

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

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4117



Introduced by HON. HENRY R. VILLARICA
4th District, Bulaken

EXPLANATORY NOTE

With the growing population of the country, the high demand for public transport has resulted in the jamming of passengers in public utility vehicles. Overloaded jeepneys and buses have become a common occurrence in provinces and cities, but these have gone unnoticed by authorities, save in cases that resulted in death or tragedy.

Overloading may cause the vehicle to be less stable, difficult to steer and take longer to stop. This may then lead the driver to lose control of the vehicle and inevitably endanger life and limb. Thus, this practice must be stopped for the safety and protection of the commuting public and other road users.

This proposed bill seeks to criminalize vehicular overloading and impose penalties for violation thereof.

This was filed during the 17th Congress but due to time constraints, no further action was taken on it. This bill is re-filed for the consideration of the 18th Congress.

Support for the enactment of this measure is earnestly sought.

REP. HENRY R. VILLARICA

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AN ACT INCREASING THE PENALTY FOR OVERLOADING OF PASSENGERS IN
PUBLIC UTILITY VEHICLES AMENDING FOR THE PURPOSE R.A. No. 4136
ENTITLED: "LAND TRANSPORTATION AND TRAFFIC CODE"

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 "Anti-Overloading Act".

SEC. 2. *Declaration of Policy*. – It is hereby declared the policy of the State to ensure the safety and protection of all its citizens by strictly implementing the law. In this regard, the State shall establish measures to address road accidents and promote public order and safety.

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

- (a) *Covered vehicles* – refers to any 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 and Regulatory Board (LTFRB);
- (b) *Overloading* – refers to the act of loading people over and above the registered carrying capacity of the covered vehicle;
- (c) *Passenger* – refers to any person being transported and conveyed in and by a motor vehicle for transportation of people, including persons expressly authorized by law or by the vehicle's operator or his agents.

SEC. 4. *Prohibited Acts.* – It shall be unlawful for owners, operators, drivers, conductors, and other persons responsible for the operation of any covered vehicle to load above their registered carrying capacity as provided for under Republic Act No. 4136, or the “Land Transportation and Traffic Code”.

SEC. 5. *Penalties.* – Carrying passengers beyond the registered carrying capacity shall be imposed the following penalties:

- (a) For the first offense, a fine in the amount of fifty thousand pesos (Php 50,000.00) and one (1) year suspension of the franchise and driver’s license of the driver;
- (b) For the second offense, a fine in the amount of two hundred fifty thousand (Php 250,000.00) and two (2) years suspension of the franchise and driver’s license of the driver;
- (c) For the third offense, a fine in the amount of one million pesos (Php 1,000,000.00) and revocation of the franchise and driver’s license of the driver.

The imposition of the foregoing fines and penalties shall be without prejudice to any criminal action that may be initiated under existing laws, rules and regulations.

In addition to the above penalties, if the act of overloading shall result in the death of any passenger of the covered vehicle, the penalty of *prision correccional* or imprisonment of two (2) years and one (1) day to six (6) years shall be imposed.

SEC. 6. *Implementing Rules and Regulations.* – The LTO, in consultation with the Department of Transportation and LTFRB shall formulate and issue the implementing rules and regulations for this Act within sixty (60) days after the effectivity of this Act.

SEC. 7. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 8. *Separability Clause.* – If for any reason, any section or provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

SEC. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of national circulation.

Approved,