Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH (18th) CONGRESS
Second Regular Session

HOUSE RESOLUTION NO. 1319

Introduced by: Representative Jose L. Atienza, Jr.

RESOLUTION
RESOLUTION STRONGLY SUPPORTING THE LETTER-REQUEST
OF SENIOR CITIZENS (SCs) AND PERSONS WITH DISABILITY (PWDs)
RIGHTS ADVOCATE, ATTY. ROMULO B. MACALINTAL,
TO THE DEPARTMENT OF TRANSPORTATION AND THE TOLL REGULATORY
BOARD TO IMPLEMENT THE PROVISIONS OF THE LAWS
THAT GRANT 20% DISCOUNT TO SCs and PWDs ON THEIR
PURCHASE OF LOADS FOR RFID TOLL FEES AND EXPRESSWAYS

WHEREAS, only recently, the Department of Transportation (DOTr) and the Toll
Regulatory Board (TRFB) announced that effective November 2, 2020 they will “start cashless
transactions for all vehicles traversing the expressways and mandate that the all motorists “to
install and used radio frequency identification (RFID) in all expressways to control the spread
of Covid-19.”;

WHEREAS, Rule 4, Section 6.6 of the Implementing Rules and Regulations (IRR) of R.
A. 9442, the Magna Carta for PWDs clearly provides at “at least twenty percent (20%) discounts
in bus fares such as ordinary, aircon fares and on public railways such as LRT, MRT, PNR, and
such other similar infrastructure that will be constructed, established and operated by public
or private entity. Toll fees of skylways and expressways are likewise subject to at least twenty
percent (20%) discounts, however, this privilege can be availed only by a person with
disability owning the vehicle. It further provides that: “The Department of Transportation and
Communications (DOTC), Light Rail Transit Authority (LRTA), Philippine National Railways
(PNR), Toll Regulatory Board (TRB) and Land Transportation Franchising and Regulatory Board
(FTFRB) shall issue corresponding circulars or directives to the public land transport sector for
the implementation of these rules to ensure compliance herewith, as well as requirements to these
operators to disseminate information on the benefits of the persons with disability by posters,
handbills or pamphlets on board their vehicles.”;

WHEREAS, senior citizens are similarly situated with the PWDs in that they practically
receive the same benefits as provided under R. A. 9994, the Expanded Senior Citizens Act of 2010
wherein, Article 7 of its IRR provides that SCs are entitled to twenty percent (20%) discount for
their availment or use of public transportation, pursuant to the objective of the law to “establish
a program beneficial to the senior citizens, their families and the rest of the community they serve”
(Section 2, par 4(3), R.A. 9994) and that the extension of such privilege is part of the “important
role of the private sector in the improvement of welfare of senior citizens and to actively seek their
partnership (Section 2(f), RA 9994);

WHEREAS, on September 28, 2020, considering the above provisions of the law, Atty.
Romulo B. Macalintal, a known advocate for the rights and benefits of SCs and PWDs, wrote a
letter-request to Secretary Arthur Tugade of the DOTr who is also the Chairman of the TRB to
implement the said provisions of the laws that grant the SCs and PWDs the 20% discount on their
purchase of loads for RFID toll fees and expressways, provided the car or vehicle is registered in
the name of the SCs and/or PWDs. The said letter was received by Secretary Tugade on same
date, September 28, 2020. However, no answer has been received as of date by Atty. Macalintal
from Secretary Tugade;
WHEREAS, this representation honestly believes that there is merit and justifiable ground to strongly support this letter-request of Atty. Macalintal on behalf of our dear senior citizens and PWDs, most of whom are also members of this august body. The law is there and all that is needed is for the DOTr and the TRB to implement the same considering that almost all car owners plying through expressways all over the country are now in the process of installing their respective RFID on their cars pursuant to the said directives of the DOTr and TRB;

WHEREAS, the law specifically directs the DOTr and the TRB to issue the appropriate and necessary directives and orders to all toll owners and operators to implement the said 20% discount on vehicles registered in the name of an SC or PWD;

WHEREAS, the toll operators will not suffer losses and/or damages in the implementation of the said laws considering that only a fraction of our SCs and PWDs have vehicles registered in their names. Furthermore, these toll operators may claim the discounts as “tax deductions”, pursuant to Article 10 of the IRR of RA 9994 and Rule IV, Section 6.14 of the IRR of RA 9442). Violation of the law carries with it criminal and civil liabilities; and if the violator is a corporation, the officials thereof shall be the ones liable. Penalties are fine and one to two years imprisonment;

NOW, THEREFORE, BE IT RESOLVED, that the House of Representatives strongly urges the Department of Transportation and the Toll Regulatory Board to implement the laws granting 20% discount to senior citizens and persons with disability whose vehicles are registered in their names in their purchase of loads for toll fees in their use of expressways.

JOSÉ L. ATENZA, JR.
Representative, BULATOG Party-list