

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. 7683



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

Too many lives have been claimed and too many dreams have been extinguished already by reckless, senseless drivers, oftentimes driving hulking public utility buses (PUBs), container trucks, passenger vans, taxis and *jeepneys*, in wanton disregard of the safety and well-being of others on the road. It is time to hold these drivers accountable to their acts of putting the lives and limbs of fellow drivers, passengers and commuters in harm's way.

Likewise, the operators and/or owners of these offending vehicles have to be made directly responsible for any damages, prejudice and injuries which may be caused by their wayward drivers in order to compel them to exercise extraordinary diligence in the selection and supervision of said drivers.

To date, however, reckless driving has not been defined as a crime in the statute books but is only penalized as a quasi-offense under Article 365 of the Revised Penal Code as reckless imprudence resulting to homicide, physical injuries and damage to property,

This bill seeks to define reckless driving in itself as a criminal offense and to provide stiffer penalties for its commission. Likewise, the bill makes the owner and/or operator of the offending vehicle principally and directly liable for the damage, injury and/or prejudice resulting from the incident unless they can show that they exercised extra-ordinary diligence in the selection and supervision of their drivers.

If passed into law, it is hoped that this bill will work to deter this pernicious practice or at the very least, keep reckless drivers away from our thoroughfares.

In view of the foregoing, the immediate passage of this bill is most earnestly requested.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
DEFINING THE OFFENSE OF RECKLESS DRIVING AND PROVIDING PENALTIES
FOR THE COMMISSION THEREOF AND FOR OTHER RELATED PURPOSES

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

1 **SECTION 1. Declaration and State Policy.** – It is hereby declared that the act of driving
2 recklessly is pernicious to public interest. Hence, it is the policy of the State to consider the same
3 as a criminal offense and to severely penalize it.
4

5 **SEC. 2. Definition.** – Any person who is in control of any vehicle traveling upon a
6 highway, or upon public or private property open to public use, drives the same carelessly,
7 imprudently and heedlessly or without due caution and circumspection, or at a speed or in a
8 manner as to endanger or be likely to endanger any person or property, or who passes when there
9 is a prohibition against passing, shall be guilty of reckless driving and upon conviction and shall
10 be punished as provided in Section (3) hereof.
11

12 **SEC.3. Penalties.** – Any person found to be guilty of reckless driving shall be subjected
13 to a penalty of imprisonment from one (1) month to six (6) months and/or a fine of Ten thousand
14 pesos (Php 10,000.00), or both.
15

16 In case the offender's act results to slight physical injuries to any party, the penalty
17 impossible shall be imprisonment of six (6) months and one (1) day to two (2) years plus a fine of
18 Twenty thousand pesos (Php 20,000.00).
19

20 In case the offender's act results to less serious physical injuries to any party, the penalty
21 impossible shall be imprisonment of two (2) years and one (1) day to four (4) years plus a fine of
22 forty thousand pesos (Php 50,000.00).
23

24 In case the offender's act results to serious physical injuries to any party, penalty
25 impossible shall be imprisonment of four (4) years and one (1) day to six (6) years, plus a fine of
26 Eighty thousand pesos (Php 80,000.00).
27

28 In case the offender's act results to the death, permanent injury or mutilation of any body
29 part of any party, the penalty impossible shall be imprisonment of six (6) years and one (1) day to
30 twelve (12) years plus a fine of One hundred thousand pesos (Php 100,000.00).
31

32 When the execution of the act covered by this article shall have only resulted in damage
33 to the property of another, the offender shall be punished by imprisonment of six (6) months to
34 two (2) years and/or a fine ranging from an amount equal to the value of said damages to three
35 (3) times such value, but which shall in no case be less than Ten thousand pesos (Php 10,000.00).
36

37 The trial court shall also award the actual and compensatory damages to the victims,
38 based on the evidence presented and pursuant to existing rules and jurisprudence.

1 Any government official or employee, who by neglect or connivance, has in any manner
2 aided or abetted in the violation or circumvention of the provisions of this Act, shall be held
3 criminally liable as co-principal under this section and shall, in addition, suffer the penalty of
4 perpetual absolute disqualification to hold public office.

5
6 **SEC. 4. Direct Liability of Operator and/or Owner of tile Offending Vehicle.** – The
7 owner and/or operator of the vehicle driven by the offender shall be directly and principally
8 liable together with the offender for the fine and the award against the offender for civil damages
9 unless he or she is able to convincingly prove that he or she has exercised extra-ordinary
10 diligence in the selection and supervision of his/her drivers in general and the offending driver in
11 particular.

12
13 This rule shall principally apply to the owners and/or operators of public utility vehicles,
14 commercial vehicles like delivery vans, cargo trucks, freight trucks, container trucks, etc., as
15 well as school and company buses, hotel transports, car or vans for rent, taxi cabs, etc. In any
16 case, the subsidiary liability of the owner and/or operator of the vehicle driven by the offending
17 driver shall remain.

18
19 **SEC. 5. Repeated Offenders.** – In case a person is found guilty of reckless driving for
20 two (2) or more times committed within a period of five (5) years, the same shall be a ground for
21 the permanent revocation of his license by the Land Transportation Office (LTO).

22
23 **SEC. 6. Separability Clause.** – Any provision of this Act or the applicability of such
24 provision to any person or circumstance shall be held invalid, the validity of the other provisions
25 of this this Act and the applicability of such provisions to other persons or circumstances shall
26 not be affected thereby.

27
28 **SEC. 7. Repealing Clause.** – All laws, executive issuances, orders and rules and
29 regulations contrary to or inconsistent with this Act, or any part thereof, are hereby repealed,
30 amended and/or modified accordingly.

31
32 **SEC. 8. Effectivity Clause.** - This Act shall take effect upon its approval and upon
33 publication in the Official Gazette and two (2) newspapers of general circulation in the country.

Approved,