

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

4475
HOUSE BILL NO. _____



Introduced by HON. FREDERICK W. SIAO

EXPLANATORY NOTE

The dashboard video camera has proven to be a crucial and effective device for the objective, evidence-based recording of crimes on the streets and of violations of road safety and traffic rules and regulations. It has also served as a deterrence against irresponsible, careless, and reckless driving.

On-board video recordings of motor vehicle interiors have also helped law enforcers to solve crimes and determine culpability of suspects or accused.

The use of video cameras on motor vehicles also has privacy rights elements and issues because the actions and behavior of passengers and drivers are also recorded. Sensitive care and extra prudence must therefore be exercised in the recording, safekeeping, storage, and public use of the video recordings.

Various laws that are pertinent, including the Data Privacy Act of 2012 (Republic Act 10173), the Cybercrime Prevention Act of 2012 (Republic Act 10175), the Revised Penal Code (Act No. 3815) as amended, and other laws on road safety and traffic shall continue to apply.

Considering the foregoing, approval of this bill is earnestly sought.


FREDERICK W. SIAO
Lone District, Iligan City

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AN ACT
PROVIDING FOR THE INSTALLATION OF MOTOR VEHICLE DIGITAL AND
ELECTRONIC RECORDING SYSTEMS TO ENSURE ROAD SAFETY AND
SECURITY, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES

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

Section 1. **Short Title.** - This Act shall be known as the ***"MOTOR VEHICLE DIGITAL AND ELECTRONIC RECORDING SYSTEMS FOR ROAD SAFETY AND SECURITY ACT."***

Sec. 2. **Declaration of Policy.** It is the declared policy of the State to ensure the safety and security of general public as they navigate the road networks in the country, instill responsible ownership of vehicles, promote proper diligence in the ownership and operation of any vehicle, protect the privacy rights and ensure the safety of passengers and drivers, deter the commission of crimes on the streets and within vehicles, and ensure the availability of digital evidence necessary for legal proceedings involving road safety and crimes on the streets.

Sec. 3. **Mandatory and Optional Installation.** The installation of government-certified systems for recording digital and electronic data on vehicle operation, navigation, traffic, and in-vehicle safety is hereby made mandatory for all motor vehicles.

The basic set of devices: 1. one dashboard camera that has video resolution of at least 1080 pixels, has night vision mode, and is forward-facing for the street view orientation; 2. a second but rear-facing camera with the same features as the dashboard camera; 3. a visual display; 4. a battery and motor vehicle power adaptor; 5. a data storage device; and 6. a built-in global positioning system (GPS) feature.

- (a) **(Light Commuter Vehicles)** For motor vehicles, with four wheels or more, that are authorized to ferry passengers as a public service, aside from the mandatory basic set of devices, **at least one other video camera must be installed to record whatever transpires inside the motor vehicle** for purposes of deterrence against crime, for evidence purposes in the aftermath of the occurrence of a crime involving the driver, passenger/s, or intruders, and for situations involving lost items of any passenger. Installation of a third video camera to record the rear view of the passenger vehicle is mandatory.
- (b) **(Private Vehicles)** For motor vehicles that are privately-owned and/or for private use, the installation of more than one video camera inside the vehicle is **optional**, except when the vehicle frequently has passengers or drivers who are minors in which case, a second video camera is mandatory to record whatever transpires inside the motor vehicle for passenger safety and security purposes.
- (c) **(Passenger Buses and Other Large Vehicles)** For all passenger buses, commuter vans, and cargo vehicles, installation of global positioning system devices is mandatory to enable the vehicle owners/operators to track the movements of their vehicles and to respond swiftly in case of any safety or security situation.

Sec. 4. **Motorcycles and Tricycles** For motorized vehicles with three or fewer wheels, there are two options: (1) a digital video camera recorder on the driver's helmet which must be worn at all times while driving; or (2) a digital video camera recorder mounted on the top or front side of the vehicle.

Sec. 5. Prohibited Acts and Limitations on the Use of Motor Vehicle Videos. Posting on any social media platform, recording for personal purposes, or sharing through electronic transmission of video and data recordings depicting and involving passengers but without any incident pertaining to any road safety issue, traffic situationer, or occurrence of a possible crime recorded, is prohibited.

Sec. 6. **Penalties.** The penalties provided in the relevant provisions of the Data Privacy Act of 2012 (Republic Act 10173), the Cybercrime Prevention Act of 2012 (Republic Act 10175), the Revised Penal Code (Act No. 3815), as amended, the Motorcycle Helmet Act of 2009 (Republic Act 10054), the Anti-Distracted Driving Act (Republic Act 10913), and pertinent laws on road safety and traffic shall apply to any violations of this Act.

Sec. 7. **Implementing Rules and Regulations.** Consistent with and pursuant to the Data Privacy Act of 2012 (Republic Act 10173), the Cybercrime Prevention Act of 2012 (Republic Act 10175), the Revised Penal Code (Act No. 3815), as amended, the Motorcycle Helmet Act of 2009 (Republic Act 10054), the Anti-Distracted Driving Act (Republic Act 10913), and the provisions of this Act, the National Privacy Commission, the Department of Information and Communications Technology, the Department of Justice, and Department of

Transportation shall jointly formulate and approve, after prior consultation with other stakeholder institutions in the public, private, and civil society sectors, strict rules and regulations on the installation and inspection of video and data recording systems in motor vehicles, and the recording, safekeeping, storage, and public use of all video and data recordings of such systems.

The mandatory and optional installation of the motor vehicle digital and electronic recording systems shall be implemented in phases spread up to three years at a pace and detail to be jointly determined by the implementing agencies identified in this Section.

On January 1st of the fourth year of implementation, all motor vehicles manufactured, assembled, imported, and sold in the Philippines must have the mandatory systems and devices required in this Act.

The implementing agencies shall, through the implementing rules and regulations, determine the various alternatives available on how to best and affordably conduct the installation of the mandatory and optional devices, that are the subject matter of this Act, to ensure effective compliance by all concerned.

The implementing agencies shall, through the implementing rules and regulations, promulgate the graduated scale of administrative, civil, and criminal penalties, consistent with the laws specified in this Section.

Sec. 8. Appropriations. The funds necessary for the implementation of this Act shall be included in the annual appropriations approved by Congress.

Sec. 9. 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. 10. 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. 11. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the online version of the *Official Gazette* or in two (2) newspapers of general circulation or with established internet website presence.

Approved.