

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session



House Bill No. 593

Introduced by Representatives Mariano Michael M. Velarde Jr. (BUHAY Party List)

EXPLANATORY NOTE

Buhay Hayaan Yumabong party list again is proposing this bill requiring operators of public transport, such as buses, jeepneys, and taxicabs, including FX public vehicles, to install a Closed Circuit Television (CCTV) device with the corresponding GPS Tracking System in all their vehicles to ensure the maximum safety and well-being of public commuters.

Recent events have proved that Closed Circuit Television (CCTV) has been effective in preventing and reducing the proliferation of crimes in public places. The presence of CCTV Cameras undoubtedly helps in assuring the public that their safety is assured and their well-being taken care of. CCTV footages have been very effective in documenting and proving the commission of crimes.

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


Rep. Mariano Michael M. Velarde Jr.

Republic of the Philippines
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SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 593

Introduced by Representatives Mariano Michael M. Velarde Jr. (BUHAY Party List)

**AN ACT MANDATING THE INSTALLATION OF MONITORING DEVICES IN
PUBLIC UTILITY VEHICLES, PROVIDING PENALTIES FOR VIOLATION
THEREOF**

*Be 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 “PUBLIC UTILITY VEHICLE MONITORING ACT.”

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to ensure the safety of its citizens, particularly the passengers of public transport from abuses and crimes such as theft, robbery, homicide, kidnapping and the like. Towards this end, the State shall require all operators of public utility vehicles (PUVs) to install a closed-circuit television (CCTV) and Global Positioning System (GPS) tracker on their motor vehicles as a means of gathering the necessary information in furtherance of this 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) *Global Positioning System or GPS* refers to a navigational system that determines the latitude and longitude of a particular location on Earth by calculating the difference in time it takes for signals sent from different satellites to reach a receiver at that location;

c) *GPS Tracker* refers to an electronic communications device that uses the GPS to determine, track and record its precise location, or of anything on which it is attached or mounted, at regular intervals;

d) Operator refers to any person or entity in whose name a Certificate of Public Convenience 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 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 GPS tracker 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.

g) SEC. 4. Mandatory Installation of CCTV and GPS Tracker. –

Following 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 and GPS tracker installed and duly authenticated and sealed by the LTFRB. Replacement of damaged or stolen CCTV or GPS tracker must undergo the same process of installation, authentication and sealing.

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

i) 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 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.

j) SEC. 5. Specifications and Standards of CCTV and GPS Tracker. –

The LTFRB, in coordination with the Department of Transportation and Communications (DOTC), 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 the GPS tracker and CCTV herein required, including the storage device which must be capable of recording at least seven (7) calendar days 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.

k) SEC. 6. Maintenance of a GPS Tracking Server and CCTV Recording Archive.

– The LTFRB **Central Office and its Regional Offices** shall establish, maintain and manage **a GPS tracking server and** an archive for all CCTV recordings of PUVs which are subjects of a complaint filed before it and those **PUVs** involved in traffic incidents.

l) In coordination with the LTO, the LTFRB shall likewise establish, maintain and manage a GPS tracking server **and archive to be manned by authorized LTO personnel** in LTO offices located in strategic areas **for data gathering and** to ensure the effective monitoring of every registered PUV.

m) In implementing the provisions of this Act, **the LTFRB or authorized LTO personnel** shall require the operator of any PUV 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. **In the case of PUVs involved in vehicular incidents, the law enforcement officer conducting investigation shall, within twenty-four (24) hours, report the incident to the LTFRB or authorized LTO personnel, non-compliance of which shall be dealt with administratively.**

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

o) SEC. 7. Confidential Nature of CCTV Footages. – The confidentiality of the videos and other information captured by and stored in the CCTV shall be maintained. 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. 8. Use of CCTV Footages as Evidence. – The LTFRB or any court of competent jurisdiction, in cases or complaints filed before it, may use the information captured by and stored in the CCTV 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 recordings pertaining to such particular cases, subject to the applicable provisions of this Act.

SEC. 9. Access to GPS Tracking Server. – Upon a written request by a law enforcement agency, its agents shall be granted access to a particular GPS tracking record of the subject vehicle during the conduct of a criminal, administrative or traffic investigation or police operation.

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 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 GPS tracker, or without the required devices installed and sealed by the LTFRB;

2. Tamperers 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 the requirement of installation of CCTV and GPS tracker 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.

b) 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.

c) 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:

Any public officer or government agent who releases, gives or transmits to another any stored or recorded CCTV 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

1. 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 law enforcement agent who, by force, intimidation or any other means, gains access to the GPS tracking server without the authority from the requesting agency as provided under this Act;

3. 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

4. Any officer of the LTFRB or LTO charged with the maintenance of GPS tracking server who allows any unauthorized person to gain access to the tracking server or particular GPS tracking record.

The offenses punishable under Subsections (b) and (c) 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 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 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 after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,



REP. MARIANO MICHAEL M. VELARDE JR.