



HOUSE OF REPRESENTATIVES

H. No. 5068

BY REPRESENTATIVES VARGAS, SY-ALVARADO, ANGARA-CASTILLO, CASTELO, ROMUALDO, SARMIENTO (C.), GONZALEZ, BAGATSING, PANCHO, ABU, ERICE, CUA, RIDON, CO, BATOCABE, TEJADA, ZAMORA (R.), HICAP, TY, GO (A C.) AND FLORES, PER COMMITTEE REPORT NO. 447

AN ACT INSTITUTIONALIZING THE GRANT OF STUDENT FARE DISCOUNT PRIVILEGES ON PUBLIC TRANSPORTATION AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled.

1 SECTION 1. *Declaration of Policy.* – Section 1, Article XIV of the
2 Constitution states: “The State shall protect and promote the right of all
3 citizens to quality education at all levels and shall take appropriate steps to
4 make such education accessible to all”. In addition, paragraph 3, Section 2 of
5 the same Article directs the State to establish and maintain a system of
6 scholarship grants, student loan programs, subsidies, and other incentives
7 which shall be available to deserving students in both public and private
8 schools, especially to the underprivileged.

1 Consistent with these constitutional mandates, the State shall:

2 (a) Establish a mechanism that ensures the mandatory grant of a
3 student fare discount privilege;

4 (b) Enlist the cooperation and support of public transportation utilities
5 in extending assistance to students as a social responsibility through the
6 observance of this privilege; and

7 (c) Encourage students, particularly the poor and underprivileged, to
8 pursue quality education to secure their future and make them responsible
9 citizens.

10 SEC. 2. *Definitions.* – As used in this Act:

11 (a) *School days* refer to the entire duration of the school year during
12 which the student is enrolled, including Saturdays, Sundays and holidays, but
13 excluding the semestral and summer breaks;

14 (b) *Student* refers to any Filipino citizen, not more than thirty (30)
15 years old and enrolled in any elementary, secondary, technical and vocational,
16 or higher education institution, including those enrolled in postgraduate degree
17 courses; and

18 (c) *Public transportation utilities* refer to natural or juridical persons
19 engaged in the business of carrying or transporting passengers or goods, by
20 land, sea/water, or air, for compensation, offering their services to the public.

21 SEC. 3. *Student Fare Discount Privilege.* – A student shall be entitled
22 to a twenty percent (20%) discount on the regular domestic fares of all kinds of
23 public transportation utilities upon the presentation of a duly issued and
24 validated school identification card or current and validated enrolment form,
25 supported by any document to properly establish identity: *Provided,* That this
26 privilege may be availed of only during school days, based on the actual date
27 of travel.

1 SEC. 4. *Filing of Complaints.* – A student who is refused the fare
2 discount privilege under this Act may file a complaint with:

3 (a) The Land Transportation Franchising and Regulatory Board for
4 land public transportation utilities, except tricycles;

5 (b) The Maritime Industry Authority for sea/water public transportation
6 utilities;

7 (c) The Civil Aeronautics Board for air public transportation utilities;

8 (d) The Legal Service of the Department of Transportation and
9 Communications for rail public transportation facilities, including the Manila
10 Light Rail Transit System and the Manila Metro Rail Transit System; and

11 (e) The office of the local chief executive of the local government unit
12 concerned for tricycles.

13 These agencies and offices are hereby authorized to impose the
14 penalties provided for in Section 5 of this Act on public transportation utilities
15 that refuse or fail to grant the student fare discount privilege.

16 SEC. 5. *Penalties.* – The following penalties shall be imposed for
17 refusal or failure to grant the student fare discount privilege provided under
18 this Act:

19 (a) For land public transportation utilities, including tricycles:

20 The driver shall suffer the penalty of suspension of driver's license for:

21 (1) One (1) month for the first offense;

22 (2) Two (2) months for the second offense;

23 (3) Three (3) months for the third offense; and

24 (4) Three (3) months plus a fine of one thousand pesos (P1,000.00) for
25 each subsequent offense.

26 The owner or operator of the land transportation utility shall be
27 solidarily liable with the conductor for a fine of one thousand pesos
28 (P1,000.00) for every offense or violation.

1 (b) For sea/water or air public transportation utilities:

2 The owner or operator of the sea/water or air public transportation
3 utility shall be solidarily liable with its employee or agent responsible for the
4 refusal or failure for a fine of:

5 (1) Five thousand pesos (P5,000.00) for the first offense;

6 (2) Ten thousand pesos (P10,000.00) for the second offense;

7 (3) Twenty thousand pesos (P20,000.00) for the third offense; and

8 (4) Additional increments of ten thousand pesos (P10,000.00) on top of
9 the penalty for the third offense for each subsequent offense.

10 (c) For rail public transportation utilities:

11 The operator of the rail public transportation utility shall be solidarily
12 liable with its employee responsible for the refusal or failure for a fine of:

13 (1) One thousand pesos (P1,000.00) for the first offense;

14 (2) Five thousand pesos (P5,000.00) for the second offense;

15 (3) Ten thousand pesos (P10,000.00) for the third offense; and

16 (4) Additional increments of five thousand pesos (P5,000.00) on top of
17 the penalty for the third offense for each subsequent offense.

18 SEC. 6. *Implementing Rules and Regulations.* – Within thirty (30)
19 days from the approval of this Act by the President or from the date it lapses
20 into law, the Secretary of Transportation and Communications shall, after
21 consultation with the concerned government agencies, promulgate the rules
22 and regulations for the proper implementation of this Act.

23 SEC. 7. *Separability Clause.* – If any portion or provision of this Act
24 is declared invalid or unconstitutional, the provisions not affected thereby shall
25 remain in full force and effect.

26 SEC. 8. *Repealing Clause.* – All laws, decrees, executive orders and
27 issuances, proclamations, rules and regulations, and other issuances or parts

1 thereof that are inconsistent with the provisions of this Act are hereby repealed
2 or modified accordingly.

3 SEC. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after
4 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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