

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 6886

Introduced by Hon. ANGELO B. PALMONES

AN ACT
IMPOSING STIFFER PENALTIES ON THE OFFENSE OF STEALING OR
VANDALIZING GOVERNMENT ROAD SIGNS AND OTHER RISKS
REDUCTION DEVICES, ACCESSORIES AND OTHER FACILITIES, AND
FOR OTHER PURPOSES

EXPLANATORY NOTE

The total number of road accidents and fatalities has been increasing through the years. The Philippine National Police (PNP) has tallied about 15,000 traffic accidents in 2006 corresponding to an average of 41 traffic accidents per day¹. These accidents resulted in 674 fatalities, 3,767 injuries and 10,623 instances of property damage. The PNP reported that most traffic accidents are caused mainly by driver errors. In 2006 for example, 4,182 (27%) of car accidents were caused by driver error. The use of cell phones while driving is another leading cause of traffic accidents representing the highest increase among the causes of traffic accidents.

One cause that induces driver error is the absence of road signs warning drivers of impending sharp curves or slippery road or road repairs. The main reason for the absence of these road signs installed by the Department of Public Works and Highways (DPWH) is that these signs were either stolen or damaged/vandalized. The DPWH reported a total of 42, 558 pieces of such devices stolen and vandalized. as of January 25, 2013.

A study conducted to determine the cost of accidents in Metro Manila estimated that Php 3.5 Million is lost per fatal road accident showing a clear picture of their economic effects. In addition, social cost or pain, grief, and

¹ National Statistics Office

suffering are valued at PhP 506,450 per fatal accident². Beyond these costs, the loss of lives is incalculable.

The Revised Penal Code (Act No. 3815) defines theft as the taking of property of another without violence against or intimidation of persons, with intent to gain without the latter's consent. Furthermore, any person has committed theft if after having maliciously damaged the property of another shall remove and make use of the fruits or object of the damage caused by him.

The Revised Penal Code likewise identified theft of properties of the National Library and the National Museum as qualified theft but does not include theft of traffic signage, warning signs and traffic protective devices such as highway or bridge railings.

The penalties imposed on stolen property depends upon the value of the property, which ranges from prison correctional to prison mayor or reclusion temporal. These penalties do not fit the offense of theft or damage of traffic signages and protective devices because such can cause loss of limbs and lives. Stiffer penalties should be imposed not only to deter or prevent persons to steal or damage these traffic devices but more importantly to protect our people from danger and accidents, or save their lives and properties.

For the above reasons it is earnestly requested that this bill be enacted into law the soonest time possible.



ANGELO B. PALMONES
Representative, AGHAM Party-List

² De Leon, M. R., P. Cal and R. G. Sigua. Estimation of Socio-economic Cost of Road Accidents in Metro Manila. *Journal of the Eastern Asia Society for Transportation Studies*, Vol. 6, pp. 3183 - 3198, 2005

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DEVICES, ACCESSORIES AND OTHER FACILITIES, AND FOR OTHER
PURPOSES

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

SECTION 1. Title. This Act shall be known as the “**Stealing and Vandalism of Traffic Signs Act of 2013**”.

SECTION 2. Declaration of Policy. It is the policy of the State to protect the people from damage to property and loss of lives by improving conditions of roads and making vehicular traffic as safe as possible by providing driver information through signs and accident-prevention devices. In pursuit of this end the State has mandated concerned government agencies and instrumentalities to install in conspicuous and appropriate places road signs and devices to warn drivers of risks and dangers on the road.

SECTION 3. Theft and damage of traffic signs and road safety devices – It shall be unlawful to dismantle, remove, transfer, take into possession road warning devices installed by national and local governments or non-government organizations for the purpose of warning motorists of dangers along the road.

It is likewise unlawful to store, keep in inventory such traffic signs and warning devices without authority from the government or any of its instrumentalities for any purpose whatsoever.

SECTION 4. Traffic signs and accident warning devices and instruments – For the purpose of this Act “traffic signs and accident warning devices and instruments” shall mean road or traffic signs exemplified by signs of “stop”,

“yield”, “slippery when wet”, signs of zig-zag-ing sections of roads, railings, and similar devices. Man-hole covers shall also be included as part of accident-prevention devices warning the public to avert or prevent the loss of lives and properties and covered under this Act.

The Department of Public Works and Highways (DPWH) shall provide a list of all traffic signs and accident reduction/prevention devices and instruments. The list shall be updated as the need arises.

SECTION 5. Punishable actions under this Act – the following actions are punishable under this Act:

1. Mere possession without authority of any device or instrument or piece of equipment listed under Section 4 of this Act or accessories thereof;
2. Selling and buying of stolen traffic signs and warning devices listed under Section 4 of this Act or accessories thereof;
3. Vandalizing or damaging of any road signs or devices listed under Section 4 of this Act or any accessories thereof.

SECTION 6. Penalties – The following penalties shall apply to violations under this Act:

1. **Stealing of or possessing road signs and warning devices including man-hole covers and their accessories** - The penalty of twelve to fifteen (12 - 15) years imprisonment or a fine ranging from Two Hundred Thousand Pesos (Php 200,000.00) to Three Hundred Thousand Pesos (Php 300,000.00) or both, at the discretion of the court, shall be imposed on any person found guilty of stealing or in possession of road signs and warning devices including man-hole covers as defined in Section 4 of this Act;
2. **Damaging/vandalizing or destroying road signs and warning devices including man-hole covers and their accessories** - The penalty of six to ten (6 -10) years imprisonment or a fine ranging from One Hundred Thousand Pesos (Php 100,000.00) to One Hundred Fifty Thousand Pesos (Php 150,000.00) or both, at the discretion of the court, shall be imposed on any person found guilty of damaging/vandalizing or destroying road signs and warning devices and their accessories including man-hole covers as defined in Section 4 of this Act;
3. **Selling or buying of road signs and warning devices including man-hole covers and their accessories** – The penalty of selling or buying disaster warning and risk reduction instruments and their accessories as defined in Section 4 of this Act shall be similar to those under 1 of Section 6 of this Act.

4. **Government employees as accomplice in the violation of provisions of this Act** - Government employees found guilty of violation of this Act either as principal or as an accomplice shall be penalized according to Section 6 of this Act. In addition, such government employee shall forfeit all his/her retirement benefits and shall be barred from any employment within the government service.

SECTION 7. Incentives - Incentives shall be provided to a person or persons who will provide information leading to the apprehension of violators of this Act. The nature and amount of incentives shall be provided for in the implementing rules and regulations of this Act.

SECTION 8. Non-applicability of Articles 308, 309, 310 and 311 of the Revised Penal Code. - Articles 308, 309, 310 and 311 of the Revised Penal Code shall not be applicable to cases contemplated or enumerated in this Act. For theft cases the provisions in this Act shall apply.

SECTION 9. Implementing rules and regulations - The DPWH shall issue within 180 days from the date of approval of this Act, the implementing rules and regulations for this Act.

SECTION 10. Separability clause - Any portion or provision of this Act which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

SECTION 11. Repealing Clause. - All other laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 12. Effectivity Clause - This Act shall take effect immediately after its publication in two (2) newspapers of general circulation.

Approved.