

RECORD OF THE SENATE

MONDAY, SEPTEMBER 28, 1998

OPENING OF THE SESSION

At 3:14 p.m., the Senate President, Hon. Marcelo B. Fernan called the session to order.

The President. The 19th session of the Senate in the First Regular Session of the 11th Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Ramon B. Revilla.

After the prayer, the Ambassadors of Goodwill to the 25th Ship for Southeast Asian Youth Program delegates will lead us in the singing of the national anthem. They will also render another song entitled *Ikaw ang Mahal Ko*.

Everybody rose for the prayer.

PRAYER

Senator Revilla.

Mahal na Panginoon, taus-puso kaming nagpapasalamat sa lahat ng mga biyayang Inyong ipinagkaloob sa amin. Higit sa lahat, pinasasalamatan namin ang Inyong patuloy na pagsubaybay na siyang nagbibigkis sa amin bilang isang buong samahan, sa kabila ng aming magkakaibang layunin at pananaw.

Amang nasa langit, batid Ninyo ang sari-saring suliraning kinakaharap ng aming bayan. Ang mga ito ay hindi magkakaroon ng ganap na kalutasan kung hindi Ninyo ituturo sa amin ang malinaw at matuwid na pamamaraan sa paglutas ng mga suliraning ito.

Dahil dito, isinasamo namin na sana ay basbasan Ninyo kami ng Inyong makalangit na karunungan at katalinuhan upang ang lahat ng kapasiyahang mabubuo sa Kapulungang ito ay maging kapakipakinabang sa sambayanan at maging kaiga-igaya sa Inyong kaluwalhatian at kalooban.

Mahal naming Ama sa langit, nawa ay maghari sa kalooban ng bawat isa sa Kapulungang ito ang Inyong banal na katwiran at umiral ang katarungan nang may katapatan sa panahon ng aming talakayan. Nawa ay ipaalaala Ninyo tuwina sa bawat isa sa amin ang "Panunumpa sa Katungkulan" o "Oath of Office," lalo't higit ang pangako na "Kusa kong babalikatin ang pananagutang ito nang walang ano mang pasubali o hangaring umiwas."

Ang lahat ng ito ay aming hinihiling sa ngalan ng Inyong Anak na si Hesus.

Siyanawa.

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

ROLL CALL

The President. The Secretary will please call the roll.

The Secretary, reading:

Senator Teresa Aquino-Oreta	Present*
Senator Robert Z. Barbers	Present
Senator Rodolfo G. Biazon	Present
Senator Renato L. Compañero Cayetano ..	Present
Senator Anna Dominique M.L. Coseteng ..	Present
Senator Franklin M. Drilon	Present
Senator Juan Ponce Enrile	Absent
Senator Juan M. Flavier	Present
Senator Teofisto T. Guingona Jr.	Present
Senator Gregorio B. Honasan	Present
Senator Robert S. Jaworski	Present*
Senator Loren B. Legarda-Leviste	Present
Senator Ramon B. Magsaysay Jr.	Present
Senator Blas F. Ople	Present*
Senator John R. Osmeña	**
Senator Sergio R. Osmeña III	Present
Senator Aquilino Q. Pimentel Jr.	**
Senator Ramon B. Revilla	Present
Senator Raul S. Roco	Present
Senator Miriam Defensor Santiago	Present
Senator Vicente C. Sotto III	Present
Senator Francisco S. Tatad	Present
The President	Present

The President. With 17 senators present, there is a quorum.

Senator Drilon. Mr. President.

The President. The Majority Leader is recognized.

THE JOURNAL

Senator Drilon. I move that we dispense with the reading

*Arrived after the roll call

**On official mission

Senate Resolution No. 215 be referred to the Committee on Public Services as the primary committee and to the Committee on Social Justice and Human Rights as the secondary committee in order that there will be a uniformity of referrals as far as Sulpicio Lines is concerned.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

The Secretary. Proposed Senate Resolution No. 216, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO INVESTIGATE, IN AID OF LEGISLATION, THE ALLEGATION THAT THE CREW OF M/V *PRINCESS OF THE ORIENT* ABANDONED THE PASSENGERS BEFORE THE SHIP SANK

Introduced by Senator Santiago

The President. Referred to the Committee on Public Services

The Secretary. Proposed Senate Resolution No. 217, entitled

RESOLUTION EXTOLLING THE HEROIC AND SELFLESS ACT OF THE HONORABLE SANDIGANBAYAN JUSTICE GERMAN G. LEE JR. AND OTHER COURAGEOUS PASSENGERS AND VOLUNTEERS WHO HELPED SAVE THE LIVES OF OTHER SURVIVORS OF THE M/V *PEARL OF THE ORIENT*

Introduced by Senator Roco

The President. Referred to the Committee on Rules

The Secretary. Proposed Senate Resolution No. 218, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO INVESTIGATE, IN AID OF LEGISLATION, THE ALLEGATION THAT LUCIO TAN'S FIRMS MADE P25 BILLION FROM DOING BUSINESS WITH PHILIPPINE AIRLINES (PAL)

Introduced by Senator Santiago

The President. Referred to the Committees on Public Services; and Foreign Relations

The Majority Leader is recognized.

