

S. No. 2999
H. No. 5911

Republic of the Philippines
Congress of the Philippines
Metro Manila

Sixteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand fifteen.

[REPUBLIC ACT NO. 10916]

AN ACT REQUIRING THE MANDATORY INSTALLATION OF SPEED LIMITER IN PUBLIC UTILITY AND CERTAIN TYPES OF VEHICLES

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 "Road Speed Limiter Act of 2016".

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to maintain at all times the safety and protection of the public. Towards this end, it shall pursue a more proactive and preventive approach to secure the safety of passengers and public in general on roads and highways. It shall implement measures to safeguard them from any

2

speed-related road accidents which are not only causing fatalities but also damage to properties.

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

(a) *Closed van* refers to a large motor vehicle, usually with an enclosed cargo space, designed to carry goods for commercial purposes, or engaged in services of transporting personal effects;

(b) *Covered vehicle* refers to any closed van, hauler or cargo trailer, PUV, shuttle service, or tanker truck as defined under this section and such other vehicles as may hereinafter be determined and included by the Department of Transportation and Communications (DOTC) for the purpose

of applying the provisions of this Act; excluding taxicabs, and public utility jeepneys (PUJs), without prejudice to the review by the DOTC after one (1) year on the necessity of their inclusion in the coverage of this Act;

(c) *Hauler or Cargo trailer* refers to a motor vehicle designed for transporting heavy or oversized loads or cargoes;

(d) *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 and Regulatory Board (LTFRB);

(e) *Shuttle service* refers to any motor vehicle provided by government or private company or establishment to transport its employees to and from the work premises or clients between designated origin and destination and carrying not less than four (4) passengers;

(f) *Speed limiter* refers to a device used to limit the top speed of a vehicle through the employment of mechanical, electronic or communications system or the combination of these systems or similar devices capable of performing the same function;

(g) *Tampering* refers to an act of recalibrating, reprogramming, resetting or reconfiguring a speed limiter

3

installed in any covered vehicle and already sealed by the LTO or LTFRB after due inspection in such a way as to circumvent its functions or the purposes for which it is intended. The act of calibrating, reprogramming, resetting or reconfiguring a speed limiter installed in any covered vehicle without the supervision of the LTO or LTFRB as required under Section 5 of this Act shall be considered tampering; and

(h) *Tanker truck* refers to a motor vehicle designed for transporting or carrying gas, oil or liquid, flammable, combustible, corrosive or hazardous materials or substances in bulk.

SEC. 4. *Mandatory Installation of Speed Limiter.* – No covered vehicle, following the effectivity of this Act, shall be allowed to run in any road, street or highway in the Philippines without a standard speed limiter in accordance with the standards and specifications approved by the DOTC: *Provided, That* in case of vehicles which are already registered with any appropriate agency, this requirement shall be complied with not later than eighteen (18) months from the effectivity of this Act.

SEC. 5. *No Speed Limiter, No Registration.* – No covered vehicle shall be registered by the LTO or given a franchise by the LTFRB without the standard speed limiter installed and set in the vehicle in compliance with Section 4 and Section 6 hereof.

SEC. 6. *Setting of Standard.* - The DOTC shall, in accordance with acceptable international standards, determine the specifications of the speed limiters that may be allowed to be installed in the covered vehicles. The LTO or the LTFRB, shall supervise and inspect the setting of speed limiter corresponding to the maximum allowed in the route plied by a particular covered vehicle.

SEC. 7. *Accreditation.* - The Department of Trade and Industry (DTI) shall accredit persons, establishments or institutions producing, manufacturing or distributing speed limiters in accordance with the specifications and standards as may be determined by the DOTC. For this purpose, the DTI shall issue the necessary certification attesting compliance

4

with such specifications and standards as a prerequisite for registration.

SEC. 8. *Implementing Rules and Regulations.* - The DOTC, in coordination with the LTO, LTFRB, DTI and the Department of Science and Technology, and in consultation with private stakeholders, shall formulate and promulgate the necessary implementing rules and regulations of this Act within sixty (60) days upon the effectivity of this Act.

SEC. 9. *Fines/Penalties.* -

(a) The driver who operates a motor vehicle covered by this Act or the owner or operator who allows such driver to operate without the speed limiter herein required shall suffer a fine in the amount of fifty thousand pesos (P50,000.00).

(b) The same fine shall be imposed upon the driver, owner or operator who operates or allows a person to operate a motor vehicle with a nonfunctioning or tampered speed limiter.

In addition to the above fines, a suspension of the driver's license for a period of one (1) month or franchise of a motor vehicle for a period of three (3) months, as the case may be, shall be imposed upon the offender who commits the abovementioned violations for the first time.

For the commission of any of the foregoing prohibited acts for the second time, the driver's license of the offender shall be suspended for a period of three (3) months or the franchise of a motor vehicle shall be suspended for a period of six (6) months, as the case may be, in addition to the fines herein imposed.

For the subsequent commission of any of the foregoing prohibited acts, the driver's license of the offender shall be revoked or the franchise of a motor vehicle shall be suspended for a period of one (1) year, as the case may be, in addition to the fines herein imposed.

5

(c) Any person who is found guilty of tampering as defined in this Act shall suffer a penalty of imprisonment of not less than six (6) months but not more than three (3) years and a fine of thirty thousand pesos (P30,000.00).

The provision of this section shall be applied without prejudice to criminal prosecution or civil action under existing applicable laws.

SEC. 10. *Appropriations.* - The initial amount necessary to implement the provisions of this Act shall be charged against the current year's appropriation of the DOTC. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.


SEC. 11. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

SEC. 12. *Repealing Clause.* - All laws, decrees, executive orders or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

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

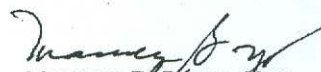
Approved,



FELICIANO BELMONTE JR.
Speaker of the House
of Representatives


FRANKLIN M. DRILON
President of the Senate

6

This Act which is a consolidation of Senate Bill No. 2999 and House Bill No. 5911 was finally passed by the Senate and the House of Representatives on February 2, 2016 and May 23, 2016, respectively.


MARILYN B. BARUA
Secretary General
House of Representatives


OSCAR G. YABES
Secretary of the Senate

Approved:

BENIGNO S. AQUINO III
President of the Philippines

O

Lapsed into law on JUL 21 2016
Without the signature of the President,
In accordance with Article VI, Section
27 (1) of the Constitution