

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1601

Introduced by Rep. Precious Hipolito Castelo

EXPLANATORY NOTE

Traffic is undeniably one of the most perennial problems that we Filipinos experience on a daily basis.

In a recent study conducted by the Japan International Cooperation Agency (JICA), it was found that the Philippines is now losing PhP 3.5 billion a day due to traffic in Metro Manila alone.¹ Thus, looking on a bigger picture would show us that the problem of traffic transcends beyond the issue of personal inconvenience – and touches upon the nation's economy as a whole.


The government should be lauded by introducing a lot of infrastructure projects to address vehicle congestion. However, it cannot be gainsaid that the pressing problem of traffic also demands an immediate and practical remedy that will involve the participation of the commuters themselves.

Metro Manila Development Authority (MMDA) had recently gone on record that carpooling may be one of those solutions that we may undertake to alleviate the worsening traffic in the metro.² However, the lack of regulation on carpooling hinders the efficacy and feasibility of this solution.

Since the concept of carpooling is not currently defined under any law, the issue of its legality has always been a recurring question among the public. Naysayers worry that carpooling may blur the line between legal and illegal land transport ("colorum").

Thus, it is now high time to regulate carpooling by drawing up a law that would clearly set the limits of its application. In Singapore, for instance, a driver may only offer carpooling services twice a day, otherwise, he may be charged with a hefty fine or may even face a jail term.

In view of the foregoing, the immediate passage of this bill is immediately sought.


PRECIOUS HIPOKITO CASTELO

¹ <https://cnnphilippines.com/transportation/2018/02/23/JICA-P3.5-billion-traffic.html>

² <https://www.philstar.com/nation/2018/08/26/1845824/mmda-urges-carpool-amid-infra-projects>

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AN ACT
LEGALIZING AND REGULATING THE PRACTICE OF COMMUNITY-BASED
CARPOOLING AND FOR OTHER PURPOSES

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

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

SECTION 1. *Short Title.* – This Act shall be known as the “National Carpooling Act.”

SEC. 2. *Objective.* – This Act aims to promote, legalize and regulate the practice of “community-based carpooling” in order to alleviate the worsening problem of vehicle congestion in the country.

SEC. 3. *Definition.* – “Community-based carpooling” shall be defined as the act of traveling together in a group using one vehicle according to the schedules and locations of the driver and the passengers.

SEC. 4. *Responsibility of the Drivers.* – Drivers shall exercise reasonable diligence of a good father of a family in providing carpooling services to the passengers. In case of damage or injury to persons or property, including his passengers, the driver shall be punished in accordance with existing criminal and civil laws.

SEC. 5. *Restrictions and Prohibitions.*

- a) Drivers may only offer carpooling services twice a day.
- b) The pick-up point, drop-off point, schedule, and payment for the carpool service shall be agreed upon by the driver and the passenger before the start of the trip.
- c) The payment collected by the driver must not exceed the cost and expenses incurred for the carriage of the passenger/s.

SEC. 6. *Penalties.* – Any person who shall violate any of the provisions of this law shall be punished with imprisonment of one month and one day to six months, and/or a fine of at least One Hundred Thousand Pesos (Php 100,000.00).

Any person who shall be found to violate Section 4 of this Act on account of his recklessness shall be punished with imprisonment of one year and one day to six years, and/or a fine equivalent to double the amount of damages incurred under the circumstances.

SEC. 7. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the budget of concerned government agencies in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 8. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, the relevant government agencies shall formulate and promulgate the necessary rules and regulations to implement the provisions of this Act.

SEC. 9. *Separability Clause.* – If any provision or section of this Act is held invalid or unconstitutional, the other provisions and sections not affected thereby shall remain in full force and effect.

SEC. 10. *Repealing Clause.* – All laws, presidential decrees, executive orders, or issuances, or any part thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or two (2) newspapers of general circulation.

Approved,