


10 JUL -8 11:06

SENATE

S. No. 958

RECEIVED BY: 

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The protection of public health is the primary duty of the State. It is the mandate of the State to protect and promote the well being of its citizens. It is the duty of the State to establish enabling laws and policies that will ensure safe, viable and dependable road safety standards and systems in the country.

Road accidents are common in the Philippines. Studies indicate that an average of 1,000 deaths occur per year in the Philippines due to road accidents. Last September 28, 2007, the representative of the World Health Organization (WHO) released a report which stated that road traffic crashes are the second leading causes of injury and death for all ages in the Philippines. The WHO added that since road traffic crashes are avoidable accidents, the number of deaths, injuries and disabilities caused by road accidents can be reduced through proactive and preventive policies and regulations.

Furthermore, data from the Land Transportation Office (LTO) as of 2006 indicate that motorcycles are the third most registered vehicles in the Philippines next to cars and commercial vehicles and that motorcycle accidents are the leading causes of road fatalities in the country in recent years. Data from the Traffic Management Group (TMG) indicate that motorcycles have the highest fatality accident rate in the country with 122 motorcycles involved, or 23.60 percent of the total fatal accidents, followed by cars with 113 or 21.86 percent from January to December 2006;

Given the surge in the number of road accidents that either kill or injure passengers, drivers and pedestrians on the road, there is an urgent need on the part of government to implement a proactive and nationwide information, education and communication (IEC) campaign that will educate the general public, particularly motor vehicle drivers on the pertinent road safety standards, policies and regulations being implemented in our country in order to promote compliance with the same, thus reduce the incidence and prevalence of deaths and injuries caused by motor vehicle accidents.

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


MANUEL "LITO" M. LAPID
Senator 

10 JUL -8 AM 10:06

SENATE

S. No. 958

RECEIVED BY: K

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT

AMENDING REPUBLIC ACT NO. 8794, OTHERWISE KNOWN AS "AN ACT IMPOSING A MOTOR VEHICLE USER'S CHARGE ON OWNERS OF ALL TYPES OF MOTOR VEHICLES AND FOR OTHER PURPOSES" AND ALLOCATING FUNDS FOR PROACTIVE NATIONWIDE ROAD SAFETY INFORMATION, EDUCATION AND COMMUNICATION (IEC) CAMPAIGN TO HELP IMPROVE COMPLIANCE OF ROAD SAFETY RULES, STANDARDS AND REGULATIONS

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

SECTION 1. Short Title. - This Act shall be known as the "**Proactive Nationwide Road Safety Information, Education and Communication (IEC) Act of 2010.**"

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to protect and promote the right to health of the people. It is also the policy of the State, consistent with the Constitutional provisions to protect and safeguard the people from road accident injuries and promote awareness and instill consciousness among motor vehicle drivers on the importance of road safety. For this purpose, the State shall institute a holistic program that will inform and educate the general public, using tri-media approach, on the pertinent road safety standards, regulations and laws in order to promote compliance and prevent the occurrence of motor vehicle road accidents.

SEC. 3. Policy Objectives. - It is the main purpose of this Act to:

a. Institutionalize a proactive road safety information, education and communication (IEC) campaign to educate the general public and increase awareness among motor vehicle drivers on proper road courtesy and road safety regulations;

b. Implement a holistic, nationwide and aggressive information and education program, using tri-media approach, on road safety regulations, standards and laws to promote greater compliance of pertinent regulations on road safety; and

c. Allocate funds to effectively implement a holistic, nationwide and aggressive information and education program, using tri-media approach, on road safety regulations and standards and mainstream the program into the priority programs of the national government.

SEC. 4. Section 7 of Republic Act No. 8794, otherwise known as "**An Act Imposing a Motor Vehicle User's Charge on Owners of All Types of Motor Vehicles and For Other Purposes**" is hereby amended to read as follows:

"Sec. 7. *Disposition of Monies Collected.* — All monies collected under this Act shall be earmarked solely and used exclusively (1) for road maintenance and the improvement of road drainage, (2) for the installation of adequate and efficient traffic lights and road safety devices, [and] (3) for air pollution control[.] **AND (4) FOR PROACTIVE AND NATIONWIDE INFORMATION, EDUCATION AND COMMUNICATION (IEC) CAMPAIGN ON ROAD SAFETY STANDARDS AND REGULATIONS.**

All such monies collected shall be deposited in four [(4)] **(5)** special trust accounts in the National Treasury, namely: (1) Special Road Support Fund; (2) Special Local Road Fund; (3) Special Road Safety Fund; [and] (4) Special Vehicle Pollution Control Fund[.] and **(5) SPECIAL ROAD SAFETY INFORMATION, EDUCATION AND COMMUNICATION (IEC) FUND.** The distribution of collections under this Act shall be as follows:

(1) [Eighty percent (80%)] **SEVENTY FIVE PERCENT (75%)** shall be allotted to and placed in the Special Road Support Fund;

(2) Five percent (5%) shall be allotted to and placed in the Special Local Road Fund;

(3) Seven and one-half percent (7.5%) shall be allotted to and placed in the Special Road Safety Fund; [and]

(4) Seven and one-half percent (7.5%) shall be allotted to and placed in the Special Vehicle Pollution Control Fund[.]; **AND**

(5) FIVE PERCENT (5%) SHALL BE ALLOTTED TO AND PLACED IN THE SPECIAL ROAD SAFETY INFORMATION, EDUCATION AND COMMUNICATION (IEC) FUND.

