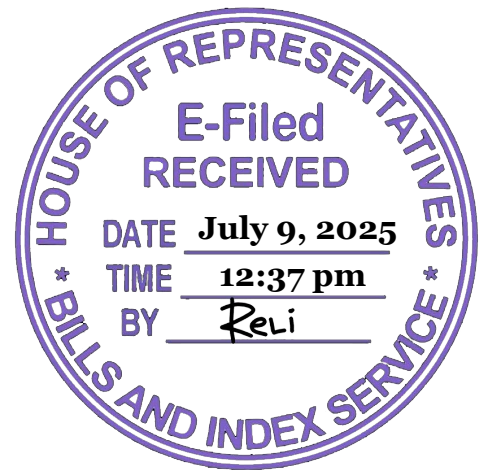


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**Republic of the Philippines
HOUSE OF REPRESENTATIVES**

Quezon City

**First Regular Session
TWENTIETH CONGRESS**



House Bill No. 1632

Introduced by REP. JESUS MANUEL “BONG” C. SUNTAY

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EXPLANATORY NOTE

14 The No Contact Traffic Apprehension Act responds to the increasing demand for
15 safer, more efficient, and technology-driven road enforcement systems that reduce
16 corruption and increase traffic compliance.

17 However, the use of automation in law enforcement must be accompanied by
18 transparency, procedural fairness, system reliability, and public accountability. The
19 revised version of this measure strengthens due process protections, requires dual-
20 verification and certified equipment, and empowers both vehicle owners and traffic
21 enforcers with clear rules and recourse.

22 The inclusion of driver incentives, error protocols, and a public compliance
23 dashboard ensures that this law will not be viewed as punitive or revenue-driven, but
24 as a data-driven, rights-based policy reform that promotes safer roads for all.

25 In passing this measure, we aim to modernize traffic enforcement while ensuring the
26 protection of motorists' rights, the integrity of local implementation, and the
27 confidence of the public in automated systems.

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REP. JESUS MANUEL “BONG” C. SUNTAY

1 **Republic of the Philippines**
2 **HOUSE OF REPRESENTATIVES**

3 **Quezon City**

4 **First Regular Session**
5 **TWENTIETH CONGRESS**

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8 **House Bill No. 1632**
9

10 **Introduced by REP. JESUS MANUEL “BONG” C. SUNTAY**
11

12 **AN ACT MANDATING NO PHYSICAL CONTACT IN APPREHENDING**
13 **TRAFFIC VIOLATORS, MANDATING THE USE OF THE APPROPRIATE**
14 **TECHNOLOGY RELATIVE THERETO, AND PROVIDING FUNDS**
15 **THEREFOR**
16

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

19
20 **SECTION 1. *Short Title.*** – This Act shall be known as the “No Contact Traffic
21 Apprehension Act”.

22 **SEC. 2. *Declaration of Policy.*** – It is the policy of the State to protect the
23 fundamental human rights of its citizens to live peacefully and with dignity, and safe
24 from abuse from any individual or institution, including the State.

25 The State adheres to the principle of transparency in governance especially in the
26 implementation of its rules and regulations, such as in road and traffic management.
27 In the present time, technology plays an important role to achieve this end, such as
28 utilizing dependable electronic equipment like the closed-circuit television (CCTV)
29 cameras to record real time events in open areas and public roads in the country. This
30 kind of electronic hardware also provides leads for evidence for the traffic
31 apprehension of traffic violations or infractions of drivers, vehicle owners, passengers,
32 or by-standers alike. In time, the use of CCTV cameras has proven to not only capture
33 possible traffic violations but also help gradually eradicate graft and corruption or
34 abuse of authority in traffic law enforcement by eliminating direct human intervention
35 in the apprehension.
36

37 **SEC. 3. *Objectives.*** – This Act seeks to achieve the following objectives:

38 (a) Enhance the system of apprehending traffic violators by capacitating traffic
39 authorities to supervise and capture road mishaps and traffic violations using
40 technological innovations available such as CCTV cameras to record road and traffic
41 conditions, violations by road users, and the conduct of traffic enforcers;

- (b) Deter graft and corruption as well as abuse of authority by reducing face-to-face intervention in the apprehension of traffic violators;
- (c) Enhance further road safety and courtesy by reducing road obstruction, traffic congestion, and altercations between erring motorists or other road users and traffic enforcers;
- (d) Protect the well-being of traffic enforcers who shall no longer be subject to prolonged exposure to road hazards in the performance of their duties.

