

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

EIGHTEENTH CONGRESS
1st Regular Session

House Bill No. 5156



Introduced by Representative ERIC GO YAP

EXPLANATORY NOTE

Daily commuters often face problems such as being forced to pay more than what the meter indicates. There are times when passengers have to deal with impudent drivers whom they have to be wary of during the whole trip. Instead of being able to enjoy the comforts and safety of the vehicle they are paying for, on top of precautionary measures, they have to be extra alert during their whole trip in case something happens. Worse cases are when they are brought to unsafe routes where they are in the vulnerable side of the situation – these are the kinds of problems which this bill wants to address.

This bill seeks to establish the rights of passenger of Taxis, Tourist Car Transport Services (TCTS) and other similar Vehicles For Hire (VFH). Taxis, TCTS, and VFH are utilized by those who long for exclusivity in their commute. In this sense, the ideal is for passengers to be able to travel comfortably and safely. Most of the time, however, reality proves otherwise. The high volume of Taxis, TCTS, and VFH vis á vis incidents which limit passengers from having an optimum point to point or travel experience, has created the need for passengers' rights to be protected.

The eminent lack of protection of passengers who ride Taxis, TCTS, and VFH created a demand for ride sharing applications (apps) or other means of transportation which are yet to be defined by the Land Transportation Franchising Regulatory Board (LTFRB). Ride sharing apps or other means of transportation attract a wide array of users, not only because they are more accessible, but also because it gives passengers a sense of security. Ride sharing apps or other means of transportation allow passengers to report incidents in real time. Passengers are also able to rate their assigned driver's performance, so as to incentivize the drivers to improve their performance and to instill the need for discipline, especially while on the job. The immense accessibility of ride sharing apps or other means of transportation is the reason why it has become the status quo. The sense of security through real time

measures is one of the reasons why passengers patronize it even if it is sometimes more expensive than the ordinary Taxi, TCTS, and VFH.

Through attainable means, Taxis, TCTS, and VFH should be able to provide a service that is at par with those which ride sharing apps give, in order to protect the rights of passengers. It is high time that the establishment of the aforementioned passengers' rights be protected through the measures which are to be further discussed below. In view of the foregoing, the approval of this bill is earnestly sought.



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**AN ACT ESTABLISHING THE RIGHTS OF PASSENGER OF TAXIS,
TOURIST CAR TRANSPORT SERVICES (TCTS) AND OTHER SIMILAR
VEHICLES FOR HIRE (VFH)**

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 “Bill of Rights of Taxi, Tourist Car Transport Service and Vehicle for Hire Passengers”.

SECTION 2. Declaration of Policy. – It shall be the policy of the State to establish a world-class public transportation system. To this end, the State shall establish transportation service standards that shall address the basic rights of taxi, Tourist Car Transport Service (TCTS) and Vehicle for Hire (VFH) passengers.

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

- a) Taxi refers to a public utility vehicle as defined and duly franchised by the Land Transportation Franchising and Regulatory Board (LTFRB), offering transportation services to the public for a fee on an exclusive basis;
- b) Tourist Car Transport Service (TCTS) refers to metered taxi, coupon taxi or rent-a-car transportation service (four-door sedan or utility vehicle), duly franchised by the LTFRB, that provides transport services for tourists;
- c) Covered vehicle refers to any taxi, TCTS or VFH as defined under this Act;

- d) Multiple hiring refers to the act of a driver in accepting more than one client in a single journey, whether or not the clients come from the same point of origin or bound for similar or different destination, unless the clients are informed of such arrangement and they consented thereto prior to the trip, as may be authorized by the LTFRB;
- e) Seminar refers to an activity prescribed by the LTFRB or Land Transportation Office (LTO) for erring drivers and operators as a requirement for reinstatement of license or continued operation of franchise; and
- f) Vehicle for Hire (VFH) refers to a public utility vehicle similar to a taxi, whether a sedan, Asian Utility Vehicle, Sports Utility Vehicle or van, which is granted authority or franchise by the LTFRB to offer transportation services to the public for a fee, regardless of fare-setting mechanism, mode of payment or manner of engagement, whether online or street-hailing.

SECTION 4. Standards of Service. – Only a duly licensed professional driver and duly certified by the Driver's Academy of the LTFRB can be authorized to drive a covered vehicle. All covered vehicles shall be clean, safe, smoke and foul odor-free, air conditioned and roadworthy.

SECTION 5. Rights of Passengers. – Whenever applicable depending on the type of covered vehicle, passenger shall have the right to:

- a) Be served by a driver who is properly dressed. Taxi and TCTS operators should ensure that their drivers wear the prescribed uniform and company identification card (ID) at all times while on duty. In addition, the LTFRB shall issue an official ID to each taxi, TCTS and VFH driver showing therein the driver's name and picture and the operator's information and contact numbers. The prescribed ID cards must be prominently displayed inside the vehicle within the view of passenger, unless digitally provided as may be authorized by the LTFRB;
- b) Be served by a courteous driver who shall provide assistance, if requested;

