



SEVENTEENTH CONGRESS OF THE }
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First Regular Session }

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SENATE
P. S. RES. No. 303

RECEIVED BY: _____

Introduced by SEN. VICENTE C. SOTTO III

RESOLUTION
CALLING FOR THE DEPARTMENT OF TRANSPORTATION
(DOTR) TO RE-EVALUATE THE REGISTRATION OF ALL
BUSES IN THE COUNTRY

WHEREAS, the 1987 Constitution recognizes the protection of life and property and the promotion of the general welfare as essential for the enjoyment of the blessing of democracy;

WHEREAS, pursuant to the aforementioned principle, the State ensures road safety through the enactment and implementation of laws, policies, and rules and regulations relative thereto;

WHEREAS, the then Department of Transportation and Communications (DOTC), now Department of Transportation (DOTR) - an agency primarily mandated to, among others, formulate and implement policies with respect to transportation - issued Department Order Number 96-963, which was later on modified by Department Order No. 2002-03, on the "Modernization of Public Transport Services;"

WHEREAS, the said Department Orders provided for the 15-year age limit on buses and mini-buses (e.g. public utility bus and shuttle bus) reckoned from the date of the manufacture of subject vehicle;

WHEREAS, in the same manner, Memorandum Circular Number 2004-026, which amended MC No. 2003-01 on the “Reclassification of Tourist Transport Services,” released by the Land Transportation Franchising and Regulatory Board (LTFRB), an attached agency of the DOTR, stipulated that for “tourist chartered service” – which includes bus and coaster – the maximum age limit is ten (10) years from date of manufacture;

WHEREAS, it seems that bus operators are taking this lightly, as despite the implementation of the foregoing memorandum circulars several accidents have been reported involving buses with more than the mandated maximum age limit;

WHEREAS, to be more precise, the recent Tanay accident involving a bus owned by Panda Coach Tours and Travel Inc., was found out to be on the road for 29 years by the LTFRB as the subject bus was manufactured in 1988 and not in 2004, as what has been stated in the unit’s documents¹;

WHEREAS, according to a statement from the then DOTC in 2013, eleven percent (11%) of road crash fatalities were caused by defective vehicles;

WHEREAS, a long string of road mishaps involving buses in the recent years were recorded, such as the November 14, 2013 accident when an Elena Liner Bus rear-ended an MGP Trans bus and causing injury to 33 people and killing six (6); on December 16, 2013, a Don Mariano Bus fell off the elevated highway killing as many as 22 people; and another occurred last February 7, 2014 when a GV Florida bus fell into a ravine in Bontoc, Mt. Province – 28 people were hurt and 15 died, which is the most number of deaths from a single bus accident in the country for that year. A defective brake reportedly caused all of these.

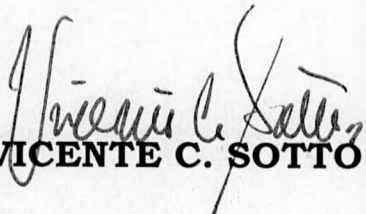
¹ <http://www.gmanetwork.com/news/story/600960/news/regions/bus-no-8-registered-as-2004-model-but-was-made-in-1988-ltfrb>

WHEREAS, statistics show that as vehicles and trailers age the average annual maintenance test failure rate increases and they are more likely to experience in-service roadworthiness defects than newer vehicles²;

WHEREAS, countries that have had the most success in reducing the number of road traffic deaths have achieved this by improving enforcement and making roads and vehicles safer³, among others;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, to call the Department of Transportation (DOTR) to improve and strengthen its enforcement of the subject policies by re-evaluating the registration of all buses in order to ensure their roadworthiness for the safety of the commuting public.

Adopted,


VICENTE C. SOTTO III

²https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/321988/guide-to-maintaining-roadworthiness.pdf

³ <http://www.who.int/mediacentre/news/releases/2015/road-safety-report/en/>