SEC. 4. *Definition of Terms.* – As used in this Act.

- (a) *Electronic Notification* refers to one of the ways by which alleged erring drivers, vehicle owners, car fleet operators, public transport franchise holders, pedestrians, by-standers, or road users are informed of their infractions, corresponding fines and penalties, and hearing schedules, using electronic devices such as computers and mobile phones that are wirelessly, electronically, or digitally connected with the internet. The word ‘electronic’ as used herein is synonymous and interchangeable with ‘wireless’ and ‘digital’;
- (b) *Motor vehicle* refers to any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes;
- (c) *No Contact Traffic Apprehension* refers to an approach to monitor and apprehend traffic violations from a distance using applicable electronic wireless technologies instead of face-to-face or physical apprehension. These electronic wireless technologies provide real-time supervision and capture of video images of traffic violations and road accidents. The video images are then recorded, processed for investigation, and filed for safekeeping as material evidence in determining the violations and corresponding penalties of erring parties;
- (d) *Notice of Violation* refers to a violation ticket which is similar to a citation ticket issued in physical or face-to-face apprehension by traffic enforcers to a motorist or other road user who commits a traffic violation;
- (e) *Operator or Franchise Holder* refers to the person given the authority, license, permit or franchise to operate a PUV;
- (f) *Owner* refers to the registered owner of a vehicle, or such person or entity to whom a vehicle has been validly and legally sold;
- (g) *Private Vehicle* refers to any motor vehicle not used as a PUV;
- (h) *Public Utility Vehicles* refer to vehicles that carry passengers and cargo for a fee, offering services to the public, which may include, but are not limited to, UV Express Service, PUBs, PUJs, TNVS, Filcab, and taxis;
- (i) *Traffic Enforcer* refers to an agent authorized by the State to enforce traffic rules and regulations on the road or from a distance, monitoring traffic infractions in a surveillance room or office and capturing them through video recording cameras or through equivalent technology to be used in the apprehension of erring motorists or road users or the processing of the notices of violation against them;
- (j) *Wireless Technology* refers to both an infrastructure and a method that allows the exchange of communications without wires or cables, primarily utilizing electromagnetic radiation. In wireless communications, wireless networks can

transfer and exchange data from different locations through available digital software or platforms and the internet.

SEC. 5. *No Physical Contact Apprehension.* – The no physical contact traffic apprehension policy, hereinafter referred to as the No Contact Traffic Apprehension (NCTA) policy, shall allow traffic authorities to impose traffic rules and regulations and issue violation tickets or its equivalent against any person found to violate any of such traffic rules and regulations, as captured by traffic surveillance equipment such as CCTV cameras or similar technologies.

No contact apprehension shall be implemented using digital and camera-based technologies that meet the following minimum requirements:

1. High-definition video or photo capture with date, time, and location stamps;
2. Secure, encrypted data storage for at least 90 days;
3. Third-party accredited calibration every six (6) months;
4. Dual verification of violations by two authorized personnel before issuance of a Notice of Violation (NOV).

All equipment must be registered and audited by the Department of Information and Communications Technology (DICT) and the Department of Transportation (DOTr).

Subject to Section 18 hereof, all national and local traffic authorities must adhere to the provisions of this Act.

SEC. 6. *Scope.* – All drivers of motor vehicles, motor vehicle owners, public utility vehicle operators or franchise holders, hereinafter collectively referred to as “motorists”, and pedestrians, by-standers, and all persons situated or making use of roads, hereinafter collectively referred to as “other road users”, who have committed or are involved in a traffic violation shall be covered by this Act: *Provided*, That traffic violations that result to injury, damage to property, or other crimes, as may be determined in the Implementing Rules and Regulations may be exempted from the scope of this Act.

