

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO **2949**

HOUSE OF REPRESENTATIVES	
<b>RECEIVED</b>	
DATE:	16 AUG 2016
TIME:	11:30 am
BY:	<i>mt</i>
REGISTRATION UNIT BILLS AND INDEX SERVICE	

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Introduced by **Hon. MARK AERON H. SAMBAR**

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### Explanatory Note

**Article 2 Section 5 of the 1987 Constitution states that:**

*It is the policy of the State that the maintenance of peace and order, the protection of life, liberty and property, and the promotion of general welfare are essential for the enjoyment by all the people of the blessings of democracy.*

The installation of dashboard cameras is the most cost-effective way for the law enforcers to deter crimes and assist them in their crime investigations. Footage from the dashboard cameras can also help speed up the recording of evidence in accidents, helping avoid and worsen traffic build-ups, documenting incidents of road rage and recording events leading up to accidents caused by drunk drivers, sleepy or wayward drivers. It can also record one's driving speed, road routes, direction, seatbelt usage and steering and braking events.

This bill mandates the national and local government law enforcement agency that installs audiovisual recording systems in the agency's patrol cars to adopt a policy regarding the use of the recording system. Provides that the policy must: (1) require all traffic stops to be recorded; (2) establish a procedure to follow if the recording system malfunctions; and (3) require a law enforcement officer to document the reason why a traffic stop was not recorded or was not recorded in its entirety.

According to the data compiled by the Traffic Management Group of the Philippine Police, causes of road accidents include failure to yield right away, reckless overtaking, tailgating, improper turning and exceeding lawful speed limit causing various injuries to drivers and pedestrians. A supporting study by Mendoza (2006)<sup>1</sup> also revealed that 85 percent of road accidents in the Philippines were caused by driver error or violations, determining that the social environment has a role to play wherein intentions to commit violations and when there were no traffic enforcers around. Alongside the current transportation safety policies, roadway infrastructure and driver education programs, innovations in ICT also have the potential to improve

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<sup>1</sup> Mendoza, A.C. (2006, August) Application of Psychology to the Understanding and Modification of Road User Behaviour. Quezon City, Philippines: University of the Philippines National Center for Transportation Studies.

the implementation of traffic regulations and guarantee road safety for a more inclusively mobile community.

Early passage of this bill is earnestly sought.



MARK AERON H. SAMBAR

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**AN ACT**  
**PROVIDING FOR THE MANDATORY INSTALLATION OF**  
**DASHBOARD CAMERAS OR "DASHCAM" SYSTEMS IN ALL**  
**GOVERNMENT-OWNED PATROL CARS AS MEANS TO DETER CRIMES**

**Section 1: Short Title.** - This Act shall be known as the "Dashboard Cameras for Security Act of 2016."

**Section 2: Declaration of Policy.** - It is hereby declared the policy of the State to ensure the safety of all its citizens from abuses and crimes, such as, but not limited to theft, robbery, homicide, kidnapping and the like. Towards this end, the State shall require all law enforcement agencies whether national or local, to install a dashboard camera on all government patrol cars as means of protection and to gather information necessary to further this policy.

**Section 3: Definition of Terms.** - For purposes of this Act, the following terms shall be used under the definition provided hereof, to wit:

***Dashboard camera or dash cam.*** - a camera that is mounted in or around the dashboard. The camera is easily attached using a suction cup mount. Powered by batteries, it is hardwired into the vehicle's 12-volt system or through the cigarette lighter. The dash cam faithfully records all it sees as the car moves about its daily business. The dash cam automatically starts when the car does and records video into removable storage. More complex versions include global positioning systems that can pinpoint the location of what has been recorded, monitor speed, time and date or the recordings. Shock sensors can even tag recordings upon impact to ensure that data is not overwritten in the event of a collision.

***Law Enforcement Agency.*** - refers to any agency which enforces the law. This includes the Philippine National Police and National Bureau of Investigation.

***Law Enforcer.*** - refers to the body of government employees trained in methods of law enforcement and crime prevention and detection and authorized to maintain the peace and order of the community.

**SEC. 4. *Procurement and Installation of Dash Cams.*** The installation and use of a dashboard camera system shall be required for all government-owned patrol cars. The proper placement of a dashboard camera system shall be ensured that it does not impair the driver's view of the road and outside the range of airbag deployment, the ideal location of which is in the windshield.

**SEC. 5. *Restriction in Placement.*** To ensure reliable visibility, the dash cam system may be no larger than a 5-inch square area on the driver's side of the windshield, or a 7-inch square area on the passenger's side windshield.

**SEC. 6. *On Privacy and Electronic Surveillance.*** The usage of the dash cam as a recording device shall be in compliance with the provisions of Republic Act 10173 or otherwise known as the Data Privacy act of 2012, assuring that the data subject/s need to consent before the recording and release of information unless there is a legal obligation that required for it to be kept or processed. If the government-owned vehicle owns a dash cam with a shock sensor, the recorder may not store more than 30 seconds of data before and after the event that triggers its recording function. Provided that proper process was followed, data obtained through dash cam is admissible in court. .

**SEC. 7. *Allowed Use and Disclosure.*** - The use, viewing, copying, or disclosure of video feeds and recordings obtained pursuant to the surveillance performed in accordance with this Act shall only be allowed in the following instances:

*(a) Use, viewing, copying, or disclosure to a member or officer of a law enforcement agency in connection with and limited to the investigation or prosecution of an offense punishable by law or regulation;*

*(b) Use, viewing, copying, or disclosure in connection with any pending criminal or civil proceeding; or*

*(c) Use, viewing, copying, or disclosure that may be necessary for persons to determine whether or not an offense was committed against their person or property, to ascertain the identity of a criminal perpetrator, and to determine the manner by which the offense was perpetrated.*

**SEC. 8. *Penalties.*** - Any act or omission causing the violation of duties ascribed under this Act shall be punishable with imprisonment not exceeding six (6) months, or a fine not exceeding one thousand pesos (P1,000.00), or both, without prejudice to other civil or criminal liabilities that may arise therefrom.

**SEC. 9. *Implementing Agency.*** - The Department of Interior and Local Government and the respective local government units shall ensure the implementation and enforcement of this Act.

**SEC. 10. *Implementing Rules and Regulations.*** - Within thirty (30) days from the effectivity of this Act, the Secretary of Interior and Local Government, in consultation with appropriate government agencies and other stakeholders, shall promulgate the necessary rules and regulations to implement this Act.

**SEC. 11. *Separability Clause.*** If any provision of this Act or the application of such provision to any person or circumstances is held invalid, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected thereby.

**SEC. 12. *Repealing Clause.*** All laws, rules or orders inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SEC. 13. *Effectivity.*** This Act shall take effect upon completion of its publication in at least one (1) national newspaper of general circulation.

Approved,