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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City
TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 3926

Introduced by Hon. Julianne "Jam" L. Baronda

EXPLANATORY NOTE

16 In recognition of the fundamental principles of justice, fairness, and the
17 protection of individual rights, the Congress of the Philippines hereby introduces
18 this proposed legislation to ensure the humane and just treatment of individuals
19 involved in traffic accidents within the territorial jurisdiction of the Philippines.

20 Traffic accidents are unfortunate realities of modern life, often resulting in
21 severe consequences for all parties involved. When such incidents occur, the
22 apprehension and detention of individuals represent a critical moment where the
23 principles of justice and fairness must be upheld. Unfortunately, under current
24 procedures, individuals who are not at fault may suffer prolonged and unnecessary
25 detention while investigations are being conducted. This practice causes undue
26 hardship, violates their rights, and erodes public trust in our judicial system and law
27 enforcement agencies.

28 The purpose of this bill is to address the apprehension and detention
29 procedures for individuals involved in traffic accidents. It seeks to establish a fair,
30 transparent, and expedient process for determining culpability, and to ensure the
31 prompt release of individuals who are not at fault. Specifically, it mandates that any
32 individual apprehended following a traffic accident must be released within twelve
33 (12) hours if, upon thorough investigation and attestation by the Chief of Police or
34 their duly authorized representative, all evidence points to their lack of fault. By
35 setting a clear and reasonable timeframe, the bill minimizes unnecessary detention
36 and safeguards the rights of innocent drivers.

37 The measure likewise emphasizes accountability and transparency in law
38 enforcement. By requiring timely and accurate investigations, and placing
39 responsibility on the Chiefs of Police or their designated representatives to certify
40 the findings, it ensures that the process is both efficient and credible. This provision
41 not only protects innocent individuals but also compels law enforcement agencies to
42 perform their duties diligently.

43 Statistical data from the Philippine National Police further underscores the
44 urgency of this legislation. In 2024, road accidents increased significantly compared
45 to the previous year. Fatalities rose by 35%—from 2,030 in 2023 to 2,747 in 2024.
46 Of these incidents, 87.17 percent, or 27,249 cases, were attributed to reckless
47 driving. Other factors included defective motor vehicles (790 cases) and poor road
48 conditions (725 cases).¹ These figures reveal two important truths: first, road
49 accidents remain a pressing public safety issue; second, not all accidents are caused
50 by reckless or negligent behavior. Many innocent drivers, despite exercising
51 defensive driving and adhering to traffic rules, find themselves caught in
52 circumstances beyond their control.

53 The World Health Organization (WHO) has emphasized that transport
54 systems must be responsive to human needs and forgiving of human error. Its Safe
55 System Approach calls for safe roads, safe speeds, safe vehicles, and safe road users,
56 recognizing that crashes are not always the sole responsibility of one party.² In line
57 with this, our justice system must also be forgiving of human error and avoid
58 compounding the burden of those who are blameless by subjecting them to unjust
59 detention.

60 It must therefore be recognized that innocent drivers, who have diligently
61 observed traffic regulations and acted with care, should not be penalized as though
62 they were guilty criminals. The current practice of detaining individuals for extended
63 periods pending investigation has stirred public clamor for reform. Citizens demand
64 a more just system that respects rights while ensuring accountability in cases
65 involving property damage, injury, or even death.

66 This bill answers that call by mandating the speedy conduct of investigations
67 and ensuring the prompt release of individuals found not at fault. It seeks to strike a
68 balance between upholding justice and strengthening accountability in road safety.

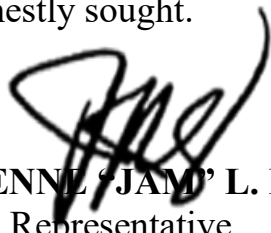
¹ [LTO embarks on comprehensive data analysis for holistic gov't intervention on road accidents, road rage - LTO | Land Transportation Office](#)

² <http://www.who.int/news-room/fact-sheets/detail/road-traffic-injuries>

69 More importantly, it reflects our commitment to fairness and the protection of human
70 dignity in all circumstances.

71 By enacting this measure, Congress affirms its duty to protect the innocent,
72 uphold the rule of law, and restore public trust in our institutions. Through a more
73 humane and just procedure for handling traffic accidents, we can prevent
74 unnecessary hardship, strengthen confidence in law enforcement, and ensure that
75 justice is not only done but seen to be done.

