

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

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1995

Introduced by Honorable FREDERICK W. SIAO

EXPLANATORY NOTE

This bill seeks to impose stiffer penalties for overloading of passengers in public utility vehicles, amending for the purpose Republic Act (RA) No. 4136, otherwise known as the “*Land Transportation and Traffic Code*.”

Since RA 4136 was enacted on June 20, 1964, overloading a public utility vehicle has been strictly prohibited. Because of the dangers and risks to the vehicle, driver, commuters and the public, the loading of vehicles needs to be regulated.

Overloading a public utility vehicle may be fatal due to following reasons:

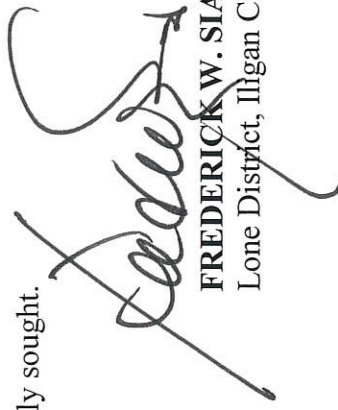
1. The vehicle is less stable, difficult to steer and take longer to stop;
2. The tires of the vehicle may overheat and wear rapidly which may result to blow outs;
3. The brakes may overheat and lose its effectiveness to stop the vehicle; and
4. The driver’s control and operating space are reduced thereby increasing the risk of accident.

There are numerous reported road accidents throughout the country which resulted to injuries and death of passengers. Primary cause of these road accidents was overloading.

In April of 2017, a minibus fell into a ravine in Nueva Ecija which took the lives of 29 passengers and injured the other 46 passengers. The minibus is estimated to have a carrying-capacity of only 45 passengers but it was carrying 75 passengers when the accident happened. The survivors told the police investigators that the minibus was not actually speeding when traversing the downhill and zigzag road. The causes of the accident were the blow out of the front wheel tires, brake failure and loss of control of the vehicle. Clearly, these causes were consequences of overloading.

On September 2018, a passenger van plunges off the cliff while travelling on a winding road in Balbalan, Kalinga Apayao, killing 14 passengers and injuring 24 other passengers. The accident happened due to the failure of the brakes. Again, a consequence of overloading. There are other reports of road accidents which claimed lives of passengers and injured others. There is no better time than now to pass a law which will prevent, if not totally eradicate, road accidents due to overloading.

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


FREDERICK W. SIAO
Lone District, Iligan City



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AN ACT
**IMPOSING STIFFER PENALTIES FOR OVERLOADING PASSENGERS IN PUBLIC
UTILITY VEHICLES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4136, AS
AMENDED, OTHERWISE KNOWN AS THE “LAND TRANSPORTATION AND
TRAFFIC CODE”**

*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 further
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 vehicle than its registered carrying **AND
SEATING** capacity. [~~In the case of public utility trucks or buses, the conductor
shall be exclusively liable for violations of this section or of Section thirty-two,
letter (e) hereof: *Provided, That the*~~ THE conductor before being employed by
any public service operator shall get a permit or license from the Bureau and pay the
fee prescribed in accordance with law, for said license or permit issued in his favor,
which shall be valid for three years, and the same is renewable on or before the last
working day prior to his or on his birthdate, attaching a readily recognizable
photograph taken by the Bureau and after presentation or a medical certificate of
fitness of applicant.

“xxx.”

SEC. 2 Section 56 of the same Act, as amended, is hereby amended to read as follows:

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

“(a) xxx

“xxx

“(f) xxx

“(g) **FOR ALLOWING MORE PASSENGERS IN THE PUBLIC
UTILITY VEHICLES MORE THAN THEIR REGISTERED CARRYING**

OR SEATING CAPACITY OR ALLOWING THE CARRYING OF PASSENGERS ON TOP OF THE PUBLIC UTILITY VEHICLES OR ALLOWING ANY PERSON TO RIDE ON THE RUNNING BOARD, STEP BOARD OR MUDGUARD OF THE PUBLIC UTILITY VEHICLES WHILE SUCH VEHICLES ARE IN MOTION, THE OPERATOR, DRIVER AND CONDUCTOR ARE SOLIDARILY LIABLE FOR:

‘I. A FINE OF FIFTY THOUSAND PESOS (P50,000.00) AND THIRTY-DAY SUSPENSION OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND THE DRIVER’S AND CONDUCTOR’S LICENSES FOR THE FIRST OFFENSE;

‘II. A FINE OF TWO HUNDRED THOUSAND PESOS (P250,000.00) AND SIX-MONTH SUSPENSION OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND THE DRIVER’S AND CONDUCTOR’S LICENSES FOR THE SECOND OFFENSE; AND

‘III. A FINE OF FIVE HUNDRED THOUSAND PESOS (P500,000.00) 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 PARAGRAPH, 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~~] TWO 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.”

SEC. 3. Within ninety (90) days from the approval of this Act, the Secretary of Transportation, in coordination with the Assistant Secretary of the Land Transportation Office and Chairperson of the Land Transportation Franchising and Regulatory Board, shall promulgate rules and regulations implementing the provisions of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in two (2) newspapers of general circulation.

SEC. 4. All laws, orders, issuances, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,