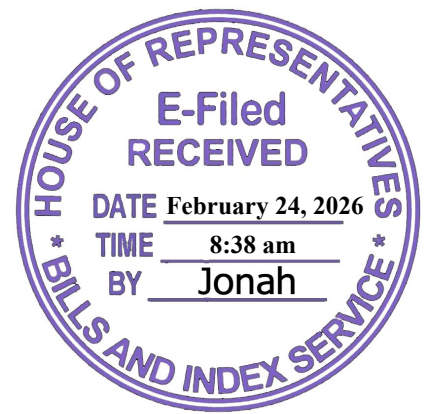


1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Constitution Hills, Quezon City

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

7
8 **HOUSE BILL NO. 8024**
9



10
11 Introduced by REP. JESUS MANUEL BONG SUNTAY
12

13 **EXPLANATORY NOTE**

14
15 Road safety remains a pressing public concern in the Philippines. Every year,
16 thousands of vehicular accidents result in injuries, fatalities, property damage, and
17 prolonged legal disputes. Beyond the physical and financial consequences, many
18 motorists—despite exercising caution and complying with traffic laws—are often
19 subjected to immediate detention, inconvenience, and reputational harm while
20 investigations are ongoing.

21
22 The absence of a clear statutory framework recognizing defensive driving as a relevant
23 consideration during roadside investigations has created uncertainty in enforcement.
24 Although defensive driving is widely taught in driving schools and required for
25 licensing, it is not currently defined in statute in a way that directly informs law
26 enforcement practice during accident investigations.

27
28 While law enforcement officers are tasked with maintaining order and conducting
29 proper investigations, there is likewise a need to protect motorists who have
30 demonstrably acted with prudence, diligence, and adherence to traffic regulations.
31 These motorists – who undeniably complied with traffic laws – shall not be
32 unnecessarily deprived of liberty while investigations proceed. This measure gives
33 legal recognition to the concept, reinforcing responsible driving behavior as a
34 national standard.

35
36 This is in line with the 1987 Philippine Constitution guarantee to due process of law
37 and the protection of individual rights (Article III, Section 1). It likewise upholds the
38 State's duty to maintain peace and order while promoting general welfare. In the
39 context of road safety, these principles require a balanced approach: ensuring that
40 traffic laws are strictly enforced, protecting victims' rights, and *safeguarding*
41 *motorists from arbitrary or unnecessary detention when credible evidence*
42 *demonstrates lawful and prudent behavior.*

43
44 The bill, therefore, seeks to address this gap by defining defensive driving under
45 Philippine law and providing safeguards for drivers who can present credible
46 evidence that they exercised due care before and during a road accident.
47 Consequently, the bill does not strip law enforcement of discretion; rather, it guides
48 its proper exercise when credible evidence of lawful conduct is immediately available.

1 In sum, victims retain all remedies under civil and criminal law and law enforcement
2 retains full investigative authority. It proposes harmonizing public safety objectives
3 with constitutional guarantees of fairness and due process.
4

5 Furthermore, in an era where technology allows for real-time documentation of road
6 events, public policy must adapt to ensure that enforcement practices reflect fairness,
7 objectivity, and constitutional safeguards. Responsible motorists who exercise due
8 care should not be subjected to unnecessary detention when credible proof clearly
9 shows compliance with traffic laws.
10

11 Ultimately, this proposed measure advances a balanced framework—protecting
12 motorists' rights, strengthening road safety culture, supporting law enforcement, and
13 preserving accountability under existing laws.
14

15
16 In view of the foregoing, the immediate passage of this bill is earnestly sought.
17
18

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22 
23 **REP. JESUS MANUEL "BONG" C. SUNTAY**
4th District, Quezon City

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12
13 **AN ACT DEFINING DEFENSIVE DRIVING AND PROVIDING FOR THE**
14 **PROTECTION OF MOTOR VEHICLE DRIVERS INVOLVED IN A ROAD**
15 **ACCIDENT, AS SUCH WITH SUFFICIENT PROOF OF THEIR**
16 **DEFENSIVE DRIVING**
17

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

21
22 **SECTION 1. *Short Title.*** – This Act shall be known as the “*Defensive Driving*
23 *Act.*”
24

25 **SECTION 2. *Definition of Terms.*** – For purposes of this Act, the following terms
26 shall be defined as follows:
27

- 28 (a) *Defensive Driving* refers to a proactive approach to road safety and involves
29 anticipating and responding to potential hazards, keeping an appropriate
30 distance from other vehicles, and staying alert for possible risks on the road.
31 (b) *Dashboard Camera* refers to a camera that is mounted in or around the
32 dashboard of a motor vehicle. It faithfully records all it sees as the vehicle
33 moves about its daily business.
34 (c) *Law Enforcement Officer* refers to all officers of the law who exercise the
35 powers of arrest or detention.
36

37 **SECTION 3. *Proof of Defensive Driving.*** – Any person driving a motor vehicle
38 who is involved in a traffic accident shall not be detained by the law enforcement
39 officer if he or she can provide credible evidence of his or her defensive driving such
40 as, but not limited to the following:
41

- 42 (a) A dashcam video taken by the driver of the motor vehicle showing that he or
43 she was not violating any traffic laws before and during the incident;
44 (b) A closed-circuit television (CCTV) footage showing that the driver of the motor
45 vehicle was not violating any traffic rules before and during the incident; or
46 (c) Any other video footage or still image from any witness in the vicinity of the
47 incident showing that the driver of the vehicle was not violating any traffic
48 rules before and during the incident.
49

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

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

7
8 **SECTION 4. *Authority of the Law Enforcement Officer.*** – Notwithstanding
9 the presentation of evidence under Section 3 of this Act, the law enforcement officer
10 shall have the authority to acquire and process the personal information of the driver
11 of the vehicle involved in the incident, and impound the vehicle involved in the
12 incident, in accordance with pertinent laws, rules and regulations.

13
14 **SECTION 5. *Separability Clause.*** – If any part, section or provision of this Act
15 is declared invalid or unconstitutional, the other provisions not affected by such
16 declaration shall remain in full force and effect.

17
18 **SECTION 6. *Repealing Clause.*** – All laws, decrees, orders, rules, and
19 regulations, or other issuances or parts thereof inconsistent with the provisions of
20 this Act are hereby repealed, amended or modified accordingly.

21
22 **SECTION 7. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
23 its publication in the *Official Gazette* or in a newspaper of general circulation.

24
25 Approved,