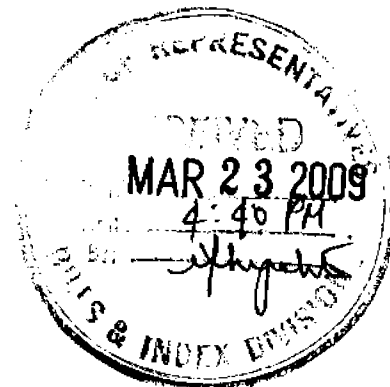


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FOURTEENTH CONGRESS
Second Regular Session



HOUSE RESOLUTION No. 1065

INTRODUCED by BAYAN MUNA Reps. SATUR C. OCAMPO and TEODORO A. CASIÑO

RESOLUTION

DIRECTING THE COMMITTEE ON TRANSPORTATION TO CONDUCT AN IMMEDIATE INQUIRY, IN AID OF LEGISLATION, ON THE IMPACT OF DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS ORDER NUMBER 2008-39 THAT WAS ALLEGEDLY HIDDEN FROM THE TRANSPORT GROUPS AND THE PUBLIC SINCE IT RAISES FINES AND PENALTIES FOR TRAFFIC AND ADMINISTRATIVE VIOLATIONS LEVIED BY THE LAND TRANSPORTATION OFFICE AGAINST DRIVERS, CONDUCTORS, AND OPERATORS OF MOTOR VEHICLES

WHEREAS, on August 26, 2008, the Department of Transportation and Communications (DOTC) issued Department Order Number 2008-39 that revises the schedule of fines and penalties for traffic and administrative violations that the Land Transportation Office (LTO) levies on drivers, conductors and operators of all types of motor vehicles;

WHEREAS, E.O. 218, titled "Reactivating the Task Force on Fees and Charges, Expanding Its Membership and Functions and Providing Guidelines For the Review of the Proposed Rate Increase of Fees and Charges by National Government Agencies and Government-Owned or Controlled Corporations Under E.O. 197, Series of 2000," is government's blanket initiative to raise revenues by increasing fees and fines charged by government agencies by at least 20 percent;

WHEREAS, the rationale of the revised schedule of fees is the government's perceived need to change the rates and non-monetary penalties since the old schedule was based on the 1992 rates that the DOTC, LTO and the Bureau of Internal Revenue (BIR) deemed no longer reflective of the true value of the services that government extends to motor vehicle users and the general public;

WHEREAS, DOTC Order No. 2008-39 increases all the fines and penalties for violations in connection with 1) licensing; 2) number plates; 3) motor vehicle equipment, parts, accessories, devices and markings; 4) weights and load limits; 5) prohibited operation of motor vehicles; 6) conditions of franchise and related violations; 7) frauds and falsities; 8) traffic violations; 9) violations involving taxi units; and 10) non-traffic violations;

WHEREAS, DOTC Order No. 2008-39 hikes all the rates for the above-mentioned groups of traffic and administrative violations by a range of 11 percent (from P450 to P500 fine for a number plate violation) to 9,900 percent (from P150 to P15,000 for the unauthorized use of bell, siren or exhaust whistle), depending on the violation, compared to the fees as stipulated in DOTC Department Order 93-693;

WHEREAS, the DOTC, in releasing the said order, cited "compliance with Executive Order 218 (dated 15 March 2000) and Joint Circular 2002-2 (dated 04 April 2000) of the Departments of Finance and Budget and Management" for the new schedule of administrative fees, charges, fines and penalties of

the LTO, in effect revising, DOTC Department Order 93-693 that set the general rules on the violations, monetary and non-monetary penalties on issues related to land transportation;

WHEREAS, according to the transport group *Pagkakaisa ng mga Samahan ng Tsuper at Opereytor Nationwide* (PISTON), DOTC Order No. 2008-39 was hidden from transport and consumer groups and federations as it was not subjected to public consultations with the affected sectors before it was issued. PISTON got hold of a copy of the Order only in February 2009. The said order is now being implemented piecemeal by the DOTC in the provinces and is set to be introduced to routes in Metro Manila;

WHEREAS, DOTC Order No. 2008-39 will negatively impact the lives and earnings of drivers, operators and conductors of jeepneys, buses, taxis, FX taxis, trucks, tricycles, and practically every motor vehicle user in the country who are also suffering the brunt of the raging economic downturn;

WHEREAS, the public utility transport sector, in particular, already pays the following taxes: the expanded value added tax (E-VAT), quarterly tax, yearly tax, and Road Users' Tax plus the other fees imposed by the Land Transportation Franchising and Regulatory Board (LTFRB), the Metro Manila Development Authority (MMDA) and local government units, for every transaction with the said government agencies;

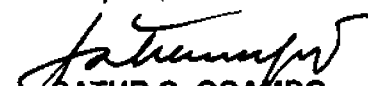
WHEREAS, the public utility transport sector is obviously a heavily taxed sector that makes it a major contributor to the national government's revenue generation efforts;

WHEREAS, imposing fee hikes and harsher penalties on the public transport sector will most likely spur the hiking of public transport fare rates that will add another burden to the general riding public;

WHEREAS, the said order is untimely, undemocratic and is insensitive to the plight of drivers, operators, conductors, their families and the riding public;

NOW, THEREFORE BE IT RESOLVED THAT the Committee on Transportation conduct an immediate inquiry, in aid of legislation, on the impact of the Department of Transportation and Communications Order Number 2008-39 that was allegedly hidden from the transport groups and the public since it raises fines and penalties for traffic and administrative violations levied by the Land Transportation Office against drivers, conductors, and operators of motor vehicles.

Adopted,


SATUR C. OCAMPO
Bayan Muna Party-List


TEODORO A. CASIÑO
Bayan Muna Party-List