

[DPWH-DOTC-DILG JOINT CIRCULAR, DECEMBER 12, 2001, December 11, 2001]

DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS-DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS-DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT JOINT CIRCULAR

WHEREAS, national roads and bridges are being unnecessarily damaged through the movement over these structures of freight trucks and trailers, whose gross weights and axle loads exceed the allowable limits;

WHEREAS, in order to abate this condition, Republic Act (RA) No. 8794, entitled "An Act Imposing A Motor Vehicles User's Charge On Owners Of All Types of Motor Vehicles and For Other Purposes," was enacted by the House of Representatives and the Senate on 06 June 2000 and 11 April 2000, respectively, and was approved by the President on 27 June 2000;

WHEREAS, Section 7c of the Implementing Rules and Regulations (IRR) of RA No. 8794 provides penalties for overloaded trucks and trailers and prohibits vehicles that exceed the allowable gross vehicle weights (GVW) and/or axle loads from proceeding on the roadway;

WHEREAS, the Department of Public Works and Highways (DPWH) has installed weighbridge stations as strategic locations along national roads which can determine the weights of trucks and trailers; and

WHEREAS, there is a need to provide efficient and coordinated use of the weighbridge and portable axle load weighing stations in order to implement the provisions of R.A. No. 8794 and Section 7c of its IRR so as to prevent the movement on national roads and bridges of overloaded trucks and trailers;

NOW, THEREFORE, in consideration of the above premises, this Circular is hereby issued for compliance by all concerned:

1. The DPWH thru its Regional/District Offices, shall assign five (5) personnel per shift in each weighbridge/portable axle weighing station. The Department of Transportation and Communications (DOTC) thru the Land Transportation Office (LTO) shall assign one (1) personnel per shift of its duly deputized DPWH or PNP-TMG personnel at the said station. The Department of the Interior and Local Government (DILG) thru the Philippine National Police-Traffic Management Group (PNP-TMG) shall assign one (1) personnel per shift. Each station shall be manned 24 hours a day, including Saturdays, Sundays and Holidays, divided into three (3) shifts as follows: 0800 Hr – 1600 HR – 2400 HR and 2400 HR – 0800 HR.
2. The DPWH shall be responsible for the operation of the weighbridge and portable

axle load weighing stations along national roads nationwide. At each weighbridge or portable axle load weighing station, the DPWH staff shall weigh loaded trucks and trailers using the approximate equipment, and shall determine and indicate in the prescribed form the actual load per axle and the total allowable gross vehicle weight. Based on these data, the DPWH staff shall identify the overloaded trucks and trailers, i.e., those that exceed the allowable vehicle dual-wheel axled load of 13,500 kg and gross vehicle weights shown in Annex "A", and shall immediately notify the LTO and PNP-TMG personnel assigned at the station to take appropriate action on these vehicles as provided hereunder. For the overloaded vehicles, the DPWH staff shall turn over one copy each of the corresponding accomplished forms containing the vehicle axle load and weight data to the LTO and PNP-TMG personnel at the station.

3. The DOTC, thru the LTO, shall be responsible for imposing penalties on overloaded vehicles as determined through the operation of weighbridge and portable axle load weighing stations as provided in Section 6 of RA No. 8794 and pursuant to Section 7c of the IRR. The LTO personnel or its duly deputized DPWH or PNP-TMG personnel assigned at the station shall issue to the driver of the overloaded vehicle, identified by the DPWH staff per item 2 above, a Temporary Operator's Permit (TOP) indicating therein the excess load and the corresponding penalty to be paid in the amount equivalent to twenty-five percent (25%) of the Motor Vehicle User's Charge (MVUC) applicable to the vehicle at the time of infringement, provided that the penalty shall be waived for loadings exceeding the allowable GVW by a tolerance of less than five percent (5%).

4. The DILG, thru the PNP-TMG, pursuant to Section 7c of the IRR, shall disallow any truck or trailer from proceeding on the roadway if, as determined by the DPWH from the operation of the weighbridge or portable axle load weighing station, either any of the dual-wheel axle load of the vehicle exceeds 13,500 kg or the total vehicle load exceeds one hundred fifty percent (150%) of the maximum allowable GVW.

This Order shall take effect fifteen days after the receipt of three (3) copies thereof by the Office of the National Administrative Register (ONAR), U.P. Law Center, Diliman, Quezon City and its publication in two (2) newspapers of nationwide general circulation.

Adopted: 12 Dec. 2001

(SGD.) PANTALEON D. ALVAREZ
Secretary
Department of Transportation and Communication

(SGD.) JOSE D. LINA, JR.
Secretary
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(SGD.) SIMEON A. DATUMANONG
Secretary
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Signed in the presence of: