



Senate
Office of the Secretary

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

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SENATE

RECEIVED BY:

S.B. No. 1148

Introduced by SEN. WIN GATCHALIAN

**AN ACT
PROHIBITING THE USE OF MOTOR VEHICLES WITHOUT MUFFLERS OR
THOSE THAT ARE DEFECTIVE OR HAVE BEEN MODIFIED WHICH INCREASE
THE SOUND EMITTED BY MOTOR VEHICLES, PENALIZING OWNERS AND
DRIVERS THAT CONTRIBUTE TO NOISE POLLUTION IN THE
ENVIRONMENT**

EXPLANATORY NOTE

With the worsening traffic in Metro Manila , the concomitant noise emitted by motor vehicles just adds to the ordeal that our citizens has to go through every day. The steady increase of our population continues to trigger the environmental hazards of pollution, sad to say that the plague of "noise pollution" has never had any definite national policy nor regulation for control. Lumped in the general concept of air pollution, the dangers of noise pollution have been ignored or underestimated.

A World Health Organization (WHO) report has suggested that noise defined as an "unwanted sound" can affect human health and well-being, including annoyance reaction, sleep disturbance, interference with communication, performance effects, and effects on social behavior. It further states that exposure to noise levels at or above 80 decibels has been medically proven to cause permanent hearing loss. This

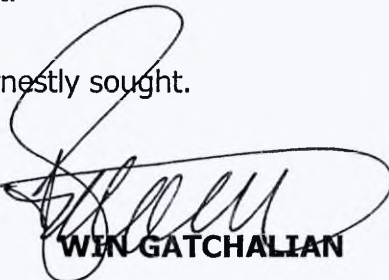
exposure to noise has also been associated with changes in blood pressure, other cardiovascular changes, problems with the digestive system and general fatigue.

According to a study conducted by the Asian Development Bank (ADB), the growing noise pollution can be attributed to a large part from the millions of two-wheeled vehicles thundering through our streets and neighborhoods. The study goes to show that the tailpipe noise emitted by tricycles produce noise levels as high as 97 decibels, way too loud for the national standard of 60 decibels during daytime and 50 decibels during nighttime in a residential area.

Motor vehicles with modified mufflers are very distracting and can cause accidents since they overpower traffic sounds such as automobile horns and traffic enforcer whistles. Further, loud muffler noise agitates drivers as it affects hearing, vision, reaction time and judgment thereby increasing the risk of danger for everyone on the road.

This bill seeks to regulate the use of mufflers, those that are missing, defective and their modifications that increases the sound emitted by a motor vehicles, contributing to noise pollution, penalizing owners and drivers that contribute to the sound that exacerbate noise pollution to our environment.

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 "Muffler Act of 2022".
- 2
- 3 SEC. 2. *Definition of Terms:*
- 4 a) *Decibel* refers to a measure of sound level and is equal to ten (10) times the
- 5 logarithm of the square of a measured sound pressure level (SPL) divided by a
- 6 reference sound pressure.
- 7 b) *Emission* refers to any measurable air contaminant, pollutant, gas stream or
- 8 unwanted sound from a known source which is passed into the atmosphere.
- 9 c) *Motorcycle* refers to any two-wheeled motor vehicle with at least one headlight,
- 10 taillight and stoplight, and one or more saddle seats. For purposes of this Act,

1 the term shall likewise include motorcycles to which are attached cars,
2 commonly known as "tricycles".

3 d) *Motor Vehicle* refers to any vehicle propelled by gasoline engine or by any
4 means other than human or animal power constructed and operated principally
5 for the conveyance of persons or the transportation of goods in a public
6 highway or street open for public use.

7 e) *Muffler* refers to a device that reduces the noise from the exhaust of an internal
8 combustion engine.

9 f) *Modified Muffler* refers to a device attached to a motor vehicle on which a sound
10 booster and other sound emitting device is installed in order to increase noise
11 and for other purposes.

12 g) *Noise* refers to any unnecessary, erratic, discordant loud or blaring sound which
13 annoy, disturb, distract or offend the senses.

14 h) *Noise Pollution* refers to the emission of loud, excessive, disturbing, unhealthy
15 sound amplification devices or equipment and/or other sources of sound such
16 as, but not limited to commercial, industrial and construction activities, vehicle
17 exhaust, mufflers, animal noise, and noise produced by human beings such as
18 loud conversation and laughter and found to exceed the normal allowable
19 decibel ratio.

20 i) *Nuisance* refers to anything that injures health, endangers life, offends the
21 senses or produces discomfort to the community.

22 j) *Unnecessary Noise* refers to any unusually loud sound that annoys, disturbs,
23 or endangers the health, peace, safety and comfort of a person or causes injury
24 or harm to human beings and animals alike.

