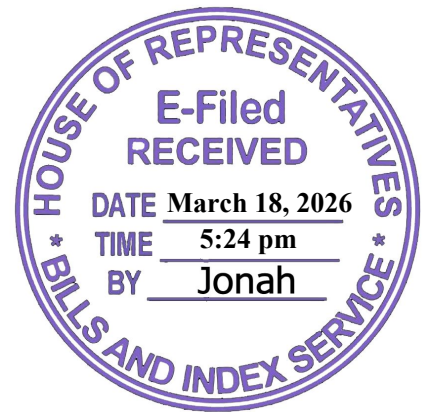


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8690



Introduced by Hon. Kenneth T. Gatchalian

EXPLANATORY NOTE

Road accidents continue to be a significant cause of injuries, fatalities, and property damage on Philippine roads. While many accidents result from reckless or negligent driving, there are instances where drivers act responsibly, anticipate hazards, and take all reasonable precautions to prevent collisions – commonly referred to as defensive driving.

This bill seeks to recognize and protect drivers who demonstrate defensive driving in the event of a road accident. It provides that drivers involved in an accident shall not be unduly detained if they can present credible evidence – such as dashcam footage, CCTV recordings, or other visual proof – showing that they adhered to traffic laws and exercised reasonable care. At the same time, the bill preserves the rights of injured parties or their heirs to pursue appropriate legal remedies, ensuring a fair balance between accountability and protection for responsible drivers.

By institutionalizing the concept of defensive driving and offering legal safeguards for drivers who practice it, this measure aims to encourage road safety, reduce unnecessary confrontations with law enforcement, and promote a culture of responsible driving across the country.


KENNETH T. GATCHALIAN

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8690

Introduced by Hon. Kenneth T. Gatchalian

AN ACT
DEFINING DEFENSIVE DRIVING AND PROVIDING FOR THE
PROTECTION OF MOTOR VEHICLE DRIVERS INVOLVED IN A ROAD
ACCIDENT WITH SUFFICIENT PROOF OF THEIR DEFENSIVE DRIVING

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

1 **SECTION 1.** *Short Title.* – This Act shall be known as the “*Defensive*
2 *Driving Protection Act.*”

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

5 (a) *Defensive Driving* refers to a proactive approach to road safety and
6 involves anticipating and responding to potential hazards, keeping an
7 appropriate distance from other vehicles, and staying alert for possible
8 risk on the road.

9 (b) *Dashboard Camera* refers to a camera that is mounted in or around the
10 dashboard of a motor vehicle. It faithfully records all it sees as the
11 vehicle moves about its daily business.

12 (c) *Law Enforcement Officer* refers to all officers of the law who exercise
13 the powers of arrest or detention.

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

5 (a) A dashcam video taken by the driver of the motor vehicle showing that
6 he or she was not violating any traffic laws before and during the
7 incident;

8 (b) A closed-circuit television (CCTV) footage showing that the driver of
9 the motor vehicle was not violating any traffic rules before and during
10 the incident; or

11 (c) Any other video footage or still image from any witness in the vicinity
12 of the incident showing that the driver of the vehicle was not violating
13 any traffic rules before and during the incident.

14 (d) Sworn statements or testimonies of disinterested witnesses present at
15 or near the scene of the incident attesting that the driver of the motor
16 vehicle was not violating any traffic laws before and during the
17 incident.

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

20
21 *Provided, further,* that any other person who suffered injury to himself or herself or
22 his or her property, or the heirs of the person who died due to the road accident shall
23 retain the right to pursue all other legal remedies available to them under the law.

24 **SEC. 4. *Authority of the Law Enforcement Officer.*** – Notwithstanding the
25 presentation of evidence under Section 3 of this Act, the law enforcement officer
26 shall have the authority to acquire and process the personal information of the driver
27 of the vehicle involved in the incident, and impound the vehicle involved in the
28 incident, in accordance with pertinent laws, rules and regulations.

1 **SEC. 5. *Separability Clause.*** – If any portion or provision of this Act is
2 declared unconstitutional, the remainder of this Act or any provision not affected
3 thereby shall remain in force and effect.

4 **SEC. 6. *Repealing Clause.*** – All laws, presidential decrees, executive
5 orders, rules and regulations and other issuances, or any part thereof, inconsistent
6 with this Act are hereby repealed, modified, or amended accordingly.

7 **SEC. 7. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
8 publication in the Official Gazette or in two (2) national newspapers of general
9 circulation.

Approved,