76 Hence, approval of this bill is earnestly sought.

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81 **HON. JULIENNE 'JAM' L. BARONDA**
82 Representative
83 Lone District, Iloilo City
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HOUSE BILL NO. 3926

AN ACT PROMOTING THE FAIR TREATMENT OF INDIVIDUALS INVOLVED IN TRAFFIC ACCIDENTS BY DEFINING DEFENSIVE DRIVING AND PROVIDING PROTECTION TO MOTOR VEHICLE DRIVERS WHO CAN PRESENT SUFFICIENT PROOF THEREOF

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

Section 1. *Short Title.* – This Act shall be known as the "Fair Treatment of Drivers in Traffic Accidents Act".

Sec. 2. *Definition of Terms.* – For purposes of this Act, the following terms shall be defined as follows:

- a. *Accident Investigation* refers to the process of securing facts upon which to base an accident prevention program, determining whether or not laws have been violated, gathering evidence which will reveal the road user responsible for the accident, and taking on-the-scene police action and ascertaining the facts so that those involved in accidents can properly exercise claims under our Civil Law.
- b. *Apprehension* shall refer to the act of detaining an individual suspected of being involved in a traffic accident.
- c. *Chief of Police* shall refer to the highest-ranking law enforcement officer within the territorial jurisdiction where the traffic accident occurred.
- d. *Defensive Driving* refers to a proactive approach to road safety and involves anticipating and responding to potential hazards, keeping an appropriate distance from other vehicles, and staying alert for possible risk on the road.
- e. *Dashboard Camera* refers to a camera that is mounted in or around the dashboard of a motor vehicle. It faithfully records all it sees as the vehicle moves about its daily business.

- f. *Law Enforcement Officer* refers to all officers of the law who exercise the powers of arrest or detention and are tasked with the conduct of traffic investigation.
- g. *Not at fault* shall refer to a determination that the individual involved in the traffic accident bears no legal responsibility for its occurrence.
- h. *Traffic Accident* shall refer to any collision involving vehicles on public roads within the territorial jurisdiction where the traffic accident occurred.

Sec. 3. *Proof of Defensive Driving*. – Any person driving a motor vehicle who is involved in a traffic accident shall not be detained by the law enforcement officer if he or she can provide credible evidence of his or her defensive driving such as, during traffic investigation, but not limited to the following:

- a. A dashcam video taken by the driver of the motor vehicle showing that he or she was not violating any traffic laws before and during the accident;
- b. A closed-circuit television (CCTV) footage showing that the driver of the motor vehicle was not violating any traffic rules before and during the accident; or,
- c. Any other video footage or still image from any witness in the vicinity of the accident showing that the driver of the vehicle was not violating any traffic rules before and during the incident.

Provided, that the presentation of the foregoing evidence shall not exonerate the driver of the motor vehicle from any liability under the law.

Provided, further, that any other person who suffered injury to himself or herself or his or her property, or the heirs of the person who died due to the road accident shall retain the right to pursue all other legal remedies available to them under the law.

Sec. 4. *Duty of the Law Enforcement Officer* – All persons involved in

185 traffic accidents shall be brought to the nearest police station for traffic
186 investigation. It shall be the duty of law enforcement officers to conduct a
187 thorough traffic investigation. In case of submission of sufficient proof of
188 defensive driving, the law enforcement officer shall recommend for the
189 release of the person not at fault and submit their findings to the Chief of
190 Police within six (6) hours from the occurrence of such an accident. The
191 Chief of Police or his/her designated representative shall act on the
192 recommendation within three (3) hours from receipt of the findings. The
193 performance of the duty of the law enforcement officer and Chief of Police
194 or his representative in herein Section shall proceed even during weekends
195 and holidays.

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197 *Sec. 5. Authority of the Law Enforcement Officer.* – Notwithstanding the
198 presentation of evidence under Section 3 of this Act, the law enforcement
199 officer shall have the authority to acquire and process the personal
200 information of the driver of the vehicle involved in the incident, and
201 impound the vehicle involved in the incident, in accordance with pertinent
202 laws, rules and regulations.

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204 *Sec. 6. Separability Clause.* - If any portion or provision of this Act is
205 declared unconstitutional, the remainder of this Act or any provision not
206 affected thereby shall remain in force and effect.

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208 *Sec. 7. Repealing Clause.* - All laws, presidential decrees, executive orders,
209 rules and regulations and other issuances, or any part thereof, inconsistent
210 with this Act are hereby repealed, modified, or amended accordingly.

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212 *Sec. 7. Effectivity Clause.* - This Act shall take effect fifteen (15) days after
213 its publication in the Official Gazette or in at least two (2) newspapers of
214 general circulation.

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216 Approved,
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