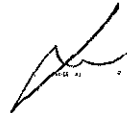


FOURTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE
SB No. 3594

RECEIVED



SEN. RICHARD J. GORDON

EXPLANATORY NOTE

The practice of the overloading of public utility vehicles in the country, to maximize profits, has become common occurrence. At times, this has resulted to accidents which has claimed the lives of passengers.

Franco Eugenio was born prematurely. Yet as a child, he showed extra-ordinary potential. He could talk when he was one and memorize songs and poems before his age normally allowed it. His sense of humor and impeccable comedic timing endeared him to everyone. On May 23, 2009, Franco, together with his grandmother Daisy Eugenio, his cousin Anton and yaya Thess drowned when the overloaded banca they were riding capsized. He was just three years old.

This bill seeks to put an end to this practice by providing an additional deterrent to the commission of the act. By criminalizing overloading, the State seeks to promote the safety and welfare of the people and protect the riding public from unnecessary danger.



SEN. RICHARD J. GORDON

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SB No. 3594

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SEN. RICHARD J. GORDON

**AN ACT TO PUT A STOP TO THE PRACTICE OF
OVERLOADING OF PASSENGERS IN PUBLIC
UTILITY VEHICLES AND PROVIDING PENALTIES THEREFOR**

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 “Franco Eugenio for Safe Travel Act of 2010”.

Section 2. Declaration of Policy – It is hereby the policy of the state to protect the safety and welfare of the riding public. This Act aims to apply said policy by criminalizing the act of overloading of passengers in public utility vehicles.

Section 3. Definition of Terms – The following terms are defined for the purpose of this act:

- a) PUBLIC UTILITY VEHICLES: all vehicles that provide the means of transport to public passengers for profit, including but not limited to tricycles, jeeps, buses, bancas, boats, ships that ply routes.
- b) OVERLOADING: is the act of carrying passengers more than the actual designated capacity of the vehicle.
- c) DRIVER: shall mean the operator of the vehicle including but not limited to tricycle, jeep and bus drivers, captains of maritime vessels and pilots of aircrafts.

Section 4. Overloading as an Offense – It shall be unlawful for any driver, ship captain, pilot and the like to carry on board passengers in excess of the designated capacity of the vehicle.

Section 5. Penalties – The penalty of imprisonment of one to three months and / or a fine of not less than P5,000.00 shall be imposed for drivers of vehicles whose passenger capacity is below 20 persons; three to six months and / or a fine of not less than P10,000.00 for drivers of vehicles whose passenger capacity is 20 and above but below 100 persons; six months to one year and / or a fine of P not less than 30,000.00 for drivers of vehicles whose passenger capacity is 100 persons and above.

Should a death result in while committing the crime of overloading, the driver shall suffer the penalty of one to five years imprisonment and / or a fine of not less than P50,000.00 pesos.

Section 6. Effectivity - This act shall take effect 15 days after its publication in at least 2 newspapers of general circulation.

Approved.