

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

First Regular Session

House Bill No. 2742

HOUSE OF REPRESENTATIVES	
RECEIVED	
DATE:	09 AUG 2016
TIME:	5:05 PM
BY:	pel
REGISTRATION UNIT BILLS AND INQUIRY SERVICE	

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE

This proposed measure seeks to mandate the installation of a monitoring equipment in all vehicles.


Concern for the safety and welfare of everyone – this is the primordial concern of this proposed legislation. Whether as a private vehicle or public utility owner, commuter, law enforcement officer, insurer or even just a plain pedestrian, one stands to benefit from this proposal.

The installation of a monitoring equipment, whether a dashboard camera or closed circuit television camera (CCTV), is envisioned to benefit not only vehicle owners but society in general. The practicality of installing these pieces of equipment in private and public utility vehicles (PUVs) may best be described by their many important uses among which are the following:

- (1) They are able to record first-hand evidence of vehicular accidents;
- (2) They can be used to report undisciplined drivers;
- (3) They may be utilized to secure vehicles;
- (4) CCTVs in PUVs may serve as deterrents in the commission of crimes; and
- (4) They can prevent insurance fraud and such other fraudulent claims.

Monitoring equipment in vehicles can also help bring back order in our chaotic roads because of their capability to record and monitor whatever is happening in a vehicle and on the road. According to James Deakin, a motoring expert and multi-awarded automotive journalist, these monitoring equipment are envisioned to *"create an environment where motorists are forced to drive better because they know that everyone is watching"*.

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


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
MANDATING THE INSTALLATION OF MONITORING DEVICES IN VEHICLES
AND PROVIDING PENALTIES FOR VIOLATION THEREOF

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 “*Vehicle Monitoring Act*”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to promote the safety and general welfare of its citizens at all times. The right of its citizens to travel in an environment that is free from harm and danger shall be promoted at all times by the State. Towards this end, it shall come up with measures that shall contribute to the achievement of this State policy.

SEC. 3. *Definition of Terms.* – For the purpose of this Act, the term:

a. *Closed Circuit Television or CCTV* refers to an electronic communications system equipped with a video camera or video cameras capable of recording and storing signals or digital information and connected to a monitor or set of monitors designed to perform surveillance over a limited area;

b. *Dashboard* refers to that part of the vehicle that contains some of the controls used for driving and the devices for measuring speed and distance;

c. *Dashboard Camera* refers to a forward facing camera that is attached to a vehicle’s dashboard or windshield in order to monitor and record what is happening on the road that the vehicle is driving along.

d. *Operator* refers to any person or entity in whose name a Certificate of Public Convenience (CPC) is issued by the Land Transportation Franchising and Regulatory Board

(LTFRB) to operate a public transport service for compensation and for a covered period of time;

e. *Public Utility Vehicle or PUV* refers to any public utility bus, taxicab, public utility jeepney, school transport service, tourist transport service, UV express service, bus rapid transit, airport bus, premium taxi, transport network vehicle service, shuttle bus and other motor vehicles classified or as may hereinafter be classified by the LTFRB or appropriate agency as such;

f. *Tampering* refers to any act of intentionally dismounting, destroying or breaking the CCTV or dashboard camera or any other acts intended to disable or hinder any of its functions. It also includes the act of deleting or editing the contents of the storage device of the CCTV.

SEC. 4. *Mandatory Installation of CCTV in Public Utility Vehicles.* – Upon the effectivity of this Act, no public utility vehicle herein defined shall be allowed to operate in any road or highway without the required CCTV installed and duly authenticated and sealed by the LTFRB. Replacement of damaged or stolen CCTV tracker must undergo the same process of installation, authentication and sealing.

The fact that the PUV is equipped with CCTV must be made known to the passengers through a written notice boldly displayed in conspicuous locations outside and inside the body of the PUV.

No operator shall be granted a CPC or franchise to operate a PUV without complying the above requirements: *Provided, That*, in the case of PUVs which are already in operation prior to the effectivity of this Act, the concerned operators shall comply with the above requirements upon renewal of registration or not later than six (6) months from the promulgation of the implementing rules and regulations (IRR) of this Act.

SEC. 5. *Mandatory Installation of Dashboard Camera in Private Vehicles.* – Upon the effectivity of this Act, a dashboard camera including a storage device which must be capable of recording information before being overridden by subsequent ones, shall be a standard equipment installed in all private vehicles. Manufacturers of vehicles shall be given six (6) months after the promulgation of the IRR of this Act to comply with its provisions and ensure that no vehicle shall be sold to the public without such standard equipment.

No new private vehicle that fails to comply with the provisions of this Act and its IRR shall be registered by the Land Transportation Office upon the effectivity of this Act.

SEC. 6. *Specifications and Standards of CCTV and Dashboard Camera.* – The LTFRB, in coordination with the Department of Transportation (DOT), Department of Science and Technology (DOST) – Information and Communications Technology (ICT) Office and Department of Trade and Industry (DTI) – Bureau of Philippine Standards (BPS), shall provide for the specifications and standards of CCTV and dashboard camera herein required, including the storage device which must be capable of recording at least 48 hours of information before being overridden by subsequent ones. It shall also determine the required number and location of cameras for every type of PUV to ensure optimum view and usage.

SEC. 7. *Maintenance of a CCTV and Dashboard Camera Recording Archive.* – The LTFRB Central Office and its Regional Offices shall establish, maintain and manage an archive for all CCTV recordings of PUVs and dashboard camera recordings of private vehicles which are subjects of a complaint filed before it and those PUVs or private vehicles involved in traffic incidents.

