



Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

TWENTIETH CONGRESS  
First Regular Session

HOUSE BILL NO. 4769



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Introduced by REPRESENTATIVE JONATHAN KEITH T. FLORES

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### EXPLANATORY NOTE

Road crashes are among the leading causes of injury and loss of life in the Philippines, claiming thousands of Filipino lives each year and leaving many more with life-altering injuries. Land transport accidents account for 1.9 percent of all deaths in the country, according to the Philippine Statistics Authority (PSA), with fatalities surging to 13,125 in 2023 - the highest figure recorded in more than a decade.<sup>1</sup>

The persistence of these tragedies has been a particular cause of public concern despite the passage of several road safety laws intended to improve road user behavior, curb negligence, and hold violators accountable. It is also worth underscoring that key stakeholders, particularly from the driving and motoring public, have long urged the Government to revisit existing road safety laws, especially those relating to reckless imprudence.

Thus, the proposed “Philippine Responsible Driving and Accountability Act” seeks to strengthen the implementation of the country’s road safety laws, as well as the laws governing criminal, civil, and administrative liability of drivers involved in traffic violations and road safety incidents.

With respect to vehicular mishaps, Article 2185 of the Civil Code of the Philippines provides that: *“Unless there is proof to the contrary, it is presumed that a person driving a motor vehicle has been negligent if at the time of the mishap, he was violating any traffic regulation.”*

Unfortunately, the broad and often mistaken application of this presumption has often resulted in drivers or motorists involved in road incidents being automatically deemed at fault, even in cases where pedestrians and/or other motorists may have been negligent or partly responsible.

This bill therefore aims to clarify the presumptions applicable in road safety incidents or vehicular mishaps to protect law-abiding drivers from misapplied legal presumptions, and to clearly identify the proper authorities who should make the initial assessment of such presumptions.

These long-overdue clarifications have been consistently sought by both the motoring public and law enforcers tasked with implementing our traffic laws and regulations.

In view of the foregoing, the approval of this bill is earnestly sought.

**JONATHAN KEITH T. FLORES**  
2<sup>nd</sup> District, Bukidnon

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<sup>1</sup> Philippine Statistics Authority. (2025, May 7). Vital statistics report: Registered deaths in the Philippines, 2023. Retrieved from <https://psa.gov.ph/statistics/vital-statistics/node/1684076211>



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**AN ACT**  
**TO PROMOTE RESPONSIBLE DRIVING AND ESTABLISH FAIR**  
**ACCOUNTABILITY FOR ROAD SAFETY INCIDENTS AND VIOLATIONS OF TRAFFIC**  
**LAWS AND REGULATIONS, AND FOR OTHER PURPOSES**

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

**SECTION 1. *Short Title.*** – This Act shall be known as the “Philippine Responsible Driving and Accountability Act.”

**SEC. 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to safeguard its citizenry from the ruinous and extremely injurious effects of vehicular accidents and to provide effective and efficient regulation of road transportation.

**SEC. 3. *Scope.*** – The provisions in this Act shall be applicable to any road safety incident, traffic violations resulting in bodily harm or damage to property, or any other vehicular mishap, whether found to be covered by criminal, civil or administrative laws, ordinances, rules or regulations.

**SEC. 4. *Aggravating Circumstances.*** – The following circumstances and situations constitute aggravating circumstances in driving violations:

- 1) Driving a stolen vehicle;
- 2) Driving without a proper driver's license;
- 3) Possession of, or driving under the influence of, illegal drugs;
- 4) Driving while intoxicated;
- 5) Illegal possession of firearms, explosives, and other weapons while driving; and
- 6) Carrying dangerous cargo such as combustible materials and chemicals without the proper authority.

