

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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SENATE
S. No. 1833

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

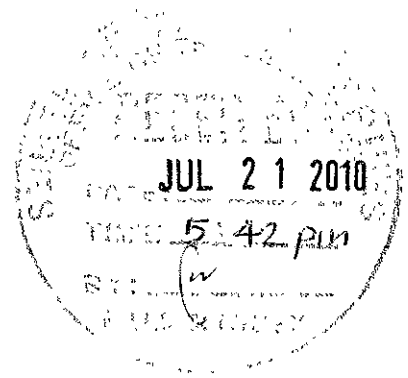
Attention concerning motor vehicles and child safety has almost always been focused largely on protecting children as occupants transported in traffic on public roads. However, children who are unattended in or around motor vehicles that are not in traffic also are at increased risk for injury and death. The US Center for Disease Control and Prevention and the and Trauma Foundation, a nonprofit organization, examined data from two databases on both nonfatal and fatal nontraffic motor vehicle-related incidents and found out that there is an estimated 9,160 nonfatal injuries and 78 fatal injuries among children aged 8 years and below who were left unattended in or around motor vehicles that were not in traffic. This finding highlights a major cause of childhood death and injury, and underscores the need for effective intervention by the State.

This bill seeks to ensure the protection of children by penalizing the act of leaving them unattended in motor vehicles under certain circumstances.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
act

¹ This bill was originally filed in the Thirteenth Congress, Third Regular Session.

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S. No. **1833**

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AN ACT
PROHIBITING THE LEAVING OF CHILDREN
UNATTENDED INSIDE MOTOR VEHICLES

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

SECTION 1. *Short Title.* - This Act shall be known as the "Unattended Children in Motor Vehicles Safety Act."

SECTION 2. *Declaration of Policy.* - It is the policy of the State to promote the general welfare of the people. Pursuant to this policy, this Act seeks to ensure the protection of children by penalizing the act of leaving them unattended in motor vehicles under certain circumstances.

SECTION 3. *Leaving Children Unattended in Motor Vehicles.* - A parent, legal guardian, or other person responsible for a child or children who is or are eight (8) years of age or younger shall not leave such child or children inside a motor vehicle without supervision by a person who is fourteen (14) years of age or older under one or more of the following circumstances:

(A) Under conditions presenting a significant risk to the child's health or safety;

(B) The engine of the motor vehicle is running; or

(C) The keys to the motor vehicle are anywhere in the passenger compartment of the motor vehicle.

SECTION 4. *Penalties.* - Any person found guilty of violating the provisions of the preceding section shall be punished with a fine of not more than Five Thousand Pesos (P5,000.00).

A second violation of the provisions of the preceding section within five (5) years, or any subsequent violation, shall be punishable by a fine of not less than Ten Thousand Pesos

1 (P10,0000.00), or a penalty of imprisonment of *arresto mayor*, or both, at the discretion of the
2 court, taking into consideration all attending circumstances.

3 SECTION 5. *Separability Clause*. - If any provision, or part hereof, is held invalid or
4 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
5 valid and subsisting.

6 SECTION 6. *Repealing Clause*. - Any law, presidential decree or issuance, executive
7 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
8 with the provisions of this act is hereby repealed, modified or amended accordingly.

9 SECTION 7. *Effectivity*. - This Act shall take effect fifteen (15) days after its publication
10 in at least two (2) newspapers of general circulation

11 Approved,

/ptmt01july2010