- c) Be served by a driver who is not under the influence of alcohol or dangerous drugs;
- d) Be informed of the plate number of the covered vehicle and emergency numbers for assistance by the Philippine National Police (PNP) and other concerned agencies as prominently displayed on the side door or in any other conspicuous place within the vehicle;
- e) Be picked up and transported to their stated destination, regardless of the length of the journey or traffic condition, by any available on duty driver, subject to applicable traffic regulations. No driver shall, after having been flagged-down or engaged, refuse to transport any passenger;
- f) Direct the route, or expect the most economical route, except where such route will endanger the lives of the occupants or will cause damage to the covered vehicle;
- g) Where applicable, view the fare meter that shall be duly calibrated and sealed by the proper authorities;
- h) Pay the rate or fare exactly as posted in the meter or booking application, subject to other government sanctioned fees;
- i) Be given the exact amount of change;
- j) Be issued a printed, electronic or digital official receipt in accordance with the requirement of the Internal Revenue Code and applicable regulations issued by the Bureau of Internal Revenue;
- k) Travel with an animal assistant or portable mobility aid, if the passenger is with disability;
- l) Refuse multiple hiring especially for taxis, unless passengers are informed of such arrangement and they consented thereto prior to the trip, as may be authorized by the LTFRB;
- m) A quiet or silent atmosphere throughout the trip upon request;
- n) Decide on the orientation of air conditioning and lighting systems inside the covered vehicle; and
- o) Be provided a substitute vehicle or be assisted to secure one in case of mechanical or engine trouble or other similar instances that hinder the

continuation of carriage. Where substitution of another vehicle by the same operator is available, no additional fare shall be charged against the passenger. However, if the above option is not possible or practical, the passenger shall only pay the amount appearing in the meter less the flag-down or booking fee for meter-oriented fare vehicles. In the case of other covered vehicles, the fare due to the driver of the vehicle being substituted or replaced shall be in proportion to the distance travelled, minus booking fee, if applicable.

SECTION 6. Vehicle Equipped with a Liquefied Petroleum Gas (LPG) or Compressed Natural Gas (CNG) Fuel System. – A covered vehicle equipped with a liquefied petroleum gas or compressed natural gas fuel system must display a current Motor Vehicle Inspection Report (MVIR) issued by the LTO. Operators of any covered vehicle running on LPG or CNG must maintain the safe condition of every unit of taxi through regular maintenance. A sticker marked “LPG” or “CNG” issued by the LTFRB must be posted to every covered vehicle equipped with an LPG or CNG fuel system, positioned in a clearly visible location as close as practicable to the front and rear registration plates.

SECTION 7. Door Locks. – Every operator shall ensure that each covered vehicle that it operates is equipped with a functioning automatic door lock system. The central lock system of every covered vehicle must be disabled to allow the passenger to open the doors at any time without interference from the driver, with the exception of the rear left door of the vehicle which the driver may set on child-lock orientation. The operation of a covered vehicle without the required lock system as prescribed in this section shall constitute a violation and shall be punishable in accordance with Section 10 of this Act.

SECTION 8. Passengers’ Rights Notification. – The passengers’ rights enumerated in Section 5 of this Act, as well as the remedies and procedures available to the passenger as promulgated by the LTFRB, shall be prominently displayed inside the covered vehicle or shall be digitally provided or transmitted, as may be authorized by the LTFRB.

SECTION 9. Filing of Complaint for Violation of Rights. – A passenger whose rights have been violated may file a complaint against the driver or operator of the covered vehicle with the LTFRB which shall conduct the investigation and resolve the complaint not later than seven (7) working days after mediation, or seven (7) working days after adjudication, under such rules and regulations as it may provide.

The complaint instituted under the provisions of this Act shall not bar the filing of a civil or criminal complaint for violation of any law, rule or regulation resulting from the same act or omission, whenever applicable.

SECTION 10. Penalties and Fines. – In act addition to the penalties imposed by any applicable law, rule or regulation, the violation of any of the provisions of this Act shall be punishable as follows:

- a) A driver who violates any applicable provision of this Act shall be liable and penalized as follows:
 1. First Offense – A fine of One thousand pesos (P1,000.00) and any suspension of driver's license for a period of seven (7) calendar days;
 2. Second Offense – A fine of Three thousand pesos (P3,000.00) and suspension of driver's license for a period of six (6) months; and
 3. Third and Succeeding Offense – A fine of Five thousand pesos (P5,000.00) and suspension of driver's license for a period of one (1) year; and
- b) The operator who violates any applicable provision of this Act shall pay a fine of Five thousand pesos (P5,000.00), Ten thousand pesos (P10,000.00), and Fifteen thousand pesos (P15,000.00) for the first, second and third offense, respectively, without prejudice to the revocation of franchise or permit.

The liability of the operator with respect to the fines imposed upon an insolvent driver shall be subsidiary.

In all cases, the erring driver or operator shall undergo an education seminar provided under this Act. The attendance by the concerned drivers and operators in such seminars shall be mandatory, failure of which shall be a ground for non-reinstatement of the driver's license of the driver or suspension of the franchise of the operator, as the case may be.

SECTION 11. Review of Penalties. – The fines herein imposed may be increased by the LTFRB once every five (5) years following the effectivity of this Act, which amount shall not be more than ten percent (10%) of the amount it seeks to increase.

SECTION 12. Nationwide Public Information Campaign. – The LTFRB, in coordination with the Philippine Information Agency, the Department of Transportation (DOTr), private agencies and organizations concerned, shall undertake a nationwide information, education, and communication campaign for the attainment of the objectives of this Act. It shall likewise coordinate with the local government units (LGUs) for the purpose of seeking the assistance of citizens group and community organizations for the promotion of public safety awareness in observance of this Act.

SECTION 13. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the DOTr, in coordination with the LTFRB, LTO, PNP and Metropolitan Manila Development Authority, shall promulgate the necessary implementing rules and regulations to effectively carry out the provisions of this Act.

SECTION 14. Separability Clause. – If any provision or part hereof is held unconstitutional, the other provisions not otherwise affected shall remain valid and subsisting.

SECTION 15. Repealing Clause. – All laws, decrees, issuances, executive orders, letters of instruction, administrative orders, rules and regulations, or parts thereof, contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 16. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,