



Senate
Office of the Secretary

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)

14 FEB 10 P1:19

SENATE

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SENATE BILL NO. 2110

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

EXPLANATORY NOTE

Road accidents have increased significantly in the past years. There is a continuous addition to the statistics of vehicular accidents in the country, most of which is related to speed limit violations. In the year 2011, approximately 15,200 vehicular accidents had occurred according to the Philippine National Police Highway Patrol Group (PNP-HPG). It was estimated that 14,795 of these accidents occurred from January to November 2011. In the same year, around 1,399 people have been killed and around 5,700 were injured due to road mishaps. Around 90.17% of the total deaths occurred in the National Capital Region (NCR). Several years back, in 2006, there had been an approximate 15,064 accidents or about 41 accidents each day. The highest rate of road accidents was in 2003 which recorded 16,425, calculated about 45 accidents per day.

Last December 16, 2013, a Don Mariano Transit bus fell off the elevated part of the Skyway in Barangay Marcelo Green, Paranaque City and pushed into the west service road of the southbound lane of South Luzon Expressway (SLEX) causing 21 fatalities and 8 injured victims. Most witnesses and investigators concluded that the bus violated the Skyway speed limit for buses thereby causing the accident.

To protect the citizens from these accidents and pursuant to the duty of the State to ensure protection and safety of the riding public, this bill is proposed to implement the mandatory installation of electronic speed limiters to public utility buses in order to strictly enforce the speed limit provided by law. Installing speed limiters will facilitate the reduction of serious crashes and other road accidents involving commercial buses which are not only causing fatalities but also damage to properties.

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

JOSEPH VICTOR G. EJERCITO

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AN ACT MANDATING THE INSTALLATION OF ELECTRONIC SPEED LIMITERS TO ALL PUBLIC UTILITY BUSES FOR THE PROTECTION OF THE RIDING PUBLIC AND FOR OTHER PURPOSES

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 "*Electronic Speed Limiter Act of 2014*".

SECTION 2. Declaration of Policy. - It is hereby declared the policy of the State to maintain at all times the safety and protection of the riding public. Towards this end, it shall pursue a more proactive and preventive approach to secure the safety of passengers and bystanders on roads and highways. The State shall implement measures to safeguard them from any speed-related road accidents which are not only causing fatalities but also damage to properties.

SECTION 3. Definition - For purposes of this Act, *Speed Limiter* is defined as a device which limits the top speed of a moving vehicle to a pre-programmed maximum speed per hour. The device has series of sensors that will detect the speed and communicate the information to the engine's computer. Once the pre-determined top speed is reached, the computer steps in and restricts the flow of air and fuel to the engine and it will be unable to exceed the maximum speed.

SECTION 4. Coverage. - In order to protect the public from any speed-related accidents and to enforce the speed limit provided by law, speed limiters shall be installed in all public utility buses including City and Provincial buses. The installed speed limiter will be programmed at a maximum 60 kilometers per hour for public utility buses traversing Epifanio Delos Santos Avenue (EDSA), and a maximum of 80 kilometers

per hour for those traversing expressways such as North Luzon Expressway (NLEX) Subic-Clark-Tarlac Expressway (SCTEX), Tarlac-Pangasinan-La Union Expressway (TPLEX), South Luzon Expressway (SLEX), and Southern Tagalog Arterial Road (STAR Tollway), except as otherwise provided by law or ordinance.

SECTION 5. *Installation of Speed Limiters* - For the issuance of a new franchise or for a renewal of franchise to operate public utility buses in the Philippines, installation of speed limiters shall be a mandatory requirement. The Land Transportation and Franchising Regulatory Board (LTFRB) shall administer the installation and monitoring of buses with installed speed limiters.

SECTION 6. *Prohibition* - It is prohibited for any person to tamper an installed speed limiter. Defective speed limiters are likewise prohibited and shall be immediately reported to the LTFRB for replacement.

SECTION 7. *Implementing Rules and Regulations*. - The head of the Land Transportation and Franchising Regulatory Board (LTFRB) and secretary of Department of Transportation and Communication (DOTC) shall jointly promulgate the rules and regulation to implement and carry out the objectives and provisions of this Act.

SECTION 8. *Penalty* - Public Utility Bus Operators who failed to comply with the mandatory installation of electronic speed limiter under Section 5 of this Act shall be fined with an amount not exceeding One Hundred Thousand Pesos (P100,000.00) and a suspension of the franchise until compliance of the installation. A penalty of six-month imprisonment to one year and a fine of Fifty Thousand Pesos (P50,000) shall be imposed to any person who violates Section 6 of this act.

SECTION 9. *Separability Clause*. - If, for any reason, any provision of this Act is declared unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 10 . *Repealing Clause*. - All laws, decrees, executive orders, proclamations and administrative regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SECTION 11. *Effectivity Clause*. - This Act shall take effect immediately after its publication in at least two national newspapers of general circulation.

Approved,