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SENATE
S. No. 570

RECEIVED BY: *Jed*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 11, Section 13 states that:

The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social wellbeing. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

This bill seeks to protect the physical well-being of Filipino children by addressing the problem of road accidents, both in crash and non-crash situations. Every year, 1.2 million people die from road and traffic injuries. According to studies done by the World Health Organization, this figure will rise, making road accidents the third leading cause of premature death by 2020. In the Philippines, morbidity and mortality from accidents and injuries have steadily increased in the last two decades. Motor vehicle accidents cause the deaths of 61 people out of every 100,000. Among children between 5-14 years old, the leading cause of death is car accidents. In order to address these troubling and ever-increasing statistics, this bill will encourage the use of child dummies in crash test programs (1) to better study the impact of car accidents on children; and (2) for car manufacturers to devise safeguards to protect children riding in automobiles.

This bill also exhorts the Secretary of Transportation and Communication to undertake (1) child safety information programs; (2) data-gathering on vehicle safety technology; and (3) data-gathering on injuries and deaths in non-traffic, non-crash events.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session.



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1 AN ACT
2 TO IMPROVE CHILD SAFETY IN MOTOR VEHICLES

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

3 SECTION 1. *Short Title.* - This Act shall be known as the "Safe Kids in Cars Act."

4 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
5 promote and protect the physical, moral, spiritual, intellectual, and social well-being of the
6 youth. In pursuance of such goal, the State shall implement car safety programs for children.

7 SECTION 3. *Child Dummies In Safety Tests.* -

8 (A) *Review Process Required.* - Not later than two (2) years after the date of the
9 enactment of this Act, the Secretary of Transportation and Communication shall conduct a
10 review process to increase utilization of child dummies in motor vehicle safety tests, including
11 crash tests, conducted by the Department of Transportation and Communication.

12 (B) *Criteria.* - In conducting the review process under paragraph (A), the Secretary shall
13 select motor vehicle safety tests in which the inclusion of child dummies will lead to increased
14 understanding of crash dynamics with respect to children and measurably improved child safety.

15 (C) *Public Input.* - The Secretary shall solicit and consider input from the public
16 regarding the review process under paragraph (A).

1 (D) *Report.* - Not later than one (1) year after the date of the enactment of this Act, the
2 Secretary shall publish a report regarding the implementation of this section. The report shall
3 include information regarding the current status of crash test dummies.

4 SECTION 4. *Child Safety Information Programs.* -

5 (A) *In General.* - Not later than eighteen (18) months after the date of the enactment of
6 this Act, the Secretary shall supplement ongoing consumer information programs relating to
7 child safety with information regarding hazards to children in non-traffic, non-crash accident
8 situations.

9 (B) *Activities to Supplement Information.* - In supplementing such programs, the
10 Secretary shall--

11 (1) Utilize information collected in the database maintained under Section 7 regarding
12 non-traffic, non-crash injuries, as well as other relevant data from private organizations, to
13 establish priorities for the program;

14 (2) Address ways in which parents can mitigate dangers to small children arising from
15 preventable causes, including back over incidents, hyperthermia in closed vehicles, and
16 accidental activation of power windows;

17 (3) Partner with national child safety research organizations and other interested
18 organizations with respect to the delivery of program information; and

19 (4) Make information related to child safety available to the public via the Internet and
20 other means.

21 SECTION 5. *Report on Vehicle Visibility.* - Not later than two (2) years after the date of
22 the enactment of this Act, the Secretary shall submit a report to Congress on the extent to which
23 driver visibility of the area immediately surrounding light passenger vehicles and obstructions to
24 such visibility affect pedestrian safety, including the safety of infants and small children, in non-
25 traffic, non-crash situations.

1 SECTION 6. *Report on Enhanced Vehicle Safety Technologies.* -Not later than eighteen
2 (18) months after the date of the enactment of this Act, the Secretary shall submit to Congress a
3 report that describes, evaluates, and determines the relative effectiveness of -

4 (A) Currently available and emerging technologies, including auto-reverse functions, that
5 are designed to prevent and reduce the number of injuries and deaths to children left unattended
6 inside parked motor vehicles, including injuries and deaths that result from hyperthermia or are
7 related to power windows or power sunroofs; and

8 (B) Currently available and emerging technologies that are designed to prevent deaths
9 and injuries to small children resulting from vehicle blind spots and back over incidents.

10 SECTION 7. *Database on Injuries and Deaths in Non-Traffic, Non-Crash Events.* -

11 (A) *In General.* - The Secretary shall maintain a database of, and regularly collect data
12 regarding, injuries and deaths in non-traffic, non-crash events involving motor vehicles. The
13 database shall include information regarding -

14 (1) The number, types, and proximate causes of injuries and deaths resulting from such
15 events;

16 (2) The characteristics of motor vehicles involved in such events;

17 (3) The characteristics of the motor vehicle operators and victims involved in such
18 events; and

19 (4) The presence or absence in motor vehicles involved in such events of advanced
20 technologies designed to prevent such injuries and deaths.

21 (B) *Regulations.* - The Secretary shall prescribe regulations regarding how to structure
22 and compile the database. The Secretary shall solicit and consider input from the public
23 regarding data collection procedures and the structure of the database maintained under
24 paragraph (A).

25 (C) *Deadlines.* - The Secretary shall -

26 (1) Complete the prescription of regulations and the consideration of public input under
27 paragraph (B) not later than ninety (90) days after the enactment of this Act; and

1 (2) Commence the collection of data under paragraph (A) not later than January 1, of the
2 year following the promulgation of this Act.

3 (D) *Availability.* - The Secretary shall make the database maintained under paragraph (A)
4 available to the public.

5 SECTION 8. *Separability Clause.* - If any provision or part hereof is held invalid or
6 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
7 valid and subsisting.

8 SECTION 9. *Repealing Clause.* - Any law, presidential decree or issuance, executive
9 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
10 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,