BILL ON SECOND READING
S. No. 1137 - Use of Seat Belts Act
(Continuation)

Senator Drilon. Mr. President, I move that we resume consideration of Senate Bill No. 1137 as reported out under Committee Report No. 3.

The President. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1137 is now in order.

Senator Drilon. For this purpose, may I ask the Chair to recognize the principal sponsor, Sen. Vicente Sotto III.

The parliamentary status is that we are in the period of amendments, Mr. President.

The President. Sen. Vicente Sotto III is recognized.

Senator Sotto. Mr. President, the committee has no committee amendments. In view of the numerous individual amendments that our colleagues manifested, we would like to wait for the individual amendments.

Senator Drilon. I move to close the period of committee amendments, Mr. President.

SUSPENSION OF SESSION

May I ask for a one-minute suspension of the session, Mr. President.

The President. The session is suspended, if there is no objection. *[There was none.]*

It was 4:17 p.m.

RESUMPTION OF SESSION

At 4:18 p.m., the session was resumed.

The President. The session is resumed. The Majority Leader is recognized.

Senator Drilon. Mr. President, I move that we close the period of committee amendments in view of the fact that the Committee chairman has manifested that there are no committee amendments.

The President. Is there any objection? *[Silence]* There being none, the period of committee amendments is closed and we therefore proceed to the period of individual amendments.

Senator Drilon. May we consider the amendments page by page, Mr. President.

Senator Sotto. Mr. President, we are ready to accept the individual amendments, if there are any.

Senator Drilon. On page 1, Mr. President, I see no one proposing any amendment.

On page 2? *[Silence]* There are no amendments on page 2.

On page 3, I think Senator Flavier has an amendment. May I ask that he be recognized.

The President. Senator Flavier is recognized.

FLAVIER AMENDMENT

Senator Flavier. Yes, Mr. President. This is really in response to the numerous hearings we conducted, taking into account the views of the jeepney manufacturers and the jeepney operators.

In this light, may I propose an amendment on page 3, line 10. Delete the period (.) and replace it with semicolon (;), then insert the following: PROVIDED, THAT, MANUFACTURERS, ASSEMBLERS AND DISTRIBUTORS OF JEEPNEYS MAY INSTALL A PELVIC RESTRAINT OR LAP BELT ONLY IN THE DRIVER AND FRONT SEAT PASSENGER'S SEATS AS SUBSTANTIAL COMPLIANCE WITH THE REQUIREMENTS OF THIS ACT.

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is hereby approved.

Are there any amendments on page 3?

Senator Drilon. There are no amendments on page 3, but Senator Barbers has an amendment on page 2. With the indulgence of the Chamber, may we go back to page 2. May I ask that Senator Barbers be recognized.

The President. Senator Barbers is recognized.

BARBERS AMENDMENTS

Senator Barbers. Mr. President, I would like to propose an amendment on page 2, line 8, letter (c). "Motor vehicle shall

refer to both private vehicle and public utility vehicle. The term shall not include tricycle and motorcycle." Delete the word "not" after the word "shall."

Instead of excluding tricycle and motorcycle, they should be included. I brought this out during the interpellations that we have to be very consistent in the definition of terms. Because in the Land Transportation Agency, tricycles and motorcycles are classified as "motor vehicles."

Senator Sotto. Mr. President, that is the reason we have to be very specific that tricycles and motorcycles are not included. Because the definition in the traffic code is that they are included as motor vehicles. But as we manifested during the period of interpellations, seat belts are not commonly used in tricycles and motorcycles because of safety measures also. It is the other way around.

If the gentleman will recall, during the period of interpellations, I said that this is the exact example of being caught between the devil and the deep blue sea, because as far as motorcycles and tricycles are concerned, they are safer without seat belts.