SEC. 7. *Operation Site.* – During the transition period prescribed in Section 18, traffic authorities and agencies shall assign the specific sites where the NCTA policy is to be implemented: *Provided*, that at least seven (7) days prior publication or notice in at least three (3) conspicuous places in the intended area of coverage is made before the effective date of implementation of the NCTA.

Traffic authorities and agencies may enforce the traffic rules and regulations only in those sites within their jurisdiction.

SEC. 8. *Traffic Authorities and Agencies.* – The Department of Transportation (DOTr) shall be the principal authority in enforcing the NCTA. The Land Transportation Office

(LTO), Land Transportation Franchising and Regulatory Board (LTFRB), Philippine National Police (PNP), local government units (LGUs), and other agencies like the Metro Manila Development Authority (MMDA), through their designated service offices, subsidiaries, or instrumentalities authorized by law to enforce traffic management rules and regulations shall assist in the implementation of the provisions of this Act.

1 For this purpose, traffic authorities and agencies shall agree and designate their
2 specific areas of operation, enforce traffic rules and regulations, and issue citation
3 tickets or notice of violation to those apprehended, according to their mandates and
4 relevant laws and rules.

5 The concerned traffic authorities and agencies shall ensure that traffic enforcers,
6 officers, or constables are competent to perform tasks or duties under this Act. Before
7 being deputized, they must undergo the standard qualification process as well as
8 necessary training modules provided by the DOTr or its authorized attached agencies.

9
10 **SEC. 9. *Camera Apprehension.*** – Traffic authorities and agencies shall install road
11 surveillance cameras or their equivalent in the designated areas of operation. A
12 violation that is captured through these kinds of equipment and duly authenticated
13 shall be considered a lawful apprehension and punishable under this Act and other
14 existing traffic laws.

15
16 **SEC. 10. *Vehicle Tagging and Presumption of Liability.*** –

17
18 The registered vehicle owner shall be presumed liable for a violation unless the owner
19 submits, within seven (7) calendar days from receipt of notice:

- 20 1. A signed declaration identifying the actual driver at the time of the violation; and
21 2. For commercial or fleet vehicles, a verifiable digital or written trip log indicating
22 driver assignment, uploaded to the LTO or traffic enforcement agency's online
23 portal.

24 False declarations shall be subject to perjury charges under the Revised Penal
25 Code.

26
27 If a vehicle is recorded to have been involved in a lawful apprehension, its plate
28 number or conduction sticker, as may be recognizable through the surveillance
29 equipment, shall be tagged to immediately alert all concerned traffic authorities and
30 agencies in order to identify its registered owner and determine its use, if such data for
31 the latter is available.

32
33 In cases involving private vehicles, the registered owner shall be presumed to be
34 driving the vehicle. In cases involving public utility vehicles (PUVs) covered under a
35 single vehicle franchise, the franchise holder shall be presumed to be driving the
36 vehicle.

37
38 In the case of PUVs covered under a consolidated or multi-vehicle franchise, the
39 operator or franchise holder shall implement a recording system that indicates a
40 schedule of drivers and their assigned PUVs, with sufficient proof of vehicle possession
41 of driver within a given schedule: *Provided*, That if the franchise holder does not have
42 or should fail to implement such a recording system, the franchise holder shall be
43 presumed to be driving the vehicle.

44
45 If the owner, operator or franchise holder of an involved vehicle is a corporation or
46 other juridical entity, the person designated to use such vehicle pursuant to an existing
47 Board Resolution or equivalent document of authorization shall be presumed as the
48 driver of the vehicle. In the absence of such document, the president, general manager,
49 or highest-ranking officer, as the case maybe, shall be presumed as the driver of the
50 vehicle.

1
2 The owner, operator, or franchise holder after receiving a Notice of Violation in the
3 form and manner as mentioned in this Act, shall identify, surrender, or report to the
4 concerned traffic authority or agency the erring driver or new owner, in case such
5 owner, operator, or franchise holder intends to contest the alleged violation on the
6 grounds that a different person was driving the vehicle or that the vehicle was already
7 legally sold to another person at the time of actual apprehension. The actual erring
8 driver or owner, as may be properly and duly established, shall be the person liable for
9 the violation committed, and if not surrendered shall be given a separate Notice of
10 Violation: *Provided*, That should the identified erring driver be without the proper
11 license to operate the vehicle involved, then the owner, operator, or franchise holder,
12 as the case maybe, shall be made directly liable.

