

NINETEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
First Regular Session]

'22 JUL 25 A11 :35

SENATE

RECEIVED BY: _____

S.B. No. 819

Introduced by SEN. WIN GATCHALIAN

AN ACT
ESTABLISHING THE RIGHTS OF PASSENGERS OF TAXIS, TOURIST CAR
TRANSPORT SERVICES AND OTHER SIMILAR VEHICLES FOR HIRE

EXPLANATORY NOTE

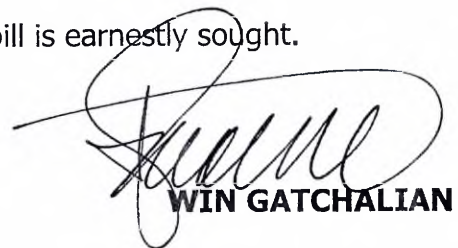
For an ordinary Filipino worker, it is more practical to avail of the transport services of taxis or other similar vehicles for hire, such as Grab, Angkas, JoyRide, Toktok, among others, in going to work or elsewhere for the supposed convenience, safety and cost-savings in maintaining a private vehicle, especially at a time of rising fuel prices. These transport services are mostly useful and are in demand during rush hour, holiday season, rainy season and late nights when passenger safety and availability of other modes of public transportation are primary concerns.

However, we have seen countless videos and heard sordid stories of passengers who were preyed on or became victims of abusive or negligent drivers of taxis or other similar vehicles for hire. Instead of convenience or cost-savings, several passengers experienced being refused carriage for some destinations, or forced to pay an extra amount on top of the meter bill, or selected by these drivers on their own lopsided terms, or are tricked to go on circuitous routes for the driver to earn extra money. Also, there are reports from tourists who come to our country and have fallen victims to these enterprising drivers. Sadly, these instances have been tolerated and ignored

for lack of laws that singly protect our commuting public. Most people are likewise dismayed over the inadequacy of law enforcers who are responsive and sympathetic to such concerns.

While Article 1755 of the New Civil Code laid down the required diligence in transporting passengers of common carriers, we have not yet seen a law that establishes the rights of passengers with the goal of improving the standard of transport services. Thus, to address this problem and prevent any more untoward incidents of this nature to occur in the future, a passenger bill of rights is hereby proposed to protect the commuting public from abusive, itinerant, and discourteous drivers of taxis and similar vehicles for hire, provide sanctions for the offenses committed against the riding public, and elevate the standards in rendering transport services.

In view of the foregoing, passage of this bill is earnestly sought.



WIN GATCHALIAN

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*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 "Bill of Rights of
2 Passengers of Taxis, Tourist Car Transport Services and Other Similar Vehicles for
3 Hire".
4

5 SEC. 2. *Declaration of Policy.* - It shall be the policy of the State to make
6 available a world-class transportation system that primarily takes into consideration
7 the safety and reliability of transportation service and integrates and use customer
8 feedback in improving the quality of service.

9 To this end, the State shall establish transportation service standards that shall
10 promote the development and maintenance of safe, efficient and reliable public and
11 private transportation service by establishing the basic rights of passengers of taxis,
12 tourist car transport services and other similar vehicles for hire.

1 SEC. 3. *Definition of Terms.* – As used in this Act:

2 a) *Taxi* refers to a public utility vehicle as defined and duly franchised by the
3 Land Transportation Franchising and Regulatory Board (LTFRB), offering
4 transportation services to the public for a fee on an exclusive basis;

5 b) *Tourist Car Transport Services (TCTS)* refers to metered taxi, coupon taxi or
6 rent-a-car transport service duly franchised by the LTFRB that provides transport
7 services to tourists;

8 c) Covered vehicle refers to any taxi, TCTS or vehicle for hire (VFH) as defined
9 under this Act;

10 d) *Multiple hiring* refers to the act of a driver in accepting more than one client
11 in a single journey, whether or not the clients come from the same point of origin;

12 e) *Seminar* refers to an activity prescribed by the LTFRB or Land Transportation
13 Office (LTO) for erring drivers and operators as a requirement for reinstatement of
14 license or continued operation of franchise;

15 f) *Vehicle for Hire* refers to vehicles offering transportation services to the public
16 for a fee, regardless of fare-setting mechanism, mode of payment or manner of
17 engagement.