Once a motorcycle is on the verge of a collision, the motorcycle rider can jump from the vehicle instead of being cramped with or pinned on the vehicle. That is the international safety standard that motorcycle riders have been known to do and have been known to follow. That is the reason the Committee accepted this definition by one of the main authors, Senator Santiago.

Senator Barbers. Mr. President, I still have my reservations on this particular aspect, on the definition of "motor vehicle."

SUSPENSION OF SESSION

Senator Drilon. Mr. President, may I ask for a one-minute suspension of the session?

The President. The session is suspended for one minute, if there is no objection. *[There was none.]*

It was 4:23 p.m.

RESUMPTION OF SESSION

At 4:27 p.m., the session was resumed.

The President. The session is resumed. The Majority Leader is recognized.

Senator Drilon. I ask that Senator Barbers be recognized.

The President. Senator Barbers is recognized.

Senator Barbers. Thank you very much, Mr. President.

Mr. President, may I refer this Body again to page 2, line 7(c). It says: "Motor Vehicle shall refer to both private vehicle and public utility vehicle." May I propose the following: FOR PURPOSES OF THIS ACT, TRICYCLE AND MOTORCYCLE ARE NOT INCLUDED.

Senator Sotto. Mr. President, at the start of Section 3, this is specifically mentioned, but for the purpose of the gentleman that we be very clear about this, we accept the amendment.

Senator Drilon. So, Mr. President, the amendment is in line 8. After the period (.) and before the word "The," we insert the phrase FOR PURPOSES OF THIS ACT, THE TERM SHALL NOT INCLUDE TRICYCLES AND MOTORCYCLES. Just for clarity.

Senator Sotto. Just for clarity, Mr. President, I accept the amendment.

The President. FOR PURPOSES OF THIS ACT...

Senator Drilon. FOR PURPOSES OF THIS ACT, THE TERM SHALL NOT INCLUDE...

The President. Only for this Act?

Senator Drilon. May I move that it be approved.

The President. Is there any objection? *[Silence]* There being none, the amendment is hereby approved.

Next amendment, please.

Senator Barbers. The second amendment I would like to propose, Mr. President, is on the same page 2, line 19, after the word "vehicle." I would like to propose an addendum: FOR PRIVATE VEHICLES, FRONT PASSENGERS AND BACK PASSENGERS ARE LIKEWISE REQUIRED TO USE THEIR SEAT BELT DEVICES AT ALL TIMES.

Senator Sotto. It is accepted, subject to style, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved, subject to style.

Senator Barbers. Thank you very much, Mr. President.

The President. Are there any further amendments?

Senator Drilon. Senator Coseteng asks to be recognized, Mr. President.

The President. Before Senator Coseteng proposes her amendment, with the permission of the gentlemen on the floor, the Chair would like to digress a little.

ACKNOWLEDGMENT OF THE OFFICIAL VISIT OF LOCAL OFFICIALS OF DULAG, LEYTE

The Chair would like to acknowledge the presence of a group of local officials, punong barangays, and the departments heads from the Municipality of Dulag, Province of Leyte, composed of 66 persons, under their Lakbay Aral program. The group is led by Mrs. Luz Portillo, local government officer.

Will the delegates from Dulag, Leyte, please rise.

At this juncture, the delegates from Dulag, Leyte rose to be recognized.

The President. Let us give them a big hand. *[Applause]*.

ACKNOWLEDGMENT OF THE OFFICIAL VISIT OF ALPAP MEMBERS

Senator Drilon. For purposes of the record, Mr. President, may we also acknowledge the presence of the members of the ALPAP who are present here in the Session Hall today.

The President. May we also recognize them. Let us give them a big hand. *[Applause]*

At this juncture, the members of the ALPAP rose to be recognized.

Let us now proceed with Senator Coseteng's amendment.

Senator Coseteng. Thank you, Mr. President.

I am in full support of Senate Bill No. 1137 and, perhaps, this may help the Department of Transportation and Communications in the formulation of the implementing rules and guidelines for this bill when it is passed into law.

Mr. President, at the moment, we witness vehicles where apart from the fact that the front seat passengers and the drivers do not wear seat belts, the trucks, buses or jeepneys also have passengers who hang themselves outside, especially the jeepneys. In the case of cargo trucks, there are employees of the distributors who lie down on the sacks of cement, rice, flour or whatever goods are being transported.

This being the situation, with the passage of this bill into law, we will now require the front-seat passengers and the drivers to wear seat belts. But other laws are being violated by allowing passengers to either lie down or sit down on top of cargoes or hang or suspend themselves outside the vehicle proper. Perhaps, if we are going to penalize the violators of this particular law when drivers and front-seat passengers fail to wear the seat belt devices, we should also consider the safety of those who are neither drivers or passengers on the front seat but are also passengers of these vehicles.

