Senate
Office of the Secretary

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SENATE
S. No. __3149__

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Introduced by Senator Miriam Defensor Santiago

AN ACT
PROVIDING FOR ACCESSORY PENALTIES FOR THE CRIME OF RECKLESS IMPRUDENCE COMMITTED WHILE OPERATING A MOTOR VEHICLE

EXPLANATORY NOTE

Reckless driving is a mental state in which the driver displays a wanton disregard for the rules of the road and the driver often misjudges common driving procedures, often causing accidents and other damages.

Road traffic accidents are now mentioned in the same breath as killer diseases. The World Health Organization (WHO) ranks it among the top ten (ninth as of 2004) causes of death. This year alone, the number of traffic related accidents has increased by 30 to 40 percent. A total of 6,845 accidents had already been recorded across the country from January to July. Over-speeding caused at least 2,161 cases, followed by bad overtaking with 1,971, and bad turning, 1,732. From 2007 to July 2009, "human error" was the biggest factor in the accidents.

The opportunity for genuine reforms that would lead to safer roads is here and it is imperative that that the legislative branch act decisively. Needless to say, this will require strong commitment and cooperation among various stakeholders to ensure success in reducing the rate of traffic accidents and making our roads safe for the present and future

generations. The proposed bill seeks to impose the accessory penalty of a driver's license suspension or revocation in order to curb traffic accidents caused by reckless driving.[1]

MIRIAM DEFENSOR SANTIAGO

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[1] This bill was filed during the Fourteenth Congress, Third Regular Session.

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

1 SECTION 1. *Short Title.* – This Act shall be known as the "Reckless Driving

2 Prevention Act."

3 SECTION 2. *Accessory Penalties.* – Any person who is convicted of the crime of

4 reckless imprudence in relation to the Penal Code, Article 365, while driving a motor

5 vehicle shall in addition to the penalty provided in the Penal Code, suffer the following

6 accessory penalties:

7 a) For the first conviction, suspension for a period of not more than three months

8 the license to drive;

9 b) For the second conviction, suspension for a period of six months year the

10 license to drive;

11 c) For the third conviction, revocation of any driver's license without

12 reinstatement;

13 SECTION 3. *Reinstatement.* – The license suspended under this Act shall not be

14 reinstated unless the driver has completed a driving refresher course from a driving

15 school duly accredited by the Land Transportation Office.

1   SECTION 4. *Certificate of Completion.* – A certificate issued by the driving

2   school that the person has completed the refresher course required in the previous section

3   shall be presented to the Land Transportation Office for purposes of reinstating a

4   suspended license.

5   SECTION 5. *Separability Clause.* – If any provision of this Act is held invalid or

6   unconstitutional, the same shall not affect the validity and effectivity of the other

7   provisions hereof.

8   SECTION 6. *Repealing Clause.* – All laws, decrees, orders, and issuances, or

9   portions thereof, which are inconsistent with the provisions of this Act, are hereby

10   repealed, amended or modified accordingly.

11   SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after

12   its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

clr/1Dec2015