



SENATE OF THE PHILIPPINES)
SIXTEENTH CONGRESS)
First Regular Session)

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SENATE

RECEIVED BY: *J*

Senate Bill No. 2252

Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

**AN ACT IMPOSING STIFFER PENALTIES ON THE OFFENSE OF
STEALING OR VANDALIZING GOVERNMENT ROAD SIGNS AND
OTHER RISKS REDUCTION DEVICES, ACCESSORIES AND OTHER
FACILITIES AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The total number of road accidents and fatalities has been increasing through the years. The Philippine National Police (PNP) has tallied about 15,000 traffic accidents in 2006 corresponding to an average of 41 traffic accidents per day. (NSO, 2008). These accidents resulted in 647 fatalities, 3,767 injuries and 10,623 instances of property damage. The PNP reported that most traffic accidents are caused mainly by driver's errors. In 2006 for example, 4,182 (27%) of car accidents were caused by driver error. The use of cell phones while driving is another leading cause of traffic accidents representing the highest increase among the causes of traffic accidents.

One cause that induces driver error is the absence of road signs warning drivers of impending sharp curves or slippery road or road repairs. The main reason for the absence of these road signs installed by the Department of Public Works and Highways is that these signs were either stolen or damaged/vandalized. The DPWH reported a total of 42,558 pieces of such devices stolen and vandalized as of January 25, 2013.

A study conducted to determine the cost of accidents in Metro Manila estimated that Php 3.5 Million is lost per fatal road accident showing a clear picture of their economic effects. In addition, social cost or pain, grief, and suffering are valued at Php 506,450 per fatal accident. (Journal of the Eastern Asia Society for Transportation Studies, Vol. 6,

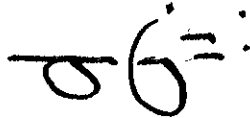
pp 3183-3198, 2005). Beyond these costs, the loss of lives are incalculable.

The Revised Penal Code, as amended, defines theft as the taking of property of another with violence against or intimidation of persons, with intent to gain without the latter's consent. Furthermore, any person has committed theft if after having maliciously damaged the property of another shall remove and make use of the fruits or object of the damage caused by him.

The Revised Penal Code, as amended, likewise identified theft of properties of the National Library and the National Museum as qualified theft but does not include theft of traffic signage, warning signs and traffic protective devices such as highway or bridge railings.

The penalties imposed on stolen property depends upon the value of the property, which ranges from *prision correccional* to *prision mayor* or *reclusion temporal*. These penalties do not fit the offense of theft or damage of traffic signages and protective devices because such can cause loss of limbs and lives. Stiffer penalties should be imposed not only to deter or prevent persons to steal or damage these traffic devices but more importantly to protect our people from danger and accidents, or save their lives and properties.

In view of the foregoing, the passage of this measure is fervently requested.



JOSEPH VICTOR G. EJERCITO



Senate
Office of the Secretary

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**AN ACT IMPOSING STIFFER PENALTIES ON THE OFFENSE OF
STEALING OR VANDALIZING GOVERNMENT ROAD SIGNS AND
OTHER WARNING DEVICES, ACCESSORIES AND OTHER
FACILITIES, AND FOR OTHER PURPOSES**

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

SECTION 1. *Title.* - This Act shall be known as the “*Stealing and
Vandalism of Traffic Signs Act of 2014.*”

SECTION 2. *Declaration of Policy.* - It is the policy of the State to
protect the people from damage to property and loss of lives by improving
conditions of roads and making vehicular traffic as safe as possible by
providing driver information through signs and accident-prevention
devices. In pursuit of this end, the State has mandated concerned
government agencies and instrumentalities to install in conspicuous and
appropriate places road signs and devices to warn drivers of risks and
dangers on the road.

SECTION 3. *Theft and damage of traffic signs and road safety
devices.* - It shall be unlawful to dismantle, remove, transfer, take into
possession road warning devices installed by national and local
governments or non-government organizations for the purpose of
warning motorists of dangers along the road.

SECTION 4. *Traffic signs and accident warning devices and
instruments.* - For the purpose of this Act, “traffic signs and accident
warning devices and instruments” shall mean road or traffic signs
exemplified by signs of “stop”, “yield”, “slippery when wet”, signs of zig-

zag-ing sections of roads, railings, and similar devices. Man-hole covers shall also be included as part of accident-prevention devices warning the public to avert or prevent the loss of lives and properties and covered under this Act.

The Department of Public Works and Highways shall provide a list of all traffic signs and accident reduction/prevention devices and instruments. The list shall be updated as the need arises.

SECTION 5. *Punishable actions under this Act.* – the following actions are punishable under this Act:

(A). Mere possession without authority of any device or instrument or piece of equipment listed under Section 4 of this Act or accessories thereof;

(B). Selling or buying of stolen traffic signs and warning devices listed under Section 4 of this Act or accessories thereof; and

(C). Vandalizing or damaging of any road signs or devices listed under Section 4 of this Act or any accessories thereof.

SECTION 6. *Penalties.* – The following penalties shall apply to violations under this Act:

(A). *Stealing of or possessing road signs and warning devices including man-hole covers and their accessories.* – The penalty of Twelve (12) to Fifteen (15) years of imprisonment or a fine ranging from Two Hundred Thousand (P 200,000.00) Pesos to Five Hundred Thousand Pesos (P 500,000.00) or both, at the discretion of the court, shall be imposed on any person found guilty of stealing or in possession of road signs and warning devices including man-hole covers as defined in Section 4 of this Act;

(B). *Damaging/vandalizing or destroying road signs and warning devices including man-hole covers and their accessories.* – The penalty of Six (6) to Ten (10) years of imprisonment or a fine ranging from One Hundred Thousand Pesos (P 100,000.00) to One Hundred Fifty Thousand Pesos (P 150,000.00) or both, at the discretion of the court, shall be imposed on any person found guilty of damaging/vandalizing or destroying road signs and warning devices and their accessories including man-hole covers as defined in Section 4 of this Act;

(C). *Selling or buying of road signs and warning devices including man-hole covers and their accessories.* – The penalty of selling or buying

disaster warning and risk reduction instruments and their accessories as defined in Section 4 of this Act shall be similar to those under paragraph (A) of the same Section of this Act; and

(D). *Government employees as accomplice in the violation of provisions of this Act.* – Government employees found guilty of this Act either as principal or as an accomplice shall be penalized according to the same Section of this Act. In addition, such government employee shall forfeit all his/her retirement benefits and shall be barred from any employment within the government service

SECTION 7. *Incentives.* – Incentives shall be provided to a person or persons who will provide information leading to the apprehension of violators of this Act. The nature and amount of incentives shall be provided for in the implementing rules and regulations of this Act.

SECTION 8. *Non-applicability of Articles 308, 309, 310 and 311 of the Revised Penal Code.* – Articles 308, 309, 310, and 311 of the Revised Penal Code, as amended, shall not be applicable to cases contemplated or enumerated in this Act. For theft cases the provisions in this Act shall apply.

SECTION 9. *Implementing Rules and Regulations.* – The Department of Public Works and Highways shall issue within One Hundred Eighty (180) days from the date of the approval of this Act, the implementing rules and regulations.

SECTION 10. *Separability Clause.* – Any portion or provision of this Act, which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

SECTION 11. *Repealing Clause.* – All other laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent of this Act, are hereby repealed or modified accordingly.

SECTION 12. *Effectivity Clause.* – This Act shall take effect immediately after its publication in two newspapers of general circulation.

Approved,