**SEC. 5. *Mitigating Circumstances.*** – The following circumstances and situations constitute mitigating circumstances in driving violations:

- 1) Exceeding the speed limit in going to a hospital or other medical facility due to a medical emergency or in going home or place of business due to emergencies such as fire, flooding or other similar emergencies;
- 2) Exceeding the speed limit while in the pursuit of a suspect/s fleeing from the scene of a recent crime; and
- 3) The commission of the driving violation was found to be due to defective road conditions or defective and illegible traffic signs and warnings.

**SEC. 6. *Effect of the attendance of mitigating or aggravating circumstances.*** – The attendance of mitigating or aggravating circumstances in Sections 4 and 5 above shall be applied in the same manner as provided in Article 62 of the Revised Penal Code.

**SEC. 7. *Presumption of Culpability.*** - The determination of whether or not a presumption of negligence and culpability is applicable to a situation shall be initially determined by the person in authority or law enforcer who is first at the scene of the incident or on whom continuing investigative responsibility is vested by competent authority over the road safety incident, traffic violation resulting in bodily harm or damage to property or other vehicular mishap.

This initial determination shall be recorded in the traffic accident report or equivalent record of the results of the investigation or findings by the said person in authority or law enforcer.

In the event that the said person in authority or law enforcer shall find that a presumption of negligence or culpability is applicable, he, or she, shall have the authority to order the immediate confiscation of the driver's license of the erring party, or parties, subject to the proper disposition thereof in accordance with the applicable laws and regulations.

In all such cases, the person in authority or law enforcer investigating the road safety incident, traffic violation or vehicular mishap shall secure the signed statements of the parties involved and of available witnesses to the incident as well as to gather any available evidence documenting the same.

The driver, or drivers, involved in a road safety incident, traffic violation or vehicular mishap shall be presumed to be negligent and/or culpable when:

- 1) the driver flees, or attempts to flee, from the scene of the incident;
- 2) there is evidence to show that the driver was driving in excess of the applicable speed limit;
- 3) the driver committed one, or more, violations of traffic laws or regulations at the time of the incident related to the cause of the incident;
- 4) there is evidence to show that the driver was driving under the influence of alcohol or illegal drugs at the time of the incident;
- 5) the driver does not have a valid driver's license or if his driver's license does not authorize the use of the vehicle he was driving; and
- 6) the driver was driving a vehicle with lacking, or non-functioning head lights, tail lights or turn signal lights.

In any event, provided that none of the foregoing circumstances are also present, no presumption that a driver involved in a road safety incident, traffic violation or vehicular mishap was negligent and/or culpable, shall be made when:

- 1) there is evidence to show that the victim was intoxicated or under the influence of illegal drugs;
- 2) the victim was jaywalking at the time of the incident;
- 3) the victim was violating any traffic rule or regulation related to the cause of the road safety incident, traffic violation or vehicular mishap;
- 4) the driver, at the time of the incident, was suffering from a medical emergency such as a heart attack, stroke, asthma attack, or diabetic shock; and

**SEC. 8. *Penalties and Liabilities.*** – Subject to the foregoing, the provisions of the Revised Penal Code (RPC), as amended, the Civil Code of the Philippines, as amended, and all other applicable traffic laws and regulations shall apply in the determination of the criminal, civil, and administrative liabilities of persons presumed to be negligent or culpable under this Act.

Provided, that nothing in this Act shall be construed to exempt any person from any criminal or administrative liability under any applicable law, ordinance, rule or regulation.

**SEC. 9. *Translation into Filipino and other Philippine Languages and Dialects.*** - To ensure widespread and more effective understanding of this Act by drivers, pedestrians, and other road users nationwide, the Commission on the Filipino Language (Komisyon ng Wikang Filipino) shall translate the text of this Act into Filipino, other Philippine languages, and if feasible, Philippine dialects.

**SEC. 10. *Separability.*** - If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall continue to be in full force and effect.

**SEC. 11. *Repealing Clause.*** - All laws, executive orders, and administrative orders or parts thereof inconsistent with any provision of this Act are hereby repealed or amended accordingly.

**SEC. 12. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,