



SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES

First Regular Session

'17 MAR -7 P4:12

SENATE
S.B. No. 1367

RECEIVED BY: _____

Introduced by Senator Poe

AN ACT
REQUIRING LAND, AIR, AND SEA TRANSPORT PROVIDERS TO PROVIDE
PRIORITY SEATING FOR THE ELDERLY, FURTHER AMENDING FOR THIS
PURPOSE REPUBLIC ACT NO. 7432, AS AMENDED BY REPUBLIC ACT NO. 9257
AND 9994, OTHERWISE KNOWN AS THE "EXPANDED SENIOR CITIZEN'S ACT
OF 2010"

Explanatory Note

"*Parang lata ng sardinas*" is an expression used by commuters to describe the cramped conditions of public transport. It is an apt comparison. Every day, millions of Filipinos cram themselves on various modes of transportation throughout the day. In Metro Manila alone, 13.3 million trips are done through jeepney or bus, accounting for 66.7 percent of all trips taken. The MRT-3 carries around 560,000 passengers a day, even though it was built for a maximum of 380,000.

Not all commuters bear the brunt of crowds equally. For instance, senior citizens comprise one sector, which suffers more than most. While no data is available on the number of senior citizens who commute, their plight is easily imaginable. One would not have to search too hard for stories of *lolos* and *lolas* who, despite generally being frailer than most, have to face the same cramped conditions as everyone else. For them, a vacant seat is brief but sweet respite.

Batas Pambansa Bilang 344, popularly known as the Accessibility Law, mandates that posters or stickers shall be used on public conveyances to generate public awareness of the rights and needs of persons with disabilities (PWDs). This obviously includes the marking of "priority seats" for them. Unfortunately, a similar provision is not found in the Expanded Senior Citizens Act (R.A. No. 7432), despite having been amended several times.

In fact, the latest iteration of the law (R.A. No. 9994) merely states that "The Department of Transportation and Communications (DOTC) shall develop a program to assist senior citizens to fully gain access to public transport facilities. It is an unfortunate oversight in an otherwise generous and expansive law.

Thus, currently, although there are seats reserved for the elderly in public land transportation vehicles, there are no hard rules mandating the reservation and designation of

priority seating for the elderly in air and sea transportation vehicles. This representation has received complaints that in some instances, senior citizens are transferred, on the last minute, to seats that are either far away from their companions and do not take into account their convenience or health status.

This bill, thus, seeks to provide priority seating for the elderly on jeepneys, buses, rail services, and commercial air and sea transport providers. If enacted, this measure will ensure that the seats closest to the entrance doors will be reserved for the elderly. In addition, elderly citizens cannot be forced to transfer seats on commercial air and sea vessels without one (1) week of prior notice.

In view of the foregoing, approval of this measure is eagerly sought.


GRACE POE



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OF 2010"

*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 "Priority Seating for the
2 *Elderly Act*".

3 **SECTION 2.** *Amendatory Provision.*- For the purposes of this Act, the following
4 provisions of Republic Act No. 7432, as amended by Republic Act No. 9257 and 9994,
5 otherwise known as the "*Expanded Senior Citizens Act of 2010*" is hereby further amended
6 to read as follows:

7 a) Section 5, Paragraph (f) of Republic Act No. 7432, as amended," is
8 hereby further amended to read as follows:

9 "SEC. 5. *Government Assistance.*- x x x

1 “(a) Employment

2 x x x

3 “(f) **PRIORITY SEATING FOR THE ELDERLY**

4 **ALL PUBLIC UTILITY VEHICLES (PUV), PUBLIC**
5 **UTILITY BUSES (PUBS), RAIL TRANSPORT PROVIDERS,**
6 **AND AIR AND SEA TRANSPORT PROVIDERS, SHALL**
7 **RESERVE AND DESIGNATE THE BEST POSSIBLE SEATS**
8 **FOR SENIOR CITIZENS AS DETERMINED BY THE**
9 **DEPARTMENT OF TRANSPORTATION (DOTR), IN**
10 **COORDINATION WITH THE LAND TRANSPORTATION**
11 **FRANCHISING AND REGULATORY BOARD (LTFRB), THE**
12 **MARITIME INDUSTRY AUTHORITY (MARINA), THE CIVIL**
13 **AVIATION AUTHORITY OF THE PHILIPPINES (CAAP),**
14 **AND THREE (3) REPRESENTATIVES FROM REPUTABLE**
15 **AND CONCERNED CIVIL SOCIETY ORGANIZATIONS, AS**
16 **DETERMINED BY THE DOTR.**