In implementing the provisions of this Act, the LTFRB or authorized LTO personnel shall require the operator of any PUV or the owner of a private vehicle which is the subject of a complaint or party to an incident to bring forth the vehicle within twenty-four (24) hours from receipt of the order for its storage device to be removed or contents thereof copied by the authorized officer for purposes of preserving the same. Non-compliance with this order constitutes a violation of the provisions of this Act. Cases of vehicular incidents shall be reported by the law enforcement officer conducting the investigation within twenty-four (24) hours to the LTFRB or authorized LTO personnel, non-compliance of which shall be dealt with administratively.

The CCTV and dashboard camera archive herein mentioned shall be established within six (6) months following the promulgation of the implementing rules and regulations (IRR) of this Act.

SEC. 8. *Confidential Nature of CCTV and Dashboard Camera Footages.* – The confidentiality of the videos and other information captured by CCTVs and dashboard cameras shall be secured at all times. Unless otherwise authorized under this Act, the use, viewing, disclosure or publication of the contents of the storage device, whether in whole or in part, is prohibited.

SEC. 9. *Use of CCTV and Dashboard Camera Footages as Evidence.* – The LTFRB or any court of competent jurisdiction, in cases or complaints filed before it, may use the information captured by CCTVs and dashboard cameras in vehicles for evidentiary purposes. The law enforcement agencies may, in the conduct of investigation of cases filed before

them, request for a copy of the CCTV and dashboard camera recordings pertaining to such particular cases, subject to the applicable provisions of this Act.

SEC. 10. Penal Provisions. – The following penalties shall be imposed upon the offender who is found to have committed the punishable acts enumerated hereunder:

a) A fine of One Hundred Thousand Pesos (P100,000.00) shall be imposed upon any vehicle manufacturer for every private vehicle without a dashboard camera and recording storage device sold by said vehicle manufacturer;

b) A fine of Five thousand pesos (P5,000.00), for the first offense; Ten thousand pesos (P10,000.00), for the second offense; and Fifteen thousand pesos (P15,000.00), for the third offense shall be imposed upon any person who:

1. Operates or allows another to operate a PUV without a working CCTV or without the required devices installed and sealed by the LTFRB;

2. Tampers with the CCTV or GPS tracker;

3. Operates or allows another to operate a PUV with a tampered CCTV or GPS tracker;

4. Fails to bring the PUV for purposes of removing the storage device of the CCTV or copying the contents thereof upon the order of the LTFRB; or

5. Fails to comply with the requirement of installation of a CCTV as provided in this Act.

The offender's driver's license or franchise, as the case may be, shall be suspended for thirty (30) days, for the fourth offense; three (3) months for the fifth offense; and six (6) months, for the sixth offense.

For the subsequent offense, the franchise or driver's license of the offender shall be revoked or cancelled.

c) A penalty of imprisonment ranging from one (1) year to three (3) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Two million pesos (P2,000,000.00) shall be imposed upon any person who, not being authorized by law:

1. Publishes or broadcasts or causes to be published or to be broadcast, in whatever medium, any video or information stored or recorded in the CCTV of a PUV; or

2. Sells or distributes or causes to be sold or distributed any such recorded or stored video or information.

d) In addition to administrative penalties and damages, if applicable, a penalty of imprisonment ranging from one (1) year to three (3) years and a fine ranging from One

hundred thousand pesos (P100,000.00) to Two million pesos (P2,000,000.00) shall be imposed upon:

1. Any public officer or government agent who releases, gives or transmits to another any stored or recorded CCTV or dashboard camera footages or information obtained by reason of an authorized criminal, administrative or traffic investigation or police operation, except when circumstances warrants media distribution to help identify the identity and locate the whereabouts of a suspect or suspects of a crime, or as a matter of public information in cases involving heinous crimes;

2. Any officer of the LTFRB or LTO charged with the custody of archived video footages or information who releases or transmits the same to persons not authorized of such possession or permits any unauthorized person to have access to or gain possession of such video footages or information; or

The offenses punishable under Subsections (c) and (d) herein shall be prosecuted in accordance with the provisions of Republic Act No. 10173 or the Data Privacy Act of 2012 and other applicable laws.

SEC. 11. *Review of Pecuniary Penalties.* – Five (5) years after the effectivity of this Act and every five (5) years thereafter, the LTFRB may, after public consultation with stakeholders and concerned agencies, increase the amount of fine herein provided: *Provided*, That, such adjustment shall in no case be more than ten percent (10%) of the amount sought to be increased.

SEC. 12. *Random Inspection of PUVs.* – The LTFRB may conduct unannounced ocular inspections on public utility vehicles to ensure the proper implementation of this Act.

SEC. 13. *Public Information Campaign.* – The LTFRB shall, with the assistance of the Philippine Information Agency (PIA), conduct a continuing nationwide public information campaign for six (6) months following the promulgation of the implementing rules and regulations of this Act.

SEC. 14. *Implementing Rules and Regulations.* – Within sixty (60) days after the effectivity of this Act, the LTFRB shall, in coordination with the DOTC, LTO, Philippine National Police (PNP), Department of Justice (DOJ), DTI-BPS and DOST-ICT Office and other stakeholders, promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 15. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the remaining provisions or part thereof not otherwise affected thereby shall remain valid and subsisting.

SEC. 16. *Repealing Clause.* - All laws, decrees, executive orders and issuances, ordinances, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 17. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,