


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

7 JUL 31 1971

SENATE
S. No. 1413

RECEIVED BY 

Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

The State is tasked to protect its people through the effective regulation of business impressed with public interest. From the nature of their business and for reasons of public policy, Art. 1733 of the Civil Code of the Philippines states that common carriers are bound to observe extraordinary diligence in the vigilance over the goods and for the safety of the passengers transported by them, according to all circumstances of each case.

To professionalize the operation and ownership of common carriers in the interest of public service, this proposed legislation requires the registration, annual inspection and marking of common carriers used on land, and the wearing of uniforms of their drivers and conductors for purposes of identification and accountability. The registration, annual inspection and marking of common carriers with the city or municipality where they conduct their business or hold their principal office will allow such local government unit to determine for itself its road bearing capacity and not overburden its roads, and to limit, regulate and monitor common carriers that ply its territory through delineating and setting proper routes. This will effectively prevent *colorum* or the illegal operation of common carriers and protect the public as well through recorded data with the city or municipality where the common carrier is registered.

The fast and easy way of identifying common carriers with their marking (i.e. city or municipality and province of its principal place of business or where the vehicle is based, number plate, route/zone number, body code and/or color code) and the wearing of uniforms of their drivers and conductors aims to take a bite out of crime by giving the public a convenient way of identifying common carriers involved in violations of the law, including their errant drivers and conductors who may be responsible for these violations. In addition, this bill requires the coordination of the Land Transportation Office, the Land Transportation and Franchising Regulatory Board, the Philippine National Police, and the cities and municipalities to provide an effective and efficient system of reporting these violations through a direct and immediate telephone hotline or computer linkup using the most advanced technology.

There is a need to promote the accountability of common carriers to facilitate the enforcement of laws, protect the people, and promote public safety. Therefore, the passage of this bill is earnestly sought.

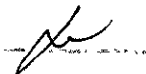

RICHARD J. GORDON
Senator

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AN ACT TO PROTECT THE PUBLIC BY REQUIRING THE REGISTRATION, ANNUAL INSPECTION AND MARKING OF COMMON CARRIERS USED ON LAND, AND THE WEARING OF UNIFORMS OF THEIR DRIVERS AND CONDUCTORS FOR PURPOSES OF IDENTIFICATION AND ACCOUNTABILITY

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 “Identification and
2 Accountability Act of Common Carriers of 2007.”

3 **Sec. 2. Policy.** – It is the policy of the State to protect the public by providing
4 effective means of identifying the owners or operators of common carriers used on land and
5 their drivers and conductors, and promote accountability.

6 **Sec. 3. Registration and Annual Inspection.** – Every owner or operator of a
7 common carrier used on land shall be required to register with the city or municipality of its
8 principal place of business or where the vehicle is based, providing photographs of its
9 owner or operator, driver, and conductor, if any; stating its type, make, color, number plate,
10 the name and address of its owner or operator, driver, and conductor, if any, record of
11 offenses involving the vehicle, and such other information as may be required by the city or
12 municipality where it is being registered; and complying with the marking requirement in the
13 succeeding Section.

14 Any subsequent change to the information required in the registration in the
15 preceding paragraph, including but not limited to a change in ownership or operation of the
16 vehicle arising from sale, must be registered with the city or municipality of its principal
17 place of business or where the vehicle is based within fifteen (15) days from the occurrence
18 of such change.

1 All common carriers used on land shall be subject to inspection at least once a year
2 by the city or municipality where they are registered to monitor compliance with this Act and
3 other related laws.

4 **Sec. 4. Marking.** – Every common carrier used on land must display inside and
5 outside on both sides and at the back of the vehicle in letters that contrast sharply in color
6 with the background on which the letters are placed, the following information on the
7 vehicle:

8 (1) The city or municipality and province of its principal place of business or where
9 the vehicle is based;

10 (2) The number plate of the vehicle; and

11 (3) As may be required by Ordinance of the city or municipality where it is being
12 registered, a route/zone number, an alphanumeric body code of not more than four (4)
13 characters, and/or a color code.

14 The marking required in this Section must be readily legible inside and outside from
15 a distance of at least twenty (20) meters from each side and at the back of the vehicle, and
16 be kept and maintained in a manner that retains the legibility required.

17 Other identifying information such as a recognized company logo or identification
18 may be displayed on the vehicle if it is not inconsistent with the information required by this
19 Section and if it would not give a false or distorted impression of the operation of the
20 vehicle.

21 **Sec. 5. Condition for the Issuance of a Franchise, Permit or License.** – Proof of
22 registration and marking in accordance with this Act shall be a condition for the issuance of
23 a franchise, permit or license for a common carrier used on land. All existing franchises,
24 permits or licenses for such vehicles are hereby modified accordingly to include the
25 provisions of this Act.

26 **Sec. 6. Penalties for Violation of Registration and Marking Requirements.** – The
27 owner or operator of a common carrier used on land who does not comply with Section 3
28 and Section 4 of this Act shall be punished with a fine ranging from five thousand pesos
29 (PhP5,000) to fifty thousand pesos (PhP50,000). In addition, the franchise, permit or
30 license for such vehicle shall be withheld or suspended until its owner or operator complies
31 with the said provisions of this Act.

32 **Sec. 7. Wearing of Uniform.** – Every driver or conductor of a common carrier used
33 on land is required to wear a uniform while on duty, which shall legibly show his or her name

1 and the owner's or operator's name on the upper left front portion and at the upper center
2 back portion of the driver's or conductor's shirt legible from a distance of at least five (5)
3 meters from the front and at least ten (10) meters from the back.

4 Every driver or conductor of a common carrier used on land shall carry and visibly
5 display in the vehicle at all times the driver's or conductor's proper identification issued by
6 the owner or operator of the common carrier which shall contain the driver's or conductor's
7 photograph.

8 A violation of this Section shall be punished with a fine ranging from five hundred
9 pesos (PhP500) to five thousand pesos (PhP5,000) for which the owner or operator and the
10 driver or conductor shall be solidarily liable.

11 **Sec. 8. Reporting System.** – The Land Transportation Office, the Land
12 Transportation and Franchising Regulatory Board, the Philippine National Police, and the
13 cities and municipalities are required to coordinate their efforts and provide an effective and
14 efficient system of reporting violations of the law involving common carriers used on land,
15 including their errant drivers or conductors who may be responsible for these violations
16 through a direct and immediate telephone hotline or computer linkup using the most
17 advanced technology to facilitate speedy action by the law enforcement.

18 **Sec. 9. Appropriation.** – The initial funding to carry out the provisions of this Act
19 shall be charged against the current year's appropriation. Thereafter, such sums as may be
20 necessary shall be included in the annual General Appropriations Act.

21 **Sec. 10. Construction.** – This Act shall be construed to promote the identification
22 and accountability of common carriers and shall not reduce or diminish the requirements
23 provided in existing laws, decrees, orders, rules and regulations or other issuances that
24 promote the same.

25 **Sec. 11. Separability Clause.** – If any portion or provision of this Act is declared
26 unconstitutional, the remainder of this Act or other provisions not affected thereby shall
27 remain in force and effect.

28 **Sec. 12. Effectivity.** – This Act shall take effect after fifteen (15) days following the
29 completion of its publication either in the Official Gazette or in a newspaper of general
30 circulation in the Philippines.

31 Approved,