

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

5 MAY 18 AM 1:59

SENATE
S. No. 2009

RECEIVED BY: Dele

Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

The State is tasked to protect its people through the effective regulation of businesses impressed with public interest. From the nature of their business and for reasons of public policy, Art. 1733 of the Civil Code of the Philippines states that common carriers are bound to observe extraordinary diligence in the vigilance over the goods and for the safety of the passengers transported by them, according to all circumstances of each case.

To professionalize the operation and ownership of common carriers in the interest of public service, this proposed legislation requires the registration, annual inspection and marking of common carriers used on land, and the wearing of uniforms of their drivers and conductors for purposes of identification and accountability. The registration, annual inspection and marking of common carriers with their city or municipality will allow such local government unit to determine for itself its road bearing capacity and not overburden its roads, and to limit, regulate and monitor common carriers that ply its territory through delineating and setting proper routes. This will effectively prevent *colorum* or the illegal operation of common carriers and protect the public as well through recorded data with the city or municipality where the common carrier is registered.

The fast and easy way of identifying common carriers with their marking (i.e. city or municipality and province of its principal place of business or where the vehicle is based, number plate, route/zone number, body code and/or color code) and the wearing of uniforms of their drivers and employees aims to take a bite out of crime by giving the public a convenient way of identifying common carriers involved in violations of the law and their errant drivers and employees who are responsible for these violations, and lead to their speedy arrest. In addition, this bill requires the coordination of the Land Transportation Office, the Land Transportation and Franchising Regulatory Board, the Philippine National Police, and the cities and municipalities to provide an effective and efficient system of reporting these violations through a direct and immediate telephone linkup or hotline, or through other appropriate means using the most advanced technology.

There is a need to promote accountability of common carriers to facilitate the enforcement of laws, protect the people, and promote public safety. This has been successfully done in other places in the Philippines, like Olongapo City, where there is virtually no crime involving tricycles or jeepneys.


RICHARD J. GORDON
Senator

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

5 MAY 18 AM 11:59

SENATE
S. No. 2009

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AN ACT TO PROTECT THE PUBLIC BY REQUIRING THE REGISTRATION, ANNUAL INSPECTION AND MARKING OF COMMON CARRIERS USED ON LAND, AND THE WEARING OF UNIFORMS OF THEIR DRIVERS AND CONDUCTORS FOR PURPOSES OF IDENTIFICATION AND ACCOUNTABILITY

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. *Short Title.* – This Act shall be known as the “Identification and
2 Accountability Act of Common Carriers.”

3 Sec. 2. *Policy.* – It is the policy of the State to protect the public by providing effective
4 means of identifying the owners or operators of common carriers used on land and their
5 drivers and conductors, and promote accountability.

6 Sec. 3. *Registration and Annual Inspection.* – Every owner or operator of a common
7 carrier used on land shall be required to register with the city or municipality of its principal
8 place of business or where the vehicle is based, providing photographs of its owner or
9 operator, driver, and conductor, if any; stating its type, make, color, number plate, the name
10 and address of its owner or operator, driver, and conductor, if any, record of offenses
11 involving the vehicle, and such other information as may be required by the city or
12 municipality where it is being registered; and complying with the marking requirement in the
13 succeeding Section.

14 Any subsequent change to the information required in the registration in the
15 preceding paragraph, including but not limited to a change in ownership or operation of the
16 vehicle arising from sale, must be registered with the city or municipality of its principal
17 place of business or where the vehicle is based within fifteen (15) days from the occurrence
18 of such change.

1 All common carriers used on land shall be subject to inspection at least once a year
2 by the city or municipality where they are registered to monitor compliance with this Act and
3 other related laws.

4 Sec. 4. *Marking.* – Every common carrier used on land must display inside and
5 outside on both sides and at the back of the vehicle in letters that contrast sharply in color
6 with the background on which the letters are placed, the following information on the
7 vehicle:

8 (1) The city or municipality and province of its principal place of business or where
9 the vehicle is based;

10 (2) The number plate of the vehicle; and

11 (3) As may be required by Ordinance of the city or municipality where it is being
12 registered, a route/zone number, an alphanumeric body code of not more than four (4)
13 characters, and/or a color code. The city or municipality may also direct by Ordinance the
14 display on the vehicle of short slogans that uplift the spirit and promote values.

15 The marking required in this Section must be readily legible inside and outside from
16 a distance of at least twenty (20) meters from each side and at the back of the vehicle, and
17 be kept and maintained in a manner that retains the legibility required.

18 Other identifying information such as a recognized company logo or identification
19 may be displayed on the vehicle if it is not inconsistent with the information required by this
20 Section and if it would not give a false or distorted impression of the operation of the
21 vehicle.

22 Sec. 5. *Condition for the Issuance of a Franchise, Permit or License.* – Proof of
23 registration and marking in accordance with this Act shall be a condition for the issuance of
24 a franchise, permit or license for a common carrier used on land. All existing franchises,
25 permits or licenses for such vehicles are hereby modified accordingly to include the
26 provisions of this Act.

27 Sec. 6. *Penalties for Violation of Registration and Marking Requirements.* – The
28 owner or operator of a common carrier used on land who does not comply with Section 3
29 and Section 4 of this Act shall be punished with a fine ranging from five thousand pesos
30 (PhP5,000) to fifty thousand pesos (PhP50,000). In addition, the franchise, permit or
31 license for such vehicle shall be withheld or suspended until its owner or operator complies
32 with the said provisions of this Act.

1 *Sec. 7. Wearing of Uniform.* – Every driver or conductor of a common carrier used on
2 land is required to wear a uniform while on duty; which shall legibly show his or her name
3 and the owner's or operator's name on the upper left front portion and at the upper center
4 back portion of the driver's or conductor's shirt legible from a distance of at least five (5)
5 meters from the front and at least ten (10) meters from the back.

6 Every driver or conductor of a common carrier used on land shall carry and visibly
7 display in the vehicle at all times the driver's or conductor's proper identification issued by
8 the owner or operator of the common carrier which shall contain the driver's or conductor's
9 photograph.

10 A violation of this Section shall be punished with a fine ranging from five hundred
11 pesos (PhP500) to five thousand pesos (PhP5,000) for which the owner or operator and the
12 driver or conductor shall be solidarily liable.

13 *Sec. 8. Reporting System.* – The Land Transportation Office, the Land
14 Transportation and Franchising Regulatory Board, the Philippine National Police, and the
15 cities and municipalities are required to coordinate their efforts and provide an effective and
16 efficient system of reporting violations of the law involving common carriers used on land,
17 and their errant drivers or conductors who are responsible for these violations through a
18 direct and immediate telephone linkup or hotline, or through other appropriate means using
19 the most advanced technology to facilitate speedy action by law enforcement.

20 *Sec. 9. Appropriation.* – The initial funding to carry out the provisions of this Act shall
21 be charged against the current year's appropriation. Thereafter, such sums as may be
22 necessary shall be included in the annual General Appropriations Act.

23 *Sec. 10. Construction.* – This Act shall be construed to promote the identification and
24 accountability of common carriers and shall not reduce or diminish the requirements
25 provided in existing laws, decrees, orders, rules and regulations or other issuances that
26 promote the same.

27 *Sec. 11. Separability Clause.* – If any portion or provision of this Act is declared
28 unconstitutional, the remainder of this Act or other provisions not affected thereby shall
29 remain in force and effect.

30 *Sec. 12. Effectivity.* – This Act shall take effect after fifteen (15) days following the
31 completion of its publication either in the Official Gazette or in a newspaper of general
32 circulation in the Philippines.

33 Approved,