18

19 SEC. 4. *Standards of Service.* – Only a duly licensed professional driver can be
20 authorized to drive a covered vehicle. All covered vehicles shall be duly registered with
21 the LTFRB, are being operated using the proper license required under the law, and
22 shall be clean, safe, smoke-free, and in good condition.

23

24 SEC. 5. *Rights of Passengers of Covered Vehicles* – Passengers of covered
25 vehicles shall have the right to:

26 a) Be served by a driver who is properly dressed and groomed and compliant
27 with minimum COVID-19 health protocols, such as wearing of masks. Operators of
28 covered vehicles should ensure that their drivers wear the prescribed uniform and
29 company identification card (ID) at all times while on duty. In addition, the LTFRB

1 shall issue an official ID to all drivers containing the driver's name and picture and the
2 operator's information and contact numbers. The prescribed ID cards must be
3 prominently displayed inside the covered vehicle within the view of the passenger;

4 b) Be served by a courteous driver who shall provide assistance, if requested;

5 c) Be served by a driver who is not under the influence of alcohol or dangerous
6 drugs;

7 d) Be informed of the plate number of the covered vehicle and emergency
8 numbers for assistance by the Philippine National Police and other concerned agencies
9 by the prominent display of these information on the side door or in any other
10 conspicuous place within the covered vehicle;

11 e) Be picked up and transported to their stated destination, regardless of the
12 length of the journey or traffic condition, by any available on duty driver, subject to
13 applicable traffic regulations;

14 f) Direct the route, or expect the most economical route, except where such
15 route will endanger the lives of the occupants or will cause damage to the covered
16 vehicle;

17 g) Where applicable, view the fare meter that shall be duly calibrated and
18 sealed by the proper authorities;

19 h) Pay the rate exactly as posted in the meter or in the booking application,
20 subject to other government sanctioned fees, such as toll fees, among others, and as
21 may be applicable, not be compelled to pay a fixed rate, which is higher than the
22 regular metered rate, due to heavy traffic and inclement weather conditions;

23 i) Be given the exact amount of change;

24 j) Be issued a printed official receipt in accordance with the requirement of the
25 National Internal Revenue Code and applicable regulations issued by the Bureau of
26 Internal Revenue;

27 k) Travel with an animal assistant or portable mobility aid, if passenger is with
28 disability;

29 l) Refuse multiple hiring, unless passengers are informed of such arrangement
30 and consented thereto prior to the trip;

- 1 m) A quiet or silent atmosphere throughout the trip upon request;
- 2 n) Decide on the orientation of air conditioning and lighting systems inside the
3 covered vehicle; and
- 4 o) Be provided a substitute vehicle or to be assisted to procure one in case of
5 mechanical or engine trouble or other similar instances that hinder the continuation
6 of carriage. Where substitution of another vehicle by the same operator is available,
7 no additional fare shall be charged against the passenger. However, if substitution is
8 not possible or practical, the passenger shall only pay the amount appearing in the
9 meter less the flag-down fee for meter-oriented fare vehicles. In the case of other
10 covered vehicles, the fare due to the driver of the vehicle being substituted or replaced
11 shall be in proportion to the distance travelled, minus the booking fee, if applicable.

12

13 *SEC. 6. Vehicle Equipped with a Liquefied Petroleum Gas (LPG) or Compressed*
14 *Natural Gas (CNG) Fuel System.* — A covered vehicle equipped with a liquefied
15 petroleum gas or compressed natural gas fuel system must display a current Motor
16 Vehicle Inspection Report (MVIR) issued by the LTO. Operators of covered vehicle
17 running on CNG or LPG must maintain the safe condition of every unit through regular
18 maintenance. A sticker marked "LPG" or "CNG" issued by the LTFRB must be posted
19 to every covered vehicle equipped with an LPG or CNG fuel system, positioned in a
20 clearly visible location as close as practicable to the front and rear registration plates.

21

22 *SEC. 7. Door Locks.* - Every operator shall ensure that each covered vehicle it
23 operates is equipped with a functioning automatic door lock system. The central lock
24 system of every covered vehicle must be disabled to allow the passenger to open the
25 doors at any time without interference from the driver, with the exception of the rear
26 left door of the covered vehicle which the driver may set on child-lock orientation. The
27 operation of a covered vehicle without the required lock system as prescribed in this
28 Section shall constitute a violation and shall be punishable in accordance with Section
29 10 of this Act.