The DOTC should also take this into consideration. I do not think an amendment would be in order but that is the reality, Mr. President. When we would like to safeguard the lives of the drivers and the front-seat passengers, many others who are hanging behind or sitting loosely on top of the cargo would also be jeopardizing their lives.

Senator Sotto. We sympathize with the concern of the distinguished lady senator, but we are just making the most of it. The passengers have a better chance of safety if the driver is restrained. In a collision, as we mentioned before, or when there is a big pothole in the road, if a driver is dislocated from his seat and he cannot reach the brakes or the clutch or the gas pedal or the steering wheel, then it is much more dangerous for all the passengers, including those who are lying on top of sacks of rice and who are also sitting on the laps of other passengers. That is why we are just making the most of it, and I hope that the concern of the distinguished lady senator is addressed finally by the Land Transportation Office in the DOTC.

Thank you, Mr. President.

Senator Drilon. Mr. President.

The President. The Majority Leader is recognized.

Senator Drilon. Since there are no further individual amendments, I am sorry, may I ask that Senator Tatad be recognized.

The President. Senator Tatad is recognized.

Senator Tatad. Mr. President, I would like to propose a few individual amendments, but I would need a few minutes to compose these amendments. I wonder if we can suspend the session for a few minutes.

SUSPENSION OF SESSION

Senator Drilon. I move to suspend the session for a few minutes to allow Senator Tatad to formulate his amendments.

The President. Is there any objection? *[Silence]* There being none, the session is suspended for a few minutes.

It was 4:36 p.m.

RESUMPTION OF SESSION

At 4:47 p.m., the session was resumed.

The President. The session is resumed. Please proceed, Senator Tatad.

TATAD AMENDMENTS

Senator Tatad. Mr. President, I wonder if the distinguished sponsor would consider a few editorial amendments.

On page 2, lines 15 and 16, I propose the following amendments:

In line 15, between the word "For" and the word "safety", I propose the deletion of the word "the" and in lieu thereof, insert the words THEIR OWN; and after the word "safety", place a comma(,).

I propose in line 16 to delete the phrase "of the public". It is my view, Mr. President, that the safety belt is meant for the safety of those inside the vehicle, not really the public outside. So it will read: "FOR THEIR OWN SAFETY, the driver and front-seat passengers of a public or private motor vehicle are required to wear or use their seat belts..."

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. Thank you, Mr. President. On the same page, line 23, between the words "shall" and "be", I propose the deletion of the word "not", and just to continue the sentence in line 24, I propose to delete the words "allowed to board" and in lieu thereof, insert the phrase REQUIRED TO GET OFF.

The reason for the amendments, Mr. President, is that the passenger who refuses to wear the seat belt is already on board. He should be required to get off the vehicle in order not to continue the trip.

Senator Sotto. Mr. President, we would like to thank the distinguished gentleman for his eagle eyes. The amendment is accepted.

Senator Tatad. Thank you very much.

The President. Is there any objection?

Senator Biazon. Mr. President.

The President. Senator Biazon is recognized.

Senator Biazon. Mr. President, the author, the gentleman from Quezon City, emphasized that the intention of safety belts is to restrain the driver and allow him to operate the vehicle.

If we are going to restrict the driver or the front seat-passengers and not to restrict passengers who are outside or hanging on, are we not saying that this is going to be a useless law?

I agree with the gentleman that the driver should be restrained so that he may operate the vehicle. Maybe the gentleman should only require the seat belts for the drivers and not for anybody else.

I therefore propose that lines 23 and 24 be deleted.

Senator Sotto. Mr. President, is the gentleman referring to the amendment of Senator Tatad?

Senator Biazon. Yes, Mr. President.

Senator Sotto. The amendment of Senator Tatad is merely to replace the phrase "shall not be allowed to board" because and he is right--at that time the passenger is already on board. Therefore, he is asked to alight or get off. That is the amendment of Senator Tatad.

So, may I be enlightened by the gentleman?

Senator Biazon. Mr. President, probably I came in at the wrong time. But the point is, if we are going to restrict the use of seat belts to the driver and the front-seat passengers, what about the others at the back?

Senator Sotto. There was an amendment earlier by Senator Barbers that the use of seat belt at the back-seat passengers in private vehicles be also implemented, and the sponsor accepted for the reason that most, if not all, of the private vehicles have seat belts, including the back seat. That is where it is necessary also.

