

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

13TH CONGRESS

Second Regular Session

HOUSE BILL NO. 4702



Introduced by **HON. ANTONIO C. ALVAREZ**

EXPLANATORY NOTE

This bill seeks to address the twin concerns of keeping our streets safe to pedestrians, commuters, motorists and the public in general, and of easing the traffic problem through the involvement of concerned sectors and the upgrading of our traffic law enforcement system.

To that end, this bill proposes the creation of a trust fund for the upgrading of the country's traffic law enforcement system. The fund shall be taken from the proposed increase in the third party liability insurance premium of vehicles involved in traffic violations and accidents.

Such increase, which should neither be normal nor oppressive, will compel, thereby involve, vehicle owners to exercise their influence upon their drivers to heed traffic laws, rules and regulations. To a driver, the prospect of being meted out disciplinary action by his employer is a deterrent stronger than the fear of being apprehended by a law enforcement agent, which happens very rarely. Likewise, an owner driving his own vehicle will not risk incurring the expense himself.

On the other hand, the upgrading of our traffic law enforcement system consisting of the installation of automated gadgets and devices will enable authorities to identify the vehicle involved in a traffic violation or accident even in unmanned streets. The presence of these automated gadgets and devices will subject violators to the constant prospect of prosecution. The situation will instill discipline among our drivers, as it is the observation of experts and laymen alike that what discourages one from committing a legal infraction is the certainty of being caught and not the nature of the penalty imposed.

Moreover, with the presence of automated gadgets, much of uniformed traffic policemen and enforcers can be dispensed with, thereby, minimizing the incidence of graft and corruption in our streets.

In view of the foregoing of this measure, its immediate enactment will be earnestly enjoined.

ANTONIO C. ALVAREZ

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AN ACT
CREATING A TRUST FUND FOR THE AUTOMATION OF THE VEHICULAR
TRAFFIC LAW ENFORCEMENT SYSTEM FOR THE PURPOSE OF SECURING THE
SAFETY OF THE STREETS AND SOLVING THE TRAFFIC PROBLEM IN THE
URBAN CENTERS AND FRO OTHER PURPOSES

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

SECTION 1. Declaration of Policy. – It is hereby declared the policy of the State to automate the country's traffic law enforcement system towards solving the traffic problem in the urban centers, to minimize if not to eradicate corrupt practices attending traffic law enforcement, and to keep the streets safe for the public.

SECTION 2. Trust Fund for the Automation of our Traffic Law Enforcement System.
– There shall be created a trust fund for the acquisition of devices and gadgets for the automation of the country's traffic law enforcement system. These gadgets and devices must enable the positive identification of vehicles involved in traffic violations even in unmanned streets as well as allow the monitoring of problematic areas of the streets. The fund shall be sourced from the increase in the premium of the third party liability insurance of vehicles as provided for in Section 3 hereof.

SECTION 3. Increase in the Premium of Third Party Liability Insurance. – The third party liability insurance premium of the motor vehicle involved in a traffic violation or accident shall be increased by one thousand percent (1, 000%) for the first traffic violation or accident committed from the date of the effectivity of this Act. Thereafter, every violation shall result in the increase of the premium by twenty-five percent (25%) compounded; Provided, that in the case of accidents involving more than one vehicle, only the vehicle of the erring party shall be covered by this Act; Provided further, that this liability shall attach prior to the automation and regardless of whether or not the apprehension was effected by an automated device or personally by the law enforcement officer.

SECTION 4. Remission for Safe Driving. – The increase in the third party liability insurance program premium by reason of the commission of a traffic violation or accident may be reduced to the standard rate by twenty percent (20%) at a time upon safe driving for a continuous period of two (2) years.

SECTION 5. *Independent Liability.* – The liabilities herein imposed shall be independent of other liabilities, criminal or otherwise, that the erring party may be found or adjudged responsible for under other applicable laws, rules and regulations.

SECTION 6. *Implementing Rules and Regulations* – The Land Transportation Office, the Metro Manila Development Authority, the Department of Transportation and Communications, the Department of the Interior and Local Government, and the Philippine National Police shall promulgate the necessary rules and regulations for the proper and efficient implementation of this Act.

SECTION 7. *Separability Clause.* – In the event that any part of this Act is declared unconstitutional, such declaration shall not affect the constitutionality of the other provisions hereof.

SECTION 8. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, issuances, or parts thereof contrary to or inconsistent with any of the provisions of this Act be deemed repealed, amended, or modified accordingly.

SECTION 9. *Effectivity Clause.* This Act shall take effect immediately upon its approval.

Approved.