1 SEC. 8. *Notification of Passengers' Rights.* - The passengers' rights as
2 enumerated in Section 5 of this Act, as well as the remedies and procedures available
3 to the passenger as promulgated by the LTFRB, shall be prominently displayed inside
4 the covered vehicle.

5
6 SEC. 9. *Filing of Complaint for Violation of Rights.* - A passenger of a covered
7 vehicle whose rights have been violated may file a complaint against the driver or
8 operator of the covered vehicle with the LTFRB which shall conduct the investigation
9 and resolve the complaint not later than seven (7) working days after mediation, or
10 seven (7) work working days after adjudication, under such rules and regulations as
11 it may provide. The complaint instituted under the provisions of this Act shall not bar
12 the filing of a civil or criminal complaint for violation of any law, rule, or regulation
13 resulting from the same act or omission, whenever applicable.

14
15 SEC. 10. *Penalties and Fines.* — In addition to the penalties imposed by any
16 applicable law, rule or regulation, the violation of any of the provisions of this Act,
17 shall be punishable as follows:

18 a) Any driver of a covered vehicle who violates the provisions of this Act shall
19 be liable and penalized as follows:

- 20 1. First Offense - A fine of One Thousand Pesos (P1,000.00) and
21 suspension of driver's license for a period of seven (7) calendar days;
- 22 2. Second Offense - A fine of Three Thousand Pesos (P3,000.00) and
23 suspension of driver's license for a period of six (6) months; and
- 24 3. Third and Succeeding Offense — A fine of Five Thousand Pesos
25 (P5,000.00) and suspension of driver's license for a period of one (1) year.

26 b) Any operator who violates the applicable provisions of this Act shall pay the
27 same amount of fines as prescribed in the foregoing paragraph.

28 The liability of the operator with respect to the fine herein imposed in the case
29 of an insolvent driver shall be subsidiary.

1 c) Any person who violates the other provisions of this Act shall be punished
2 with a fine ranging from One Thousand Pesos (P1,000.00) to Five Thousand Pesos
3 (P5,000.00) for every violation at the discretion of the LTFRB.

4 In all cases, the erring driver or operator shall undergo an education seminar
5 provided under this Act. The attendance by the concerned drivers and operators in
6 such seminars shall be mandatory, failure of which shall be a ground for non-
7 reinstatement of the driver's license of the driver or suspension of the franchise of the
8 operator, as the case may be.

9
10 SEC. 11. *Special Fund for Education Seminars and Public Information*
11 *Campaign.* — The fines paid by and collected from the offending parties for violations
12 of this Act shall accrue to a special fund to be held by the LTFRB and shall be disbursed
13 exclusively for seminars of erring drivers and operators as defined under Section 3
14 and other activities for the implementation of this Act.

15
16 SEC. 12. *Nationwide Public Information Campaign.* - The LTFRB, in coordination
17 with the Philippine Information Agency (PIA), the Department of Transportation
18 (DOTr), and private agencies and organizations concerned, shall undertake a
19 nationwide information, education, and communication campaign for the attainment
20 of the objectives of this Act. It shall likewise coordinate with the local government
21 units for the purpose of seeking the assistance of citizens groups and community
22 organizations for the promotion of public safety awareness in observance of this Act.

23
24 SEC. 13. *Implementing Rules and Regulations.* — Within sixty (60) days from
25 the effectivity of this Act, the LTFRB, in consultation with the LTO, shall promulgate
26 the necessary' implementing rules and regulations to effectively carry out the
27 provisions of this Act.

28

1 SEC. 14. *Separability Clause.* — If any provision or part hereof is held
2 unconstitutional, the other provisions not otherwise affected shall remain valid and
3 subsisting.

4
5 SEC. 15. *Repealing Clause.* — All laws, decrees, issuances, executive orders
6 letters of instruction, administrative orders, rules and regulations, or any part thereof,
7 contrary to or inconsistent with the provisions of this Act is hereby repealed, amended,
8 or modified accordingly.

9
10 SEC. 16. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after
11 its publication in the Official Gazette or in a newspaper of general circulation.

Approved,