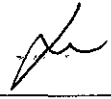


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SENATE
P. S. R. No. 962 RECEIVED



Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE REPORTED EXCESSIVE AND
IMPRACTICAL PENALTIES IMPOSED ON MOTORISTS

WHEREAS, the Constitution, Article 2, Section 9 provides: The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

WHEREAS, the *Philippine Daily Inquirer* in its 26 March 2009 article reported that transport leaders of public utility vehicles called on the Department of Transportation and Communication (DoTC) to defer the implementation of certain provisions of an order increasing the fines and penalties for erring motorists;

WHEREAS, transport organizations complained of not just the increase of fines but also of certain provisions that were impractical such as that which penalizes the wearing of slippers by drivers which was listed under reckless driving violations;

WHEREAS, an informal hearing was allegedly conducted by Bacolod Rep. Monico Puentevella, chair of the House transportation committee where Zenaida Maranan, president of the Federation of Jeepney Operators and Drivers Associations of the Philippines complained that drivers should not be penalized for wearing slippers because drivers cannot afford to buy shoes and that they only get blisters if they use shoes while driving jeepneys;

WHEREAS, it was reported that under the DoTC order, public utility drivers would be fined P1,000 for the first offense; for the second offense, they would be fined P1,500 and their license suspended for two months; for the third offense, there is a P2,000 fine and a six-month suspension of license; while the fourth offense would get them slapped with a P5,000 fine and their license revoked;

WHEREAS, transport groups also allegedly complained about the fines which were increased by 200 percent; however, Daisy Jacobo, Traffic Safety Division chief of the Land Transportation Office, defended the DoTC order, saying that the fines were not excessive because penalties for reckless driving were small compared with the loss of lives and damage to property;

WHEREAS, although it is understandable that PUV drivers and operators should abide by the law to ensure public safety, the State should not impose unreasonable provisions creating penalties that will greatly reduce the already low income of PUV drivers and even cause discomfort during the course of their work;

WHEREAS, what should be prevented is reckless driving—the destruction of life and property due to inadequate or poor driving skills; hence penalties should focus more on preventing those than penalizing the physical appearance of a person;

WHEREAS, the government should, before imposing such provisions, provide recommendations with explanations on the intent of passing such laws;

WHEREAS, even as the country faces recession, the State should, as always, be firm in regulating traffic and in creating safety measures for the public; however, it should also take into consideration the reasonableness and soundness of the laws it passes;

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 reported excessive and impractical penalties imposed on motorists.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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