

AN ACT TO CREATE A REVOLVING FUND OF FIVE MILLION PESOS FOR THE CONSTRUCTION OF PERMANENT BRIDGES IN THE PHILIPPINES AND TO AUTHORIZE PRIVATE CAPITAL TO UNDERTAKE THE CONSTRUCTI...

Act No. 3500, December 08, 1928

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. The sum of five million pesos is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, to constitute a revolving fund for the construction of permanent bridges on interprovincial or intercoastal roads in the Philippines, which shall be expended under the supervision of the Secretary of Commerce and Communications. Said bridges shall be declared toll bridges for a period not exceeding fifteen years and tolls shall be collected from all traffic using such bridges in accordance with rates to be fixed by a Board composed of the Secretary of Commerce and Communications as chairman, the Secretary of Finance, and the Insular Auditor, as members: Provided, however, That no toll charges shall be collected from pedestrians.

SEC. 2. For the purpose of determining the rates' of tolls to be charged, and the period within which such tolls should be collected to reimburse the cost of the bridge with interest of four per cent, the Director of Public Works shall take the necessary census of traffic at proposed bridge sites, which census shall be submitted to the Secretary of Commerce and Communications who shall authorize the construction of bridges in the order of the intensity of vehicular traffic as shown by said census: Provided, however, That small bridges, the cost of which may be recovered within a short period from reasonable toll fees, shall be given preference.

SEC. 3. The provincial treasurer of the province where a toll bridge is constructed in accordance with this Act shall be in charge of toll collections and toll collectors duly bonded, shall be appointed by him at salaries to be approved by the Secretary of Commerce and Communications chargeable to toll collections. The collections made by the provincial treasurer from each toll bridge, after deducting the salaries of toll collectors, shall be turned over to the Insular Treasurer and credited to the revolving fund, here- in created, and shall be available for the construction of other bridges until all important bridges that can be financed under the provisions of this Act are completed when the balance remaining in said revolving fund shall revert to the general fund of the Insular Treasury.

SEC. 4. When the total cost of a bridge, plus interest of four per centum per annum, is fully recovered, the board created in section one of this Act shall so certify to the Governor-General who, by means of an Executive Order, shall turn over the bridge to the provincial board concerned and order the collection of tolls to be discontinued. The cost of maintaining bridges financed under the provisions hereof shall be charged to the road and bridge fund of the province in which said bridges are situated.

SEC. 5. The construction of bridges authorized under the provisions of this Act shall be undertaken in accordance with section nineteen hundred and seventeen of the revised Administrative Code as amended by Act Numbered

Twenty-nine hundred and thirty.

SEC. 6. The board created in section one of this Act may also authorize, after public advertisement in the Official Gazette for a period of not less than ten days, any individual, firm, company, or corporation, provided such individual is a citizen of the United States or of the Philippines or such firm, company or corporation is owned and capitalized by citizens of the United States or of the Philippine Islands, that submits the most advantageous proposal, to construct at its own expense any bridge designated by said board in accordance with plans and specifications prepared by the Bureau of Public Works and subject to the supervision of said bureau. Such individual, firm, company, or corporation shall be further authorized to collect tolls for a period not exceeding fifteen years, the schedule for which shall be approved by said board.

SEC. 7. Said board is also empowered to promulgate rules and regulations governing the condition under which toll bridges constructed by private enterprise shall be operated and maintained. The provincial treasurer of the province concerned shall supervise the collection of toll charges, and shall enforce the provisions of this Act as well as the rules and regulations promulgated by the board created in section one hereof. The district auditor of the province concerned shall also check and verify all books and receipts pertaining to toll collections, and submit from time to time a report of his findings to the Insular Auditor for appropriate action.

SEC. 8. After the construction cost of a bridge, which shall be fixed in the contract to be entered into between the Government and the successful bidder, plus interest at the rate of twelve per cent per annum of the capital invested, is fully recovered, said bridge shall become Government property, and shall be turned over to the provincial board concerned in the manner prescribed by section four of this Act.

SEC. 9. The amount appropriated in section one or any part thereof shall only be available for expenditure by order of the Governor-General upon recommendation of the Secretary of Finance.

SEC. 10. All acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 11. This Act shall take effect on January first, nineteen hundred and thirty.

Approved, December 8, 1928.

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