

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

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 5992



Introduced by Representative **Claudine Diana D. Bautista**

EXPLANATORY NOTE

This bill seeks to establish commuters' rights in relation to their use of Public Utility Vehicles. In particular, four (4) particular rights shall be guaranteed under this Act, particularly the commuters' Right to Safety, Right to Sanitary Transport Services, Right to Special Attention During Service Breakdowns and Deficiencies in Service, and Right to Information for efficient and convenient travel.

Under this Act, the rights and duties of both commuters and operators and drivers of Public Utility Vehicles are set forth. Commuters are likewise afforded protection in the event of breakdowns in public utility vehicles. Finally, in order to ensure efficiency in travel, designated stops shall be established, with information counters available in said stops for the convenience of the riding public.

In view of the foregoing, approval of this bill is highly recommended.


CLAUDINE DIANA BAUTISTA

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AN ACT
DEFINING AND PROTECTING THE RIGHTS AND DUTIES OF COMMUTERS
USING PUBLIC UTILITY VEHICLES

SECTION 1. *Title.* – This Act shall be known as “*The Magna Carta of Commuters*”.

SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to to uplift the standard of living and quality of life of Filipinos. With this in mind, the State recognizes that commuting is a vital part of the daily lives of the Filipino people. Without mobility, the public is unable to access basic services such as healthcare and education, or fundamental freedoms. Moreover, mobility should be enjoyed by people of all ages, abilities, gender, and regardless of their economic conditions.

Accordingly, the State shall take all steps to ensure that the rights of the commuter shall be fully enjoyed.

In all decisions related to the provision regarding transportation services, the welfare of the commuter shall be of paramount concern.

CHAPTER II
DEFINITION OF TERMS

SECTION 3. *Definitions.* – For purposes of this Act, the following terms shall mean:

- a. "Commuter" – A person who travels from one place to another using a public utility vehicle to get to his/her destination
- b. "Public Transport" – Any conveyance or vehicle that offers transportation services to the general public over land or water, including jeepneys, UVs, buses, railways, ferries, taxis, and TNVs.
- c. "Motor Vehicle" shall mean any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles which run only on rails or tracks, and tractors, trailers, and traction engines of all kinds used exclusively for agricultural purposes.
 - a. Trailers having any number of wheels, when propelled or intended to be propelled by attachment to a motor vehicle, shall be classified as separate motor vehicle with no power rating.
- d. "Driver" shall mean every and licensed operator of a motor vehicle.
- e. "Public Utility Driver" shall mean any person hired or paid for driving or operating a public utility vehicle.
- f. "Public Utility Vehicle" (PUV) refers to a motor vehicle considered as a public transport conveyance or common carrier duly registered with the Land Transportation (LTO) and granted a franchise by the Land Transportation Franchising Regulatory Board.
- g. "Owner" shall mean the registered owner of a motor vehicle, in whose name such vehicle is duly registered with the Land Transportation Office
- h. "Public Utility Vehicle" (PUV) refers to a motor vehicle considered as a public transport conveyance or common carrier duly registered with the Land Transportation

Office (LTO) and granted a franchise by the Land Transportation Franchising Regulatory Board (LTFRB);

- i. "Operator" shall mean the holder or grantee of a valid and subsisting Certificate of Public Conveyance by the LTFRB;
- j. "Certificate of Public Convenience" (CPC) refers to the permit issued by the LTFRB for the operation of public utility vehicles.
- k. "Boundary system" refers to the arrangement between owners or operators of public utility vehicles and public utility drivers wherein public utility drivers pay a fixed fee or "boundary" to the owners/operators for its use as a public utility vehicle.
- l. "Transport Network Vehicle" refers to a ridesharing entity that matches passengers with vehicles through the use of websites or mobile applications.

ARTICLE III

RIGHTS OF PUBLIC UTILITY DRIVERS

SECTION 4. *Right to Safety.* The state shall ensure that the commuting public shall remain safe during their commute.

- a. The drivers/operators of PUVs shall ensure that the public shall comply with the following conduct on Public Transport:
 - 1. A person must not, without reasonable cause, enter a PUV or alight from it, or attempt to do while the vehicle is in motion.
 - 2. A person must not, without reasonable cause or without the permission of the public utility driver, vacate his seat or walk inside the vehicle while said vehicle is in motion.
 - 3. A person shall not stay, or attempt to stay, in a seat or station in a PUV not intended for the accommodation of passengers.