25
26 SEC. 3. *Declaration of Policy.* — The protection of the health and well-being of
27 the members of the community should be the primordial concern of our society, hence,
28 it is imperative that rules are laid down and observed to protect them from the dangers
29 of prolonged exposure to noise pollution by unregulated use of motor vehicles which
30 by reason of lack of maintenance, deliberate tampering or inappropriate use, has

1 missing, defective, or modified mufflers emitting loud and unnecessary noise
2 disturbing the peace and harmony of nature.

3 Acts that endanger the environment from further degradation and those that
4 are discordant with a balanced and healthful development should be controlled and
5 abated. Operators and owners of motor vehicles should be made responsible for
6 ensuring that noise from their vehicles is kept within reasonable levels.

7
8 *SEC. 4. Mufflers and Noise Controlling Devices.* — No motor vehicles shall be
9 allowed to be driven or operated without having been properly equipped, at all times,
10 with either a muffler or any noise dissipative device in constant operation and of
11 sufficient capacity to its motor engine to prevent the escape of excessive and
12 disturbing noise.

13 Noise control should include both the exhaust system and engine components
14 of a motor vehicle.

15
16 *SEC. 5. Modified and Defective Muffler.* - No motor vehicle, motorcycle,
17 motorbike, scooter, tricycle whether for private or public use shall likewise use any
18 modified muffler, sound booster or any device that will increase the noise of said
19 vehicle or emit a sound of more than seventy (70) decibels.

20 Any owner or operator of a motor vehicle who has caused or permitted a vehicle
21 to be used when its muffler or noise control equipment is defective or not securely in
22 place shall likewise be liable under this Act.

23
24 *SEC. 6. Reasonable Level/Decibel/Standard.* - Exhaust noise should not exceed
25 the maximum prescribed level of seventy (70) decibels.

26
27 *SEC. 7. Exception.* - Motor vehicles not utilized for transport of goods and
28 people but are merely used for sports competition, motor shows and similar endeavors
29 are hereby exempted from this Act.

1 SEC. 8. *Noise Pollution Emission Testing.* - The Land Transportation Office
2 (LTO) shall conduct noise pollution testing upon and during yearly registration of all
3 motor vehicles in the country. It shall equip its registration centers with testing meters
4 to measure the vehicle's noise standard of a maximum of seventy (70) decibels.

5 Registration shall be held in abeyance pending compliance with the standard
6 decibel requirement.

7
8 SEC. 9. *Penalties.* - Any person who drives a motor vehicle without a muffler,
9 a defective or modified muffler, sound booster or any device that will increase the
10 noise of said vehicle or emit a sound of more than seventy (70) decibels shall be
11 penalized as follows:

- 12 a) For the first offense, a fine of five thousand pesos (P5,000.00) and confiscation
13 of the modified muffler or sound booster;
14 b) For the second offense, a fine of ten thousand pesos (P10,000.00) and
15 impoundment of the motor vehicle for a period of one (1) month;
16 c) For succeeding offenses, a fine of fifteen thousand pesos (P15,000.00) and
17 suspension of the driver's license of the violator for six (6) months.

18
19 SEC. 10. *Implementing Agency.* — The LTO shall be the lead government
20 agency in implementing the provisions of this Act. *Provided, That* the LTO may
21 deputize the Metro Manila Development Authority (MMDA) agents, local public safety
22 and other officers of the LGU to assist in the implementation of this Act.

23 LTO officers, MMDA agents, and local public safety and order officers, shall be
24 equipped with a decibel meter to effectively gauge the intensity of loudness of a motor
25 vehicle.

26
27 SEC. 11. *Appropriations.* - The amount needed for the initial implementation of
28 this Act shall be charged against the current year's appropriations of the LTO.
29 Thereafter, such amount as may be necessary for the continued implementation of
30 this Act shall be included in the General Appropriations Act.

1 SEC. 12. *Implementing Rules and Regulations.* - Within ninety (90) days upon
2 the approval of this Act, the Department of Transportation shall, in consultation with
3 the various stakeholders, formulate the rules and regulations necessary for the proper
4 implementation of this Act.

5
6 SEC. 13. *Separability Clause.* - If any part, section or provision of this Act is
7 declared invalid or unconstitutional, the other parts thereof, not affected thereby shall
8 remain in full force and effect.

9
10 SEC. 14. *Repealing Clause.* - All laws, acts, presidential decrees, executive
11 orders, administrative orders, rules and regulations, or parts thereof, inconsistent with
12 or contrary to the provisions of this Act are hereby amended, modified or repealed
13 accordingly.

14
15 SEC. 15. *Effectivity.* - This Act shall take effect fifteen (15) days after its
16 publication in the Official Gazette or in at least two (2) newspapers of general
17 circulation.

Approved,