Now, as far as overloading of jeepneys and buses are concerned, that is a different law that is not being implemented well by the DOTC and LTO. That is not the concern of this proposed law. We hope that this may initiate a stricter

implementation of these laws that are being violated at present, as mentioned by Senator Biazon.

Senator Biazon. Yes, Mr. President. That means that if I am a driver--this is in reference to both private and public vehicles--I am not going to allow the *pahinante* to board the vehicle.

Senator Sotto. What the phrase means, Mr. President, is for the front-seat passenger.

Senator Biazon. All right.

Senator Sotto. And as far as the public utility vehicles are concerned....

Senator Biazon. In which case, I withdraw my remarks, Mr. President.

Senator Sotto. Thank you very much. Did we approve already the amendment of Senator Tatad?

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Sotto. Thank you.

Senator Tatad. Mr. President, on page 3, my first amendment would cover lines 20, 21 and 22.

In line 20, I propose to delete the words "where compliance" and in lieu thereof, insert the word CONSISTENT.

In lines 21 and 22, I propose to delete the words "shall be made a prerequisite for registration" after the word "hereof". This is just to tighten the construction. So the sentence will now read: "For this purpose, the DOTC shall include in the implementing guidelines a system of vehicle registration CONSISTENT with Section 4 hereof:

Senator Sotto. The amendments are accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendments are approved.

Senator Tatad. In lines 23 and 24, beginning with the word "be" in line 23 up to the word "set", I propose to delete all those words and in lieu thereof, insert the words CONFORM TO THE. So that the sentence will now read beginning in line 22: "Provided, That the seat belt devices installed on imported secondhand motor vehicles shall CONFORM TO THE standards and specifications of the Bureau of Product Standards for purposes of registration."

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. On page 4, line 8, again, this is purely editorial, between the words "shall" and "the", I propose to delete the words "decide on" and in lieu thereof, insert the word FIX.

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. In line 9, I propose to change the word "transitional" to the word TRANSITION.

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. Then after the word "Act", I propose that we insert a colon (:). In line 10, I propose to delete the phrase "but in no case longer than" and in lieu thereof, insert the following phrase: PROVIDED, IT SHALL NOT EXCEED.

So the sentence will now read: (b) The DOTC, in coordination with the LTO, LTRFB, PNP, MMDA AND OTHER GOVERNMENT AGENCIES shall FIX the TRANSITION period for the full implementation of this ACT: PROVIDED, IT SHALL NOT EXCEED two (2) years from the effectivity of this Act.

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. On the same page, from lines 13 to 16, after the word "shall" in line 13 up to the word "fines" in line 16, I propose to delete all the words therein and in lieu thereof, insert the word IMPOSE. So the sentence will now read very simply as follows: "In the enforcement of this Act, the DOTC shall IMPOSE fines: (1) on the driver (a) for failure to wear,..." et cetera.

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. On the same page, line 29, I propose that we change the word "campaigns" to CAMPAIGN. We have the

article "a" in line 27. So, it is singular. Just to be consistent.

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. In line 30, I propose that we delete the word "publicity" and change the word "campaigns" to CAMPAIGN. I think it is sufficient to say "campaign".

Senator Sotto. It is accepted.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. Finally, on page 5, as a continuation of that sentence, I propose to delete in line 1 the words "active participatory" and in lieu thereof, insert the words MOST EFFECTIVE. Then in line 2, I propose to delete the words "the belt law" and in lieu thereof, insert the words THIS ACT. It shall read "to support the MOST EFFECTIVE enforcement of THIS ACT."

Senator Sotto. It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Tatad. Thank you very much, Mr. President.

The President. The Majority Leader.

Senator Drilon. I ask that Senator Legarda-Leviste be recognized for her amendments, Mr. President.

The President. Senator Legarda-Leviste is recognized.

LEGARDA-LEVISTE AMENDMENT

Senator Legarda-Leviste. Thank you, Mr. President.

Just one amendment which will be based on the explanation of the sponsor of the bill. There is just a bit of confusion on page 2, lines 27, 28, 29 and 30, where it says that "Motor vehicles, both public and private, which are not equipped with the required seat belt devices, are given one year from the effectivity of this Act."

I propose that the phrase "and upon issuance of the implementing rules and regulations by the Department of Transportation and Communications (DOTC)" be deleted and

then continue with the phrase "to install seat belt devices in their vehicles." So that it would now read: "from the effectivity of this Act to install seat belt devices in their vehicles."

