


THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

04 JUL -1 AM:11

RECEIVED BY: 

SENATE **1250**
S. B. No. _____

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

It is the objective of the state to promote public safety in the transportation of passengers, particularly school children. To achieve this objective, it is essential that the state shall prescribe minimum design standards of school buses for the safety of the student passengers.

This bill seeks to prescribe regulations to mitigate the effects of vehicular accidents by prescribing safety standards for school buses.


MIRIAM DEFENSOR SANTIAGO

THIRTEENTH CONGRESS OF THE REPUBLIC)
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SENATE
S. B. No. 1250

APPROVED BY: _____

Introduced by Senator Miriam Defensor Santiago

AN ACT
PRESCRIBING SCHOOL BUS SAFETY STANDARDS
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 may be cited as the "School Bus Safety Act."

SECTION 2. *Declaration of Policy.* - It is hereby the policy of the State to promote safety in order to protect passengers of school buses from injury in case of accidents.

SECTION 3. *Definition of Terms - For purposes of this Act the term:*

(1) "Bus" means a motor vehicle with motive power, except a trailer, designed for carrying more than 10 persons.

(2) "School Bus" means a bus that is used for purposes that include carrying students to and from public or private school or school-related events on a regular basis, but does not include a transit bus or a school-chartered bus.

(3) "School-Chartered Bus" means a bus that is operated under a short-term contract with the school authorities who have acquired exclusive use of the bus at a fixed charge in order to provide transportation for a group of pupils to a special school-related event.

(4) "Secretary" means the Secretary of Transportation and Communications.

(5) "Seat Belts" refer to the combined lap belt and shoulder strap that fasten a rider to a moving vehicle and prevent him from being thrown out or against the interior of the vehicle during sudden stops.

SECTION. 4. *Proficiency Standards For School Bus Drivers.*

(a) Requirement- Not later than one (1) year after the date of enactment of this Act, the Secretary shall prescribe proficiency standards for school bus drivers who are required to possess a professional license to operate a school bus.

(b) Demonstration of Proficiency- Upon the prescription of standards under subsection (a), each school bus driver referred to in subsection (a) shall demonstrate (at such interval as the Secretary shall prescribe) to the employer of the driver, the school, the licensing agency, or other person or agency responsible for regulating school bus drivers the proficiency of such driver in operating a school bus in accordance with the proficiency standards prescribed under subsection (a) or the proficiency standards established by the State concerned, as the case may be.

SECTION 5. *Seat Belts in School Buses.*

(A) Requirement for Installation- Not later than one (1) year after the date of the enactment of this Act, the Secretary shall prescribe regulations requiring driver seat belts and passenger seat belts (including lap safety belts or other child safety devices meeting applicable government safety standards) for each seating position in any newly manufactured school bus. Owners of school buses which are not currently equipped with seat belts shall be given a period of six (6) months from the publication of the regulations by the Secretary to install the necessary seat belts in their school buses.

(B) Promotion of Seat Belt Usage-

(1) In General- The Secretary, in consultation with appropriate safety organizations and parent-teacher organizations, shall conduct a program to promote and encourage the use of seat belts in school buses.

(2) Elements of Program- In conducting the program required under this subsection, the Secretary shall—

(A) encourage the local governments to monitor the mandatory usage of seat belts in school buses;

(B) develop and disseminate educational materials on the importance of using seat belts to passengers and drivers of school buses; and

(C) recognize in an appropriate manner school that achieve a high level of seat belt usage by passengers and drivers of school buses.

SECTION 6. Determination Of Practicability And Feasibility Of Certain Safety and Access Requirements for School Buses.

(a) Commencement of Rulemaking Process- Immediately upon the enactment of this Act, the Secretary shall begin a rulemaking process to determine the feasibility and practicability of the following:

(1) A requirement for a decrease in the flammability of the materials used in the construction of the interiors of school buses.

(b) Final Rule- Not later than 1 year after such date, the Secretary shall promulgate a final rule providing for any requirement or standard referred to in paragraph (1) of subsection (a) that the Secretary determines to be feasible and practicable.

SECTION 7. Registration. - No school bus shall be allowed to acquire, maintain and renew registration unless it is equipped with the necessary seat belts.

SECTION 8. Implementing Authority. - The Secretary shall be primarily responsible for the enforcement of the provisions of this Act.

The Secretary may provide for a reasonable period for public notice and comment consistent with ensuring expeditious but full implementation of the prescribed safety requirement of this Act.

SECTION 9. *Separability Clause.*- If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 10. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 11. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.

RC
29 July 1998