

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

SECRET  
OFFICE OF THE SECRETARY

16 JUL -1 1954

SENATE

S.B. No. 29

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Introduced by Senator Ramon Bong Revilla, Jr.

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### EXPLANATORY NOTE

The Motor Vehicles User's Charge (MVUC) is being imposed on all motor vehicles by virtue of Republic Act No. 8794, enacted in July 2000. Among other things, RA 8794 seeks to provide funding for the rehabilitation of roads in the country through collecting a separate charge. The money collected will be used for road maintenance, drainage improvement, pollution control, road safety and education. The MVUC, more commonly known as the road tax, is part of DPWH revenue outside the annual budget it receives from the government.

In a press conference by the DPWH, Secretary Hermogenes Ebdane Jr. attributed road damages to overloading. As mandated by RA 8794, a fine of an amount equivalent to twenty-five percent (25%) of the MVUC is being imposed on trucks and trailers for overloading. However, the secretary maintained that while violators are penalized, they are still permitted to carry their excess loads after paying the fine. He further noted that the Philippines have the highest allowable axle load limit in the world.

Another major concern is the government's preparedness in times of natural calamity, not only before or during the said catastrophe but as well as the government's ability to respond in the restoration and rehabilitation of the damaged infrastructure.

Addressing this concern by amending RA 8794, will provide the necessary funds in the immediate implementation of the clearing, restoration and rehabilitation programs of the government, in order to alleviate the situation while the people carry on with their lives as they themselves try to regain whatever loss they suffered.

In this regard, passage of this bill is urgently requested.

  
RAMON BONG REVILLA, JR.  
*Senator*

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**AN ACT**  
**AMENDING SECTIONS 6 AND 7 OF REPUBLIC ACT 8794,**  
**ALSO KNOWN AS AN ACT IMPOSING A MOTOR VEHICLES USER'S**  
**CHARGE ON OWNERS OF ALL TYPES OF MOTOR VEHICLES**  
**AND FOR OTHER PURPOSES**

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

**Section 1.** Republic Act No. 8794, Section 6 is hereby amended to read as follows:

Section 6. Penalty for overloading. - An amount equivalent to twenty-five percent (25%) of the MVUC shall be imposed on trucks and trailers for loading beyond their prescribed gross vehicle weight: Provided, That no axle load shall exceed [thirteen thousand five hundred kilograms (13,500 kgs.)] **NINE THOUSAND FIVE HUNDRED KILOGRAMS (9,500 KGS).** IN ADDITION TO THE PENALTY, THE VIOLATORS ARE REQUIRED TO UNLOAD THEIR EXCESS WEIGHT BEFORE THEY CAN CONTRIBUTE THEIR TRIP. FAILURE TO COMPLY WITH THE UNLOADING REQUIREMENT IS PUNISHABLE BY IMPRISONMENT NOT EXCEEDING ONE YEAR OR A FINE NOT EXCEEDING TEN THOUSAND PESOS (Php10,000.00), OR BOTH AT THE DISCRETION OF THE COURTS.

**Section 2.** 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 improvement of road drainage, (2) for the installation of adequate and efficient traffic lights and road safety devices, and (3) for air pollution control.

All such monies collected shall be deposited in four (4) 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. The distribution of collections under this Act shall be as follows:

(1) Eighty percent (80%) 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.

The Special Road Support Fund, the Special Local Road Fund and the Special Road Safety Fund shall be under the DPWH, whereas the Special Vehicle Pollution Control Fund shall be under the DOTC.

[Seventy percent (70%) of the Special Road Support Fund shall be used exclusively for the maintenance of, and the improvement of drainage of, national primary roads. The remaining thirty percent (30%) thereof shall be allocated and used for the maintenance, and improvement of drainage of national secondary roads throughout the country.]

**SEVENTY PERCENT (70%) OF THE SPECIAL ROAD SUPPORT FUND SHALL BE USED EXCLUSIVELY FOR THE MAINTENANCE OF AND IMPROVEMENT OF DRAINAGE AND THE CLEARING OPERATIONS AND RESTORATION OF DAMAGES CAUSED BY NATURAL CALAMITY, OF NATIONAL PRIMARY ROADS. THE REMAINING THIRTY PERCENT (30%) THEREOF SHALL BE ALLOCATED AND USED FOR THE MAINTENANCE, AND IMPROVEMENT OF DRAINAGE OF NATIONAL SECONDARY ROADS THROUGHOUT THE COUNTRY.**

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**Section 3. Separability Clause** - If any part, section, or provision of this Act shall be held invalid or unconstitutional, the other provisions shall not be affected thereby.

**Section 4. Repealing Clause.** - All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

**Section 5. Effectivity.** - *This* Act shall take effect (15) days after its complete publication in at least two (2) newspapers of national circulation.

Approved.