Allow me to explain my amendment, Mr. President. I believe there is a bit of confusion here because if the law becomes effective, let us say, on January 1, 1999 and the implementing rules and regulations by the DOTC are issued on another date, let us say, on March 1, which of these dates would be followed based on the one year from the effectivity of this Act? May this representation be enlightened on this portion of the bill?

Senator Sotto. Mr. President, the intention of this paragraph is to give or to allow the vehicle owners to install seat belts at least one year to be able to equip their vehicles with the required seat belt devices. That is the intention.

Senator Legarda-Leviste. That is very clear, Mr. President, that they would be given one year for the implementation of this Act. That is why I believe that the phrase "and upon issuance of the implementing rules and regulations by the DOTC" may be stricken out and we just retain the phrase "one year from the effectivity of this Act to install seat belt devices in their vehicles," if the sponsor will agree.

Senator Sotto. We can accept that, Mr. President. If that would clarify the intention of the distinguished lady Senator, I accept the amendment.

Senator Legarda-Leviste. Thank you, Mr. President. Just to explain the basis for that. There might be some confusion if there are two dates—the date of the effectivity of the law and the date of the issuance of the IRR by the DOTC.

Senator Sotto. We would like to thank the distinguished lady senator for pointing that out, Mr. President.

The President. Is there any objection?

Senator Tatad. Mr. President.

The President. Senator Tatad is recognized.

Senator Tatad. Not to object, Mr. President. I believe the amendment has been accepted. But how will the amendment now read?

Senator Legarda-Leviste. May I just read the amendment, Mr. President: "Motor vehicles, both public and private, which are not equipped with the required seat belt devices, are given one year from the effectivity of this Act to install seat belt devices in their vehicles."

SUSPENSION OF SESSION

Senator Tatad. Mr. President, may I ask for a one-minute suspension of the session.

The President. The session is suspended, if there is no objection. *[There was none.]*

It was 5:05 p.m.

RESUMPTION OF SESSION

At 5:09 p.m., the session was resumed.

The President. The session is resumed. Senator Legarda-Leviste is recognized.

Senator Legarda-Leviste. Mr. President, on page 2, line 25, I am modifying the amendment to read as follows:

"Motor vehicles, both public and private, which are not equipped with the required seat belt devices, are given one year"—we will strike out the words "from the effectivity of this Act"—"FROM issuance of the implementing rules and regulations by the Department of Transportation and Communications (DOTC), to install seat belt devices in their vehicles."

Senator Sotto. Therefore, the amendment of the distinguished lady senator is the deletion of the phrase "from the effectivity of this Act and".

It is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Legarda-Leviste. Mr. President, I also would like to refer to page 4, lines 7 to 11. I propose that we delete paragraph (b).

Senator Sotto. Mr. President, in view of the consistency pointed out by Senators Legarda-Leviste and Tatad, it is accepted.

Senator Legarda-Leviste. Thank you, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

The Majority Leader is recognized.

Senator Drilon. Mr. President, I ask that Sen. Renato L. Compañero Cayetano be recognized.

The President. Senator Cayetano is recognized.

CAYETANO AMENDMENT

Senator Cayetano. Mr. President, with the permission of the gentleman. It will be recalled that during the debates, I referred specifically to the definition of "public vehicle" which is now found on page 2, line 12.

In this debate, I adverted to the fact that "public vehicle" should also include government-owned vehicle which I believe the good gentleman accepted. In fact, he encouraged this representation during the period of amendments to precisely include this in the amendment. I am doing this now, Mr. President, with the permission of the principal author of the bill.

Mr. President, my proposed amendment is on page 2, line 12, paragraph (e). I propose to insert the phrase ANY VEHICLE OWNED BY THE NATIONAL GOVERNMENT AND ANY OF ITS POLITICAL SUBDIVISIONS after the word "to"; then delete the words "or a vehicle" in line 13..

So, as amended, paragraph (e) will read this way, Mr. President:

"(e) "Public vehicle" shall refer to ANY MOTOR VEHICLE OWNED BY THE NATIONAL GOVERNMENT AND ANY OF ITS POLITICAL SUBDIVISIONS, a public utility vehicle for hire including taxi, bus and jeepney."

That is my proposed amendment, Mr. President.

Senator Sotto. It is accepted, Mr. President.

Senator Cayetano. Thank you, Mr. President.

Senator Tatad. Mr. President.

The President. Senator Tatad is recognized.