The Special Road Support Fund, the Special Local Road Fund and the Special Road Safety Fund shall be under the DPWH, whereas the Special Vehicle Pollution Control Fund **AND THE SPECIAL ROAD SAFETY INFORMATION, EDUCATION AND COMMUNICATION (IEC) FUND** shall be under the DOTC.

Seventy percent (70%) of the Special Road Support Fund shall be used exclusively for the maintenance of, and the improvement of drainage of, national primary roads. The remaining thirty percent (30%) thereof shall be allocated and used for the maintenance, and improvement of drainage of national secondary roads throughout the country.

The cost of installation of adequate and efficient traffic lights and road safety devices throughout the country, where such traffic lights and safety devices are needed, shall be taken from the Special Road Safety Fund.

The Special Local Road Fund shall be apportioned to provincial and city governments in accordance with the vehicle population and size of the road network under their respective jurisdictions, and shall be used exclusively for maintenance of local roads, traffic management and road safety devices.

THE SPECIAL ROAD SAFETY INFORMATION, EDUCATION AND COMMUNICATION (IEC) FUND SHALL BE USED EXCLUSIVELY FOR THE PROACTIVE AND NATIONWIDE INFORMATION, EDUCATION AND COMMUNICATION (IEC) CAMPAIGN, USING TRI-MEDIA APPROACH, THAT WILL BE IMPLEMENTED BY THE DEPARTMENT OF TRANSPORTATION AND

**COMMUNICATION (DOTC) IN ORDER TO EDUCATE THE
GENERAL PUBLIC ON PERTINENT ROAD SAFETY
REGULATIONS AND STANDARDS BEING IMPLEMENTED IN
OUR COUNTRY AND REDUCE THE INCIDENCE OF MOTOR
VEHICLE ACCIDENTS ON THE ROAD.**

A Road Board to implement the prudent and efficient management and utilization of the special funds shall be organized by the President of the Philippines. The Road Board shall be composed of seven (7) members, with the Secretary of the DPWH as ex officio head, and the secretaries of the Departments of Finance, Budget and Management, and Transportation and Communications, as ex officio members. The remaining three (3) members shall come from transport and motorist organizations which have been in existence and active for the last five (5) years prior to this Act. They shall be appointed for a term of two (2) years each by the President of the Philippines upon the recommendation of the secretaries of the DPWH and the DOTC."

SEC. 5. Section 8 of Republic Act No. 8794 is hereby amended to read as follows:

"Sec. 8. *Status of the Special Funds.* — The [four (4)] **FIVE (5)** special funds established under this Act shall be distinct and separate from and in addition to any appropriation authorized and granted yearly to the DPWH and the DOTC to cover expenditures for the identified objects of expenditures under this Act. Congress shall continue to appropriate an amount in the General Appropriations Act for road maintenance of the DPWH: *Provided, however,* That any savings for each year out of such appropriation shall revert to the General Fund. Any savings from the special funds created herein shall accrue to these respective special funds."

SEC. 6. Section 9 of Republic Act No. 8794 is hereby amended to read as follows:

"Sec. 9. *Implementing Rules and Regulations.* — The secretaries of the DPWH and the DOTC shall jointly within thirty (30) days from the effectivity of this Act, promulgate the rules and regulations to implement

and carry out the intent, objectives, purposes and provisions of this Act, including such structural and procedural improvements in the systems and agencies concerned as may be necessary to ensure the prudent, wise, effective and efficient utilization of the special funds established under this Act: *Provided*, That the Secretary of the DPWH shall prepare the portion of the implementing rules and regulations pertaining to the Special Road Support Fund, the Special Local Road Fund, and the Special Road Safety Fund, and the Secretary of the DOTC shall prepare the portion of the implementing rules and regulations pertaining to the collection of the MVUC stated under Section 3 of this Act and on the disposition of the monies accruing to the Special Vehicle Pollution Control Fund[.] **AND SPECIAL ROAD SAFETY INFORMATION, EDUCATION AND COMMUNICATION (IEC) FUND."**

SEC. 7. *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.

SEC. 8 *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.

SEC. 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from the date of its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,