- b. The drivers/operators of the PUV shall likewise comply with the following rules for the safety of the commuting public:
 - 1. Overloading of the PUV is hereby prohibited. The PUV shall only transport the amount of persons equivalent to its seating capacity, based on the PUV's design.
 - 2. The loading and unloading of commuters shall only be done at designated loading and unloading areas.
- c. The owners of the CPCs of PUVs shall ensure that the motor vehicles being used as PUVs are roadworthy. Said owner of the CPC shall be solidarily liable with the public utility driver for any and all accidents caused by the PUV due to a defect in the motor vehicle.

The State shall promote safe and efficient driving behavior by Public Transport drivers through mandatory trainings and more stringent standards in issuing professional licenses.

Section 5. *Right to Sanitary Transport Services.* The State recognizes the vital role of a clean and hygienic space for the public in their daily commute. Accordingly, it shall take measures to ensure that the commuting public are able to travel using public transport services without compromising their health and the health of fellow commuters.

- a. After parking at the designated terminal at the end of the work day, the owner of the CPC shall be responsible for ensuring the cleanliness of the PUVs interior and exterior, based on guidelines on PUV cleanliness to be issued by the LTFRB.
- b. Owners of PUVs shall ensure that there is a designated waste bin in every PUV.
- c. Passengers are prohibited from throwing waste and other materials within the PUV outside of the designated waste bin. Passengers shall be penalized with fines to be determined in the implementing rules and regulations of this Act.
- d. Persons inside the PUV are prohibited from eating inside the vehicle.

Section. 6. *Right to Special Attention During Service Breakdowns and Deficiencies in Service.*

The grantee of CPC shall ensure that in cases where the PUV is stalled or prevented from operating for any cause not attributable to any or all of its passengers, the passengers of said PUV will be entitled to the following:

- a. A full refund of the fare he/she has paid;
- b. A certification from the the applicable company/owner of the CPC that said passenger has been delayed due to a breakdown in the PUV.
 - a. This certification shall contain the date, time, and other pertinent information relating to the breakdown of the PUV.
 - b. Any holder of this certification shall not be penalized for tardiness at his/her place of work due to delay caused by the stalling or mechanic problems suffered by the PUV.

Section 7. *Right to Information for Efficient and Convenient Travel.* For the convenience of the commuting public, the State shall ensure the following:

- a. The commuting public shall be provided with timely and adequate information regarding the routes and schedule of public utility vehicles. This shall include making publicly available information on all public transport services, including route maps, fares, schedules, and real time vehicle location and availability, for the convenience of the commuting public. Said information shall be displayed at all applicable websites, all stops of public transport services, and other locations deemed necessary or beneficial to commuters.
- b. In line with the foregoing, designated stops shall be identified and demarcated by the State containing the information set forth in the preceding paragraph. Loading and unloading at places other than the designated stops shall be prohibited and shall be subject to fines to be specified in the implementing rules and regulations of this Act.

- c. A 24-hour information/assistance counter shall be established at all ports and terminals to serve the needs of the commuting public as regards information on routes, fares, and other concerns in relation thereto.
- d. For taxicabs and other public utility vehicles using a meter-system in determining the price of the service, the passenger must always see the meter throughout the duration of the ride. The LTFRB, in cooperation with the owner of the CPC, shall take steps to educate the commuting public of how fast the meter should run.

ARTICLE IV

INSTITUTIONAL MECHANISMS

SECTION 12. *Implementing Agencies.* The Department of Transportation, Department of Interior and Local Government (DILG), the Metropolitan Manila Development Authority (MMDA), Department of Environmental and Natural Resources (DENR), the Land Transportation Franchising and Regulation Board (LTFRB), and concerned local government units shall be the Implementing Agencies for this Act, with the Department of Transportation (DOTr) as the lead implementing agency with responsibility for coordinating and monitoring all implementation activities.

SECTION 13. *Implementing Rules and Regulations.* Within one hundred (100) days from the effectivity of this Act, the DOTr and the other implementing agencies will prepare the implementing rules and regulations (IRR) of this Act, with the participation of non-government organizations, civil society organizations, and academic institutions advocating for the welfare of commuters.

SECTION 14. *Penal Provisions.* Any person or entity who has found to be in violation of any provisions of this Act shall be subjected to the appropriate civil, administrative, and/or criminal sanctions, including the revocation of the Certificate of Public Convenience.

SECTION 15. *Separability Clause.* If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected shall continue to be in full force and effect.

SECTION 16. *Repealing Clause.* All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 17. *Effectivity Clause.* This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.