

Republic of the Philippines
Congress of the Philippines

Senate

Manila City

Eighteenth Congress

Second Regular Session

RESOLUTION NO. 80

RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO STRONGLY URGE THE DEPARTMENT OF TRANSPORTATION (DOT) AND ITS ATTACHED AGENCIES TO IMMEDIATELY SUSPEND THE IMPLEMENTATION OF DEPARTMENT ORDER NO. 2020-12, ITS IRR, AND ALL RELATED ISSUANCES ON TOLL EXPRESSWAYS PENDING THE RESOLUTION OF THE COMPLAINTS AGAINST THE CASHLESS OR CONTACTLESS TRANSACTION SYSTEM, AND SUBSEQUENTLY AMEND SAID ISSUANCES TO REFLECT THE ACTIONS TAKEN TO IMPROVE IMPLEMENTATION OF CASHLESS OR CONTACTLESS TRANSACTIONS ON ALL LIMITED ACCESS FACILITIES

WHEREAS, on 13 August 2020, the Department of Transportation (DOTr) issued Department Order No. 2020-12 (DO 2020-12) requiring cashless or contactless transaction for all vehicles travelling on toll expressways starting 02 November 2020. This deadline was later moved to 01 December 2020;

WHEREAS, the Toll Regulatory Board (TRB) released the implementing rules and regulations (IRR) of DO 2020-12 which outlined the responsibilities of toll operators and/or concessionaires, enumerated the guidelines in the operation and maintenance of the electric toll collection (ETC) system in toll expressways, and provided for the imposition of penalties to erring motorists and toll operators and/or concessionaires;

WHEREAS, on 29 October 2020, the Land Transportation Office (LTO) issued Memorandum Circular No. 2020-2224 (MC 2020-2224) which provides uniform rules and regulations for the enforcement of DO 2020-12, and to impose fines and penalties for violations thereof;

WHEREAS, the implementation of the cashless transaction system on toll expressways caused massive traffic jams affecting thousands of stranded motorists due to various complaints like failure of scanners to read RFID stickers; delays in the reloading system of Easytrip accounts, unauthorized transactions, and other glitches that prohibits quick access;

WHEREAS, this malfunctioning of the ETC system, particularly in the North Luzon Expressway (NLEX), resulted to traffic congestion in nearby cities and municipalities affecting not just the livelihood and day to day activities of people but also the economy of said cities and municipalities;

WHEREAS, the reply and actions of NLEX on the complaints raised were found lacking and therefore resulted to the suspension of its business permit in Valenzuela;

WHEREAS, the failure to comply with Section 2.2(c) of the IRR which provides for the raising of toll barriers for at least five minutes allowing vehicles toll-free to pass-thru until the traffic flow normalizes should there be extraordinary queuing

of vehicles is evident in the heavy traffic in toll plazas as reported all over the news;

WHEREAS, taking into consideration the mounting complaints from motorists and LGUs alike, and the unsatisfactory response of toll corporations and regulatory agencies on the issue, it is recommended that the implementation of DOTr DO 2020-12 and its IRR, and LTO's MC 2020-2224 be suspended immediately until the issues in its implementation are resolved;

WHEREAS, the aforementioned issuances must be modified to: (1) allow cash lanes in consideration of infrequent and first-time users of expressways, (2) remove penalties for insufficient cash balances as this should not be a traffic violation and may be remedied at the next reloading opportunity, (3) impose a deadline on inter-operability before a deadline for cashless transaction is imposed, (4) create a policy on dormant accounts and the accumulated amounts that is expected to pile up through time, and (5) resolve all other issues for a better cashless and contactless toll system;

WHEREAS, the riding public and road users must also be given ample time to comply with the new requirements, through more accessible installation and reloading stations, transparency in fees and charges and their possible options, integrated ID for different toll highways, and enhanced awareness on the use of RFID technology;

WHEREAS, while it is recognized that the implementation of the cashless transaction system on toll expressways is a step towards a more convenient commuting and/or travel experience for all, and will also reduce contact and minimize the spread of COVID-19, it is not appropriate and is unfair to the public to implement a system wherein the implementers themselves are not ready and equipped to make the transition seamless: Now, therefore, be it

Resolved, as it is hereby resolved, To strongly urge the Department of Transportation (DOTr) and its attached agencies to immediately suspend the implementation of Department Order No, 2020-12, its IRR, and all related issuances on Toll

Expressways pending the resolution of the complaints against the Cashless or Contactless Transaction System, and subsequently amend said issuances to reflect the actions taken to improve the implementation of cashless or contactless transactions on all limited access facilities.

Adopted,



VICENTE C. SOTTO III

President of the Senate

This Resolution was adopted by the Senate on December 14, 2020.



MYRA MARIE D. VILLARICA

Secretary of the Senate

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