13
14 **SEC. 11. *License Tagging*.** – License tagging shall only be effected after the lapse of
15 the period to contest, or after a decision has been rendered by the proper
16 adjudication board or office. Tagging shall be lifted immediately upon payment or
17 dismissal of the case. Suspension or revocation of a driver's license shall require
18 formal notice, hearing, and resolution by the traffic adjudication board.

19
20 **SEC. 12. *Notice of Violation*.** – A Notice of Violation (NOV) shall be delivered to
21 the registered or last known address of the erring motorist or other road user within a
22 reasonable period not exceeding fifteen (15) calendar days from the time of
23 apprehension, through personal service, registered mail, or private courier. The NOV
24 must bear the following
25 details:

- 26 (a) Specific traffic offense committed;
27 (b) Date, time, and location of the violation;
28 (c) Corresponding fine or penalty;
29 (d) Video file, photo image, or other proof of violation identifying the person, in
30 cases involving erring other road users, or the plate number or conduction sticker
31 and frontal image, if such frontal image is available, of the involved vehicle, in cases
32 involving erring motorists; and
33 (e) In case of fine, the period and manner to settle the same; in case of imposition
34 of other penalties, the date, time, and place of the hearing on the violation.
35

36 As soon as practicable, the DOTr, together with all national and local government
37 agencies and instrumentalities authorized by law to traffic rules and regulations, shall
38 impose an integrated traffic apprehension and payment scheme system using available
39 wireless or digital technology that will alert and notify registered owners of traffic
40 violations involving their vehicles through electronic or digital notification such as
41 electronic mail (e-mail), short message service (SMS) or text messaging, social media
42 private messaging, or their equivalent, and enable registered owners to monitor such
43 apprehensions, including the amount and manner any such fees are to be paid and/or
44 penalties are to be fulfilled.

45
46 Thereafter, the NOV may be done through electronic or digital notification.

1 If an erring motorist or other road user had earlier been apprehended face-to-face or
2 physically for one and the same violation as captured through the NCTA, the
3 corresponding NOV will be automatically cancelled upon presentation of the
4 physically-issued violation ticket. Hence, the concerned traffic authority or agency,
5 before issuing an NOV, must first endeavor to confirm that the erring motorist or other
6 road user has not been previously physically apprehended and issued a ticket for one
7 and the same traffic infraction.

8
9 A Notice of Violation (NOV) shall be considered validly served if:

- 10 1. Delivered to the registered address of the owner via courier or registered mail, or
 - 11 2. Sent through verified email or mobile SMS systems with timestamped
12 acknowledgment receipts, or
 - 13 3. Personally received and acknowledged by the registered owner.
- 14 Traffic authorities must retain an electronic log of all delivery attempts for audit
15 and appeal purposes.

16
17 **SEC. 13. *Refusal to Receive the Notice.*** – In case of refusal to receive and sign
18 the NOV, the service thereof to the erring motorist or other road user is deemed
19 completed after the person serving the same leaves a copy of the NOV with the
20 involved erring motorist or road user, or in their absence, with a person of sufficient
21 age and discretion, and executes an affidavit stating the circumstances of the service
22 and refusal to receive.

23
24 **SEC. 14. *Opposing an Apprehension.*** – Should the motorist or other road user
25 intend to oppose the apprehension, they or their duly authorized representatives must
26 file an opposition, within a period not exceeding seven (7) calendar days from receipt
27 of the NOV, before the designated adjudication body of the agency issuing the NOV.
28 The opposition must state all the grounds relied upon to contest the apprehension.
29 The failure to timely file any opposition shall be deemed as a waiver to contest the cited
30 traffic violation.

31 In all instances when the alleged traffic violation involving a vehicle is opposed or
32 contested, it is the duty of the registered owner, operator, or franchise holder to prove
33 his/her defense before the relevant traffic adjudication board created under Section 14
34 of this Act and, if possible, present the person who may be liable for the traffic
35 violation.

