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SENATE
P. S. R. No. 196

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON FINANCE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NEED FOR CONGRESSIONAL OVERSIGHT ON THE ROAD USERS FUND AND TO CREATE MEASURES THAT WILL ENSURE TRANSPARENCY IN THE SELECTION OF PROJECTS TO WHICH THE FUND SHALL BE ALLOCATED

WHEREAS, the Constitution, Article 2, Section 27 states: "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption";

WHEREAS, the *Philippine Daily Inquirer* in its 16 September 2010 issue reported that the Commission on Audit found no basis for the P5 billion worth of projects funded by the motor vehicle user's charge (MVUC), more popularly known as the road user's tax, saying these projects were not evaluated by the Department of Public Works and Highways (DPWH) using the established procedures in the Road Board Operating Manual;

WHEREAS, the report noted that P84.29 million was used without approval or for projects not related to road maintenance, improvement of drainage and air pollution control activities

WHEREAS, the CoA also found that the P165.38-million Motor Vehicle Inspection System that the Road Board acquired had not been used for various reasons; likewise, the Project Monitoring and Information Management System worth P8.86 million was also not utilized because of functional deficiencies in the system, which the contractor did not address because these were allegedly not covered by the contract;

WHEREAS, the audit agency's report also said that P13.05 million worth of road safety devices were also not installed; thus, the riding public was exposed to higher risk and danger caused by accidents since the road safety devices remained uninstalled; the CoA noted that there has been an increasing number of highway accident victims since 2007;

WHEREAS, the report also claimed that that the Land Transportation Office failed to maximize the use of 38 smoke emission testing machines worth P18.52 million because of lack of proper planning, set targets and monitoring, trained personnel and calibration of equipment;

WHEREAS, the CoA also reported that P28.89 million was improperly allocated to the former administration's livelihood projects, and that though the projects did not push through and that the fund were returned, the CoA nonetheless noted that the fund should have been given to the provincial and city governments based on vehicle population and size of road network, and should have been used to maintain local roads and road safety devices, and for traffic management;

WHEREAS, the report showed that out of 621 preventive road maintenance projects approved for road user's tax funding, only 28 projects were taken from the annual work program, and another 22 from the list of requested projects submitted by the DPWH; the basis of the remaining 571 projects with a total cost of P5.0175 billion could not be verified;

WHEREAS, according to the CoA report, projects that did not undergo DPWH evaluation, and the selection of projects from the list without established criteria may result in the arbitrary selection of roads to be maintained, which leads to an unfair allocation of the Special Road Support Fund, the non-maintenance of priority roads, and the inadequate maintenance of national roads, since the Road Board Secretariat does not have the capability to determine the annual needs of adequate road maintenance;

WHEREAS, DPWH was supposed to prepare the annual work program containing the projects to be financed, but the list was not submitted to the Road Board since the latter had not used the list in choosing projects in the previous years;

WHEREAS, the report claimed that the DPWH instead sent a list of project requests from members of the House of Representatives, DPWH officials and district engineers to the Road Board; since the requests were numerous, the Road Board selected from such list even though the procedures and criteria in the selection of the project were not yet provided by the board secretariat;

WHEREAS, the CoA also found that the Road Board also installed excessive raised pavement studs, or markers supplementing center or lane lines, amounting to P20.86 million; and that P40.6 million was used for operating expenses, including salaries and wages, because of lack of proper funds;

WHEREAS, Congress should ensure that the road users' fund will be devoted, according to law, to the proper maintenance of roads, drainage systems, and other public works that will guarantee our citizens' safety during the flash floods occasioned by strange typhoons emanating from climate change;

WHEREAS, both houses of Congress should exercise strict oversight on the multi-billion Road Users Fund in the 2011 budget and ensure that the road fund is deposited in the national treasury and subsequently appropriated by Congress in the upcoming 2011 budget;

WHEREAS, the list of approved projects to be funded by the MVUC should be published on a website so that the public and concerned lawmakers and district engineers will be informed of road maintenance activities;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the Senate Committee on Finance to conduct an inquiry, in aid of legislation, on the need for Congressional oversight on the Road Users Fund and to create measures that will ensure transparency in the selection of projects to which the fund shall be allocated.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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