Senator Tatad. Just one slight amendment to the amendment. May I propose that in lieu of the word "AND", we use the word "OR ANY MOTOR VEHICLE OWNED BY THE NATIONAL GOVERNMENT OR". Because the vehicle need not be jointly owned by the national government and any of the local subdivisions.

Senator Sotto. Mr. President, it is accepted if it is accepted by the coauthor.

The President. What is the pleasure of Senator Cayetano?

Senator Cayetano. Yes, it is accepted, Mr. President.

The President. It is accepted. Is there any objection? [Silence] There being none, the amendment is approved.

Senator Drilon. Mr. President, Senator Guingona has an individual amendment.

The President. Senator Guingona is recognized.

Senator Guingona. Thank you, Mr. President. Just a slight clarification on the amendment depending on the answer.

On page 4, Section 10, it speaks of "implementing guidelines" in lines 13 and 14. Does this mean rules and regulations?

Senator Sotto. Yes, Mr. President. But during the period of individual amendments, Senator Tatad has already deleted this whole sentence. It now reads:

"In the enforcement of this Act, the DOTC shall IMPOSE fines: (1) on the driver (a)...." He has deleted all the words therein beginning with the word "include" up to the word "of".

Senator Guingona. And I suppose that this imposition will be issued within the 60-day period for rules and regulations.

Senator Sotto. Yes, according to Section 9, Mr. President.

Senator Guingona. With that clarification, I will have no more amendments.

Thank you, Mr. President.

The President. The Majority Leader is recognized.

SUSPENSION OF SESSION

Senator Drilon. Mr. President, may I ask for a one-minute suspension of the session.

The President. The session is suspended, if there is no objection. [There was none.]

It was 5:16 p.m.

RESUMPTION OF SESSION

At 5:17 p.m., the session was resumed.

The President. The session is resumed.

Senator Drilon. Mr. President, we have a proposed amendment on page 4, line 12. This is on the penalties and fines.

Senator Sotto. Yes. Would the distinguished gentleman say line 16, not line 12, Mr. President?

Senator Drilon. Line 12, to start with Section 10. The amendment is designed to set the specific schedule of fines for violation of the Act and not totally leave that discretion to the DOTC as the same may be questioned for lack of specific standards. This is the purpose of the proposed amendment.

Senator Sotto. Mr. President, may we hear the proposal because I distinctly remember during the period of interpellations, Senator Guingona was proposing something to this effect. May we hear it, please. If it conforms to the Body, we will accept it.

DRILON AMENDMENTS

Senator Drilon. Yes, Mr. President. In line 17, between the word "devices" and semicolon (;), insert a comma (,) and the following: A FINE OF TWO HUNDRED PESOS (P200.00) AND SUSPENSION OF THE DRIVER'S LICENSE FOR A PERIOD OF THREE MONTHS FOR THE FIRST VIOLATION, A FINE OF THREE HUNDRED PESOS (P300.00) AND SUSPENSION OF THE DRIVER'S LICENSE FOR A PERIOD OF SIX (6) MONTHS FOR THE SECOND VIOLATION, AND A FINE OF ONE THOUSAND PESOS (P1,000.00) AND PERMANENT REVOCATION OF THE DRIVER'S LICENSE FOR THE THIRD VIOLATION;

That is the proposed amendment in line 17, and we will have subsequent amendments on the subsequent lines along the same principle that we have earlier manifested, Mr. President.

The President. What is the pleasure of the sponsor?

Senator Sotto. It took me a second to consult and look at the authors, Mr. President. They were not looking at me. Therefore, the amendment is accepted.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Drilon. In line 19, after the word "devices" and before the semicolon (;), insert a comma (,) and the following: A FINE OF TWO HUNDRED PESOS (P200.00) AND SUSPENSION OF THE DRIVER'S LICENSE FOR A PERIOD OF THREE (3) MONTHS FOR THE FIRST VIOLATION, A FINE OF FIVE HUNDRED PESOS (P500.00) AND SUSPENSION OF THE DRIVER'S LICENSE FOR A PERIOD OF SIX (6) MONTHS FOR THE SECOND VIOLATION, AND A FINE OF

ONE THOUSAND PESOS (P1,000.00) AND PERMANENT REVOCATION OF THE DRIVER'S LICENSE FOR THE THIRD VIOLATION;

