

SENATE
P. S. R. No. **1101**

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Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE ALLEGED ABUSES COMMITTED BY
TOWING FIRMS AND THE METRO MANILA DEVELOPMENT AGENCY

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 Star* reported in its 25 May 2009 issue a complaint from a businesswoman, who alleged that personnel from the Metro Manila Development Agency (MMDA) are responsible for illegal towing and extortion;

WHEREAS, the *Philippine Star* allegedly received a letter from Susana Calalay-Yniguez last 9 May 2009 complaining that while her driver was negotiating the Katipunan flyover, he noticed that the cover of the pickup was loose and he stopped the vehicle to adjust the cover, but in three minutes, a BS Towing truck with body number 268 appeared and stopped in front of her vehicle to tow her vehicle;

WHEREAS, she reportedly complained that a man jumped out of the truck and instantaneously hooked the front of her pickup to his towing device and ordered her driver to ride with them in another vehicle while another man took over the wheel of her pickup and towed it to the MMDA garage;

WHEREAS, she also alleged that the towing firm claimed they had no telephone lines, so she had a friend, a "Major Torre" of the Quezon City Police District, call the cell phone of her secretary, who was in the vehicle when it was towed; she also alleged that Torre talked to the firm's desk person, Jun Tuazon, and told him that what they did was illegal;

WHEREAS, Yniguez claimed that instead of releasing her vehicle, Tuazon demanded P300 from her driver and secretary to pay for the gasoline he used in towing her vehicle despite knowing fully well that he was the party at fault;

WHEREAS, Yniguez's secretary, meanwhile, also claimed that she saw other victims negotiating for the release of their vehicles, some laden with perishable cargo, in exchange for thousands of pesos;

WHEREAS, Yniguez also alleged that the towing firm seemingly becomes very active during weekends;

WHEREAS, it is not the first time that such reports on illegal towing have surfaced; many have already fallen prey to towing firms that extort money from helpless victims;

WHEREAS, various reports have indicated that the lowest fee charged by a towing firm is P500, and the charge may actually vary depending on the distance traveled by the vehicle that was towed;

WHEREAS, these towing firms allegedly procure their license from the local government or the MMDA;

WHEREAS, the towing business is a lucrative ground for extortion since it is prone to abuse without any guiding legislation; it is also a lucrative ground for the proliferation of graft and corruption in the agencies that approve the licenses of these towing firms;

WHEREAS, it is unforgivable that a helpless driver be made to suffer agony and shame, and undergo more hassle when his vehicle is towed without his asking or without exhausting all other means for his vehicle to restart;

WHEREAS, it is necessary that measures be created to protect temporarily stranded drivers;

WHEREAS, it is imperative that unconscionable towing firms be penalized for their abuses, and that government employees and agencies responsible for overlooking such abuses and for approving their licenses despite such abuses should not go unpunished;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate Committee to conduct an inquiry in aid of legislation, on the alleged abuses committed by towing firms and the Metro Manila Development Agency.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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