

SENATE
P.S. Res. No. 955

18 NOV 27 P 3:31

Introduced by Senator Grace Poe

RESOLUTION

URGING THE SENATE COMMITTEE ON PUBLIC SERVICES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE GOVERNMENT'S POLICY TO BAN FIFTEEN (15) YEAR OLD TRUCKS, THE APPARENT LACK OF REGULATION, TRANSPARENCY AND ACCOUNTABILITY IN THE RETURN OF EMPTY CONTAINERS TO SHIPPING LINES IN PORTS, THE TERMINAL APPOINTMENT BOOKING SYSTEM OR TABS IN PORTS AND IN THE WEIGHING OF TRUCKS AND ITS CARGOES, WITH THE END GOAL OF FORMULATING REASONABLE AND VIABLE MEASURES TO ENSURE ROADWORTHINESS AND SAFETY IN THE TRUCKING SECTOR AND THE REGULATION OF INDUSTRY NORMS AND PRACTICES TO WEED OUT UNNECESSARY COSTS OF TRANSPORTATION OF GOODS AND PRODUCTS

1 **WHEREAS**, "the prime duty of the Government is to serve and protect the
2 people"¹ and "the maintenance of peace and order, the protection of life, liberty, and
3 property, and the promotion of the general welfare are essential for the enjoyment
4 by all the people of the blessings of democracy"²;

5
6 **WHEREAS**, an article on "The Importance of the Trucking Industry" stated
7 that "businesses of all sizes depend on the trucking industry to maintain fast delivery
8 times and deliver products safely all over the nation. The trucking industry handles
9 much more cargo than trains, ships or planes -- and without trucks, goods could
10 never travel from rail yards, ports and airports to their final destinations"³;

11
12 **WHEREAS**, an expert also mentioned that "with the rise of the economy,
13 comes the rise also of the Logistics and Transport sector, the blood vessels of the
14 economy. As Manufacturing and Distribution of goods increase, so does the need to
15 move these items. The geographic layout of the Philippines is a very complex one:
16 thousands of islands connected thru hundreds of links, in one massive Archipelago.
17 The trucking sector, plays a very vital role in this Supply Chain process"⁴;

¹ Section 4, Article 2 of the 1987 Constitution.

² Section 5, Article 2 of the 1987 Constitution.

³ <https://smallbusiness.chron.com/importance-trucking-industry-71922.html>

⁴ <https://www.linkedin.com/pulse/upheaval-philippines-trucking-industry-ticking-time-christian-go>

1 **WHEREAS**, various associations of truckers with members all throughout the
2 country, namely the Confederation of Truckers Association of the Philippines, Inc.
3 (CTAP), the Alliance of Concerned Truck Owners & Organizations (ACTOO), the
4 Integrated North Harbor Truckers Association (INTHA), Haulers and Truckers
5 Association in the Waterfront, Inc. (HATAW), the Inland Haulers and Truckers
6 Association (INTHA), the Aduana Business Club, Inc. (ABCI), among others, had
7 unanimously voiced out their opposition against the government's policy and/or
8 imposition to ban fifteen (15)-year old trucks;

9
10 **WHEREAS**, the Land Transportation Franchising and Regulatory Board
11 (LTFRB) had issued Board Resolution 006-2015 aimed at stripping permits to
12 operate, known as the "Certificate of Public Convenience" or CPC, for trucks that are
13 fifteen (15) years old and above;

14
15 **WHEREAS**, the main arguments by the government in coming up with such
16 a policy are road safety and preservation of the environment;

17
18 **WHEREAS**, truckers, however, claim that the proper test and/or policy to
19 ensure road safety and environmental protection in case of trucks should be
20 "roadworthiness" as a truck's "year model" cannot be conclusive in determining road
21 safety, as a matter of fact, reports and data even manifest that "most of the trucks
22 in the United States (15.5 Million units based on the US Department of
23 Transportation - 2008) are way beyond the 15 year old limit"⁵;

24
25 **WHEREAS**, truckers maintain that the government should actually properly
26 audit and/or assess the roadworthiness of trucks via inspections to ensure road
27 safety and environmental protection and not merely slapping an "age limit" for
28 trucks as "newer" trucks could fail tests of roadworthiness absent proper and regular
29 maintenance and properly maintained "older" trucks could pass roadworthiness
30 tests;

31
32 **WHEREAS**, in addition, truckers likewise lament the apparent lack of proper
33 and efficient government regulation, transparency and accountability in the following
34 aspects of trucking:

- 35
36 a. The industry norms/practices as regards the timely and orderly
37 return of empty containers owned by shipping lines due to lack
38 of sufficient space in ports, as well as the fines and/or penalties
39 imposed by shipping lines;
- 40
41 b. The current "Terminal Appointment Booking System" or TABS
42 as a port decongestion measure, the fines and penalties
43 imposed and the alleged absence of official receipts upon
44 collection of payments, fines and/or penalties; and
45

⁵ <https://www.linkedin.com/pulse/upheaval-philippines-trucking-industry-ticking-time-christian-go>

1 c. The lack of industry-accepted and uniform calibration of
2 weighing stations/equipment to determine the gross weight of
3 trucks and its cargoes and the imposition of fines and/or
4 penalties;
5

6 **WHEREAS**, the above-enumerated unregulated aspects of trucking had
7 allegedly resulted in unfair and unjust practices that prey on truckers who are forced
8 to pay hefty fines and penalties in exchange of convenient and timely delivery of
9 cargoes and goods to their clients;
10

11 **WHEREAS**, it is high time that the State look into the oftentimes unheard of
12 or unseen concerns and issues regarding the trucking sector – our countrymen in
13 charge of transporting and delivering goods and products from ports and terminals
14 to various businesses of various sizes all throughout the country and/or directly to
15 buyers and consumers. Surely, the sector's concerns and issues, if addressed, would
16 lead to port and traffic decongestion and even lowering of transportation costs that
17 might bring down prices of goods for consumers;
18

19 **NOW, THEREFORE, BE IT RESOLVED**, as it is hereby resolved by the
20 Senate of the Philippines, to urge the Senate Committee on Public Services to
21 conduct an inquiry, in aid of legislation, into the government's policy to ban fifteen
22 (15) year old trucks, the apparent lack of regulation, transparency and accountability
23 in the return of empty containers to shipping lines in ports, the Terminal
24 Appointment Booking System or TABS in ports and in the weighing of trucks and its
25 cargoes, with the end goal of formulating reasonable and viable measures to ensure
26 roadworthiness and safety in the trucking sector and the regulation of industry
27 norms and practices to weed out unnecessary costs of transportation of goods and
28 products;
29

30 *Adopted.*


GRACE POE