Senator Sotto. The amendment is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Drilon. In line 22, before the period (.) and after the word "public", insert the following: A FINE OF FIVE THOUSAND PESOS (P5,000.00) AND SUSPENSION OF THE LICENSE TO MANUFACTURE, ASSEMBLE, IMPORT OR DISTRIBUTE FOR A PERIOD OF ONE (1) YEAR FOR THE FIRST VIOLATION, A FINE OF TEN THOUSAND PESOS (P10,000.00) AND SUSPENSION OF THE LICENSE TO MANUFACTURE, ASSEMBLE, IMPORT OR DISTRIBUTE FOR A PERIOD OF TWO (2) YEARS FOR THE SECOND VIOLATION, AND A FINE OF TWENTY THOUSAND PESOS (P20,000.00) AND PERMANENT REVOCATION OF THE LICENSE TO MANUFACTURE, ASSEMBLE, IMPORT OR DISTRIBUTE FOR THE THIRD VIOLATION;

Senator Sotto. The amendment is accepted, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Biazon. Mr. President.

Senator Drilon. Mr. President, Senator Biazon has an amendment.

The President. Senator Biazon is recognized.

BIAZON AMENDMENTS

Senator Biazon. Thank you, Mr. President.

On page 3, line 31, I propose to delete all the words after the word "the" up to the word "(MMDA)" in line 3 of page 4 and in lieu thereof, substitute the words DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT.

It will now read: "The DOTC, in coordination with the DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, shall formulate and issue the necessary implementing rules..."

Senator Sotto. Mr. President, considering that the LTO is under the DOTC and the PNP and the MMDA are under the DILG, the amendment is accepted.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Biazon. On page 4, line 7, Mr. President, I propose to delete all the words after the second "the".

Senator Sotto. Mr. President, the whole section has been...

Senator Biazon. "...LTO, LTFRB, PNP, MMDA" and in lieu thereof, substitute the words DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT.

The argument, Mr. President is this. LTO and LTFRB are all under the Department of Transportation and Communications and they do not coordinate with their subordinates.

Senator Sotto. Mr. President, I think that point has already been brought out by Senator Biazon in paragraph (a) and therefore it has already been accepted. Also, Senators Tatad and Legarda-Leviste earlier deleted this paragraph from line 7 to line 11.

Senator Biazon. Thank you. On the same page, line 24, Mr. President, again the same principle.

Senator Sotto. So what is the proposal of the gentleman? "The DOTC, in coordination with the DILG and the DECS..."

Senator Biazon. No, Mr. President, delete the words "Land Transportation Office (LTO)." So the sentence will read: "The DOTC, in coordination with the Philippine Information Agency (PIA)..." et cetera.

Senator Sotto. The amendment is accepted, Mr. President.

Senator Biazon. Thank you, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Drilon. Mr. President, since there are no further individual amendments, I move that we close the period of individual amendments.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

APPROVAL OF S. NO. 1137 ON SECOND READING

Senator Drilon. Mr. President, I move that we vote on Second Reading on Senate Bill No. 1137, as amended.

The President. Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 1137, as amended.

As many as are in favor of the bill, say *aye*.

Several Members. *Aye*.

The President. As many as are against the bill, say *nay*. *[Silence]* Senate Bill No. 1137, as amended, is approved on Second Reading.

Senator Drilon. Mr. President, for the privilege hour, I ask that Sen. Miriam Defensor Santiago be recognized and thereafter, Sen. Teofisto Guingona Jr.

The President. Senator Santiago is hereby recognized for the privilege hour.

PRIVILEGE SPEECH OF SENATOR SANTIAGO (Who Wants to Become Prime Minister?)

Senator Santiago. Thank you, Mr. President. The title of the speech is "Who Wants to Become Prime Minister?"

In Greek mythology, there was a monster called the Hydra. It was a serpent with nine heads. When any one of its heads was cut off, it was replaced by two others. It was eventually slain by Hercules, and the Greeks lived happily ever after.

But not the Filipino people. Since 1992—the first year of the Ramos administration—until the present time, the Filipinos have been under constant threat by a Hydra-headed monster. It is hard to suppress; it seems to be ever growing in monstrosity; it is the great political evil of our time. I refer to the constitutional amendment for private gain.

Only two years ago, in 1996, this Senate passed Resolution No. 32, entitled "Resolution that the Senate of the Philippines unequivocally assert that it is opposed to any change in the Constitution, particularly any shift in the form of government or the lifting of term limits of the President, the Vice-President, the senators, and congressmen at this time."

Only last year, 1997, in the case of *Santiago v. Comelec*, the Supreme Court ruled that it would be illegal to amend the Constitution by means of a people's initiative, because Congress has not yet passed a law which would provide the procedure for such a people's initiative. Incidentally, this is precisely the reason why I have filed Senate Bill No. 801, also known as the People's Initiative to Amend the Constitution Act.