17 **THE PRIORITY SEATS SHALL BE CLEARLY LABELLED**
18 **TO INDICATE THAT PASSENGERS MAY USE THEM BUT**
19 **MUST VACATE THEM IF THEY ARE NEEDED BY AN**
20 **ELDERLY PASSENGER: *PROVIDED*, THAT PASSENGERS**
21 **WHO ARE PREGNANT OR DISABLED SHALL BE**
22 **EXEMPTED FROM THIS PROVISION.**

1 **COMMERCIAL AIR AND SEA TRANSPORT PROVIDERS**
2 **SHALL ENSURE THAT PRIORITY SEATS ARE MADE**
3 **AVAILABLE TO ELDERLY PASSENGERS DURING THE**
4 **RESERVATION OF SEATS. ELDERLY PASSENGERS MAY**
5 **NOT BE TRANSFERRED TO OTHER SEATS OR BUMPED**
6 **OFF WITHOUT AT LEAST ONE (1) WEEK OF PRIOR**
7 **NOTICE AND WITHOUT REASON.**

8 [The Department of Transportation and Communications (DOTC)
9 shall develop a program to assist senior citizens to fully gain access to
10 public transport facilities.]

11 “(g) Incentive for Foster Care

12 x x x ”

13 b) Section 10 of Republic Act No. 7432, as amended, is hereby further
14 amended to read as follows:

15 “**SEC. 10. Penalties.**- x x x

16 “(a) x x x

17 “(b) x x x

18 “(c) x x x

19 **ANY PUV OR PUB OPERATOR WHO FAILS TO COMPLY**
20 **WITH SECTION 5(F) OF THIS ACT SHALL, UPON**
21 **CONVICTION, BE IMPRISONED FOR TWO (2) MONTHS TO**
22 **ONE (1) YEAR OR PAY A FINE OF ONE THOUSAND PESOS**

1 (PHP 1,000) TO FIVE THOUSAND PESOS (PHP 5,000),
2 WITHOUT PREJUDICE TO THE IMPOSITION OF
3 ADMINSTRATIVE SANCTIONS SUCH AS SUSPENSION OR
4 REVOCATION OF THEIR FRANCHISE;

5 ANY RAIL TRANSPORT OPERATOR WHO FAILS TO
6 COMPLY WITH SECTION 5(F) THIS ACT SHALL, UPON
7 CONVICTION, BE IMPRISONED FOR FIVE (5) MONTHS TO
8 TWO (2) YEARS OR PAY A FINE OF THIRTY THOUSAND
9 PESOS (PHP 30,000) TO FIFTY THOUSAND PESOS (PHP
10 50,000);

11 ANY COMMERCIAL AIR OR SEA TRANSPORT PROVIDER
12 WHO FAILS TO COMPLY WITH SECTION 5(F) THIS ACT
13 SHALL, UPON CONVICTION, BE IMPRISONED FOR FIVE
14 (5) TO TEN (10) YEARS OR PAY A FINE OF ONE HUNDRED
15 THOUSAND PESOS (PHP 100,000) TO FIVE HUNDRED
16 THOUSAND PESOS (PHP 500,000).

17 x x x

18 **SECTION 3.** *Appropriations.* – Such funds necessary to carry out the provisions of
19 this Act shall be included in annual General Appropriations Act.

20 **SECTION 4.** *Implementing Rules and Regulations.* – The DOTR, in coordination
21 with the LTFRB, MARINA, CAAP, and three (3) representatives from reputable and

1 concerned civil society organizations, as determined by the DOTR, shall promulgate the
2 implementing rules and regulations of this Act within fifteen (15) days from its effectivity.

3 **SECTION 5. *Repealing Clause.*** – All laws, decrees, executive orders, proclamations,
4 rules and regulations, and other issuances, or parts thereof which are inconsistent with the
5 provisions of this Act are hereby repealed, amended or modified accordingly.

6 **SECTION 6. *Effectivity.***– This Act shall take effect fifteen (15) days after its
7 publication in the Official Gazette or in a newspaper of general circulation.

Approved,