

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



Senate  
Office of the Secretary

13 JUL 18 P3:17

SENATE

S.B. No. 928

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Introduced by Sen. Manuel "Lito" M. Lapid

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#### EXPLANATORY NOTE

The serious problem of global warming is considered one of the more telling issues that will define the course of human history. While the number of infamous armed conflicts has shown a considerable decline in recent years, there is no stopping the rise of global temperatures which if remained unchecked, may result to unbearable consequences to human civilization.

In efforts to address this predicament, governments have come up with efforts to stamp out the sources of global warming which is the Kyoto Protocol which outlined the commitment of nations to reduce greenhouse gas emissions of their respective industries. But the reduction of emissions is just one part of the solution. The serious need to grow back the world's depleted forest should also be looked into as trees are critical in ridding the air of the hazardous greenhouse gases.

Though there have been advances in technology which helped reduce carbon emissions and diminish its adverse effects to the environment, it is still maintained that one of the larger contributors of greenhouse gases are motor vehicles. The time is yet to come when the world may be ready to put off and refuse the necessity of motor vehicles and in this regard, nothing can be expected but to charge its users to contribute in the efforts of addressing the problem brought by carbon emissions and global warming.

This bill seeks to exact assistance from motor vehicle users for the noble cause of making our roads greener. Being a large contributor to global warming much is to be demanded of motor vehicle users not only on the aspect of reduced carbon emissions but on the equally important mission of restoring our once healthy environment.

MANUEL "LITO" M. LAPID  
Senator 

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AN ACT  
AN ACT AMENDING 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,  
EARMARKING 10% OF THE MOTOR VEHICLES USER'S CHARGE FOR THE  
GREEN HIGHWAY FUND

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

SECTION 1. Section 7 is hereby amended to read as follows:

*"Section 7. Disposition of Monies Collected.* All monies collected under this Act shall be earmarked solely and used exclusively (1) for road maintenance and the improved of road drainage, (2) for the installation of adequate and efficient traffic lights and road safety devices, [and] (3) for the air pollution control, AND (4) FOR THE GREENING PROGRAM ALONG NATIONAL HIGHWAYS.

All such monies collected shall be deposited in [~~four (4)~~] FIVE (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) GREEN HIGHWAY FUND. The distribution of collections under this Act shall be as follows:

1. [~~Eighty percent (80%)~~] SEVENTY PERCENT 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.
5. TEN PERCENT (10%) SHALL BE ALLOTTED TO AND PLACED IN THE GREEN HIGHWAY FUND.

The Special Road Support Fund, the Special Local Road Fund shall be under the DPWH, [whereas] the Special Vehicle Pollution Control Fund shall be under the DOTC, WHEREAS THE GREEN HIGHWAY FUND SHALL BE UNDER THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR).

Seventy Percent (70%) of the Special Road Support Fund shall be used for the maintenance, and improved 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 devices.

THE GREEN HIGHWAY FUND SHALL BE USED FOR PROGRAMS AND PROJECTS RELATED TO THE NATIONAL GREENING PROGRAM INCLUDING BUT NOT LIMITED TO TREE PLANTING ALONG THE HIGHWAYS AND TO REFORESTATION INITIATIVES.

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 Department of Finance, Budget and Management, [and the] Transportation and Communication, AND THE ENVIRONMENT AND NATURAL RESOURCES as ex officio members. The remaining [three (3)] TWO (2) members shall come from transport and motorist organization, which have been in existence and active for the last five (5) years prior to this Act. They shall be appointed for the term of two (2) years each by the President of the Philippines upon the recommendation of the secretaries of the DPWH and the DOTC."

**SECTION 2. *Implementing Rules and Regulations.*** - The secretaries of the DPWH and the DENR shall jointly within thirty (30) days from the effectivity of this Act, promulgate the rules and regulation to implement and carry out the intent, objectives, purposes and provisions of this Act, including such structural and procedural improvement in the systems and agencies concerned as may be necessary to ensure the prudent, wise, effective and efficient utilization of the Green Highway Fund established under this Act.

**SECTION 3. *Repealing Clause.*** – All laws, orders, proclamations, rules and regulations, or part thereof, which are inconsistent with any provision of this Act are hereby repealed or modified accordingly.

**SECTION 4. *Separability Clause.*** – If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

**SECTION 5. *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,*