – Overcapacity may be established by any of the following:

- a. Passenger count by authorized enforcers;
- b. Ticket and manifest reconciliation;
- c. CCTV/bodycam/video evidence; and
- d. Sworn statements of enforcement personnel; other competent evidence.

The agency shall issue uniform guidelines for passenger counting and documentation.

SEC. 10. *Implementing Rules and Regulations.* – The DOTr, LTFRB, LTO, and MARINA, in coordination with the PCG and other concerned agencies, shall promulgate the necessary rules and regulations within ninety (90) days from effectivity, including standards for passenger counting, posting of capacity, boarding control, preventive suspension, and adjudication procedures, and shall ensure penalties are reasonable and deterrent.

SEC. 11. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 12. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 13. *Effectivity.* – This Act shall take effect fifteen days (15) after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,