36
37 **SEC. 15. *Data Sharing.*** – Traffic authorities and agencies are hereby expressly
38 authorized to share relevant information pertaining to registered vehicles and licensed
39 drivers that may be obtained and collected and which are pertinent to and solely for
40 the purpose of the implementation of this Act: *Provided*, That all traffic authorities
41 and agencies shall:

- 42 a) Establish adequate safeguards for data privacy and security;
- 43 b) Process the data shared in accordance with the principles of transparency,
44 legitimate purpose, and proportionality; and
- 45 c) Observe strict compliance with Republic Act No. 10173, otherwise known as the
46 “Data Privacy Act of 2012”.

47 **SEC. 16. *Creation of Adjudication Boards.*** – Within six (6) months from the
48 effectivity of this Act, there shall be established an Adjudication Board in all traffic
49 authorities and agencies. The Adjudication Board shall have original jurisdiction over

cases involving violations of traffic laws, rules, and regulations within its area of operations, and shall issue such rules of procedure which shall govern the conduct of proceedings for cases before the said Board. Every city or LGU with an active NCAP program shall create a Traffic Adjudication Board composed of:

- a) One (1) lawyer with experience in traffic or administrative law;
- b) One (1) traffic systems expert or civil engineer;
- c) One (1) representative from a local road safety or commuters' organization.

Decisions of the board are appealable to the regional office of the Land Transportation Office (LTO) within 15 days from receipt.

SEC. 17. *Renewal of Vehicle Registration and Driver's License.* – Except in cases where the liability is on the registered owner, operator, or franchise holder, the payment of fines and fulfillment of penalties for traffic violations under the NCTA is not a requirement for the renewal of motor vehicle registration, or franchise, without prejudice to such actions and proceedings as the LTFRB may undertake in the exercise of its regulatory or quasijudicial functions.

However, such payment of fines and fulfillment of penalties is a requirement for the renewal of the driver's license of the person liable for the traffic violation.

SEC. 18. *Incentives.* – The LTO shall provide incentives to a driver who shall not be involved in any traffic violation or incur any demerit pursuant to Republic Act No. 4136, as amended, otherwise known as the "Land Transportation and Traffic Code". The incentive shall be determined by the LTO, which may be in the form of a discount in the fees and charges for the renewal of driver's license or an extension of the validity of the driver's license, free-of-charge for up to ten (10) years, or as may be allowed by existing rules and regulations. In no case, however, shall the incentive involve an outright payment of any sum of money to any person.

SEC. 19. *Transition Period.* – The NCTA policy shall be strictly observed nationwide, but shall take effect upon the expiration of the prescribed transition period as provided in rules and regulations to be issued to implement this Act, and based on the classification of the area of coverage of each national or local traffic authority and agency involved: *Provided*, That all national or local traffic authorities and agencies already using CCTV cameras or other technologies in enforcing traffic laws, ordinances, rules and regulations must immediately adhere to the provisions of this Act. In no case shall the transition period effected by any national or local traffic authority and agency exceed fifteen (15) years from the effectivity of this Act.

Within its mandated transition period, a national or local traffic authority and agency may employ physical or face-to-face apprehensions for traffic-related violations. Thereafter, all traffic-related apprehensions must be in accordance with this Act.

SEC. 20. *Implementing Rules and Regulations.* – Within ninety (90) days after the effectivity of this Act, the Secretary of Transportation shall, in coordination with the Secretary of the Interior and Local Government, Secretary of Information and Communications Technology, and the Commissioner of the NPC, promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 21. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the DOTr, DILG, and

1 DICT. Thereafter, such sums as may be necessary for the continued implementation
2 of this Act shall be included in the annual General Appropriations Act.
3

4 SEC. 22. ***Separability Clause.*** – If any provision or part of this Act is declared
5 unconstitutional, the remaining provisions or parts not affected shall remain in full
6 force and effect.
7

8 SEC. 23. ***Repealing Clause.*** – All laws, orders, ordinances, rules and regulations
9 inconsistent with the provisions of this Act are hereby repealed or amended
10 accordingly.
11

12 SEC. 24. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
13 in the *Official Gazette* or in a newspaper of general circulation.
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15
16

17 Approved,