

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6027

Introduced by CIBAC Party-List Representatives
Eduardo "Bro. Eddie" C. Villanueva and Domingo C. Rivera

**AN ACT PROTECTING UNATTENDED CHILDREN
IN MOTOR VEHICLES**

EXPLANATORY NOTE

In the past years, the number of deaths arising from suffocation in cars has been increasing. In the United States, around 682 children died from 1998 to 2019, after their parents left them unattended inside a motor vehicle.¹ In the Philippines, 10 children have reportedly died from suffocation inside motor vehicles in 2017. In the first quarter of 2019, three young girls were found dead after accidentally locking themselves in a car where they suffocated.²

Thus, there is a need to educate our citizens regarding the safety and health risks of leaving children inside motor vehicles, especially in periods of extreme weather conditions. According to the Spanish Association of Pediatrics³ (Asociación Española de Pediatría), children aged zero to five years old are most likely to incur a rise in body temperature three to five times faster than that of adults due to a lower water reserve and a developing respiratory system. Moreover, a study found that a motor vehicle left for an hour in the sun may heat up to 116 degrees, a temperature that may cause organ failure, brain damage and death to toddlers.

¹ 2016, July 25. Two more children died over the weekend in hot cars. That's 682 since 1998. It isn't getting better. Andrews, Travis M. The Washington Post. Retrieved from: <https://www.washingtonpost.com/news/morning-mix/wp/2016/07/25/two-children-died-over-the-weekend-in-hot-cars-thats-682-since-1998-it-isnt-getting-better/> (date last accessed: July 23, 2019).

² 2019, May 17. Three child cousins are found dead after accidentally locking themselves in a car in 35C heat for four hours in the Philippines. Pleasance, Chris. Daily Mail Online. Retrieved from: <https://www.dailymail.co.uk/news/article-7040565/Three-child-cousins-die-getting-locked-car-35C-heat-Philippines.html> (date last accessed: July 23, 2019).

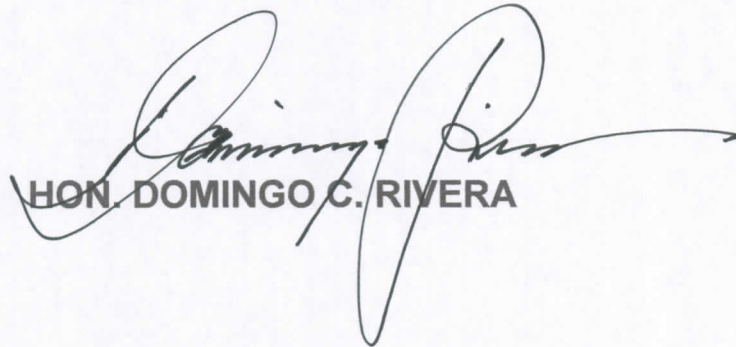
³ 2016, May. Children Inside Cars and Heat Stroke in Children. Asociacion Espanola de Pediatría. Retrieved from: https://www.aeped.es/sites/default/files/dossier_golpe_de_calor_en.pdf (date last accessed: July 23, 2019).

This bill seeks to prevent the occurrence of death of, or injury to, unsupervised children under nine years old inside motor vehicles, when there are conditions that present a significant risk to the child's health and safety, or when the vehicle's engine is running or the vehicle's keys are in the ignition, or both. Any person who violates the provision of this Act will be penalized with a fine ranging from Ten Thousand Pesos (Php10,000) to Fifty Thousand Pesos (Php50,000) depending on the frequency of violation committed by the offender. This bill also requires all violators of the Act to undergo driver education seminars with the Land Transportation Office (LTO), which shall include education on the dangers of leaving young children unattended in motor vehicles.

The immediate passage of this bill is earnestly sought.



HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA



HON. DOMINGO C. RIVERA

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

1 **SECTION 1. Title.** – This Act shall be known as the “*Unattended Child in Motor*
2 *Vehicles Act.*”
3

4 **SECTION 2. Declaration of Policy.** – It is hereby the policy of the State to defend the
5 right of children to assistance, including proper care and nutrition, and special
6 protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions
7 prejudicial to their development. To this end, the State shall adopt a more proactive
8 and preventive approach to secure the safety of passengers, especially children, by
9 regulating the operation of vehicle and penalizing persons who leave children
10 unattended inside a motor vehicle. The State shall also inculcate the standards of safe
11 use of motor vehicles and the benefits that may be derived from it through institutional
12 programs and appropriate public information strategies.
13

14 **SECTION 3. Unattended Child in Motor Vehicles.** – It shall be unlawful for a person
15 to intentionally, recklessly, knowingly or negligently cause or permit to leave a child
16 under nine (9) years of age inside a motor vehicle without being subject to the
17 supervision of a person who is fifteen (15) years old or above, under any of the
18 following circumstances:
19

- 20 a) When there are conditions that present a significant risk to the child’s health or
21 safety; or

- 1
2 b) When the vehicle's engine is running or the vehicle's keys are in the ignition, or
3 both.
4

5 For the purposes of this Act, the term "motor vehicle" refers to any land transportation
6 vehicle propelled by any power other than muscular power, excluding tricycle,
7 motorcycle and jeepney.
8

9 **SECTION 4. Penalty.** – Any person who violates the provisions of this Act shall be
10 liable for an administrative fine in the amount of Ten Thousand Pesos (Php10,000.00)
11 for the first offense; Twenty Thousand Pesos (Php20,000.00) for the second offense;
12 and Fifty Thousand Pesos (Php50,000.00) for the third and succeeding offenses.
13

14 If, as a result of such violation, less serious or serious injuries result, the offender shall
15 additionally be punished with a penalty of imprisonment of one (1) year. If death occurs
16 as a result thereof, a penalty of imprisonment ranging from two (2) years to six (6)
17 years shall be additionally imposed on the offender.
18

19 Nothing herein shall preclude the filing of charges for violation of Act No. 3815,
20 otherwise known as "The Revised Penal Code of the Philippines," as amended, and
21 other special laws.
22

23 All persons in violation of this Act shall also be required to undergo driver education
24 seminars with the Land Transportation Office (LTO), which shall include education on
25 the dangers of leaving young children unattended in motor vehicles.
26

27 **SECTION 5. Lead Agency.** – The Land Transport Office (LTO) shall take the lead in
28 implementing the provisions of this Act. The LTO shall have the authority to deputize
29 members of the Philippine National Police (PNP), the Metropolitan Manila
30 Development Authority (MMDA), other metropolitan councils and the responsible
31 officer of local government units (LGUs) to enforce the provisions of this Act.
32

33 The LTO shall also be empowered to adjust the amount of fines herein
34 imposed: Provided, That:
35

- 36 a) The adjustment shall be made only once every three (3) years, and after public
37 consultation;
38
39 b) The amount of adjustment shall not exceed twenty percent (20%) of the amount
40 sought to be adjusted;
41
42 c) A thorough study shall have been conducted indicating that the existing amounts
43 are no longer an effective deterrent; and
44
45 d) Current relevant economic indices, such as the Consumer Price Index (CPI),
46 have been considered in the determination of the adjusted amount.
47

48 **SEC 6. Public Information Campaign.** – The LTO, in coordination with the Philippine
49 Information Agency (PIA), the Department of Education (DepEd), Department of

1 Health (DOH), and other relevant stakeholders, shall regularly undertake a nationwide
2 information and education campaign regarding the provisions of this Act.
3

4 **SECTION 7. Implementing Rules and Regulations.** – The LTO, in coordination with
5 the Department of Transportation (DOTr), Department of Interior and Local
6 Government (DILG) and other relevant government agencies, in consultation with
7 relevant stakeholders, shall issue the implementing rules and regulations for the
8 effective implementation of this Act within sixty (60) days after the effectivity of this
9 Act.
10

11 **SEC 8. Separability Clause.** – If, for any reason, any section or provision of this Act
12 is declared invalid or unconstitutional, other provisions hereof which are not affected
13 thereby shall continue to be in full force and effect.
14

15 **SEC 9. Repealing Clause.** – All laws, decrees, or rules and regulations, which are
16 inconsistent with or contrary to the provisions of this Act, are hereby amended or
17 repealed.
18

19 **SEC 10. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
20 in the Official Gazette or in two (2) national newspapers of general circulation.
21

22 **Approved,**