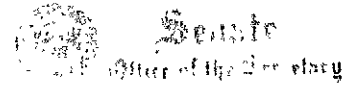


SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )



13 JUL 25 1945

SENATE  
S. No. 1115

*ji*

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

There are disturbing news reports of drivers who, while operating a motor vehicle, accidentally run over a pedestrian, and instead of stopping to help, deliberately run over the same pedestrian for the second time, for the purpose of killing the same pedestrian. There is no provision in the Penal Code, as presently worded, that specifically penalizes this crime. Hence, this bill seeks to amend the law by adding a new section, Article 248-A, that defines and penalizes this atrocious crime.\*

*over.*  
*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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

13 JUL 25 13:15

SENATE  
S. No. 1115

FILED BY: ja

Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 AMENDING ACT NO. 3815, OTHERWISE KNOWN AS THE PENAL CODE, TO DEFINE  
3 AND PENALIZE THE CRIME OF MURDER COMMITTED UNDER EXTRAORDINARY  
4 CIRCUMSTANCES

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

5 SECTION 1. Act No. 3815, otherwise known as the Penal Code, is hereby amended by  
6 adding Article 248-A, after Article 248, to read as follows:

7 "Article 248-A. Murder Committed Under Extraordinary Circumstances. – The  
8 provision of Article 365 of the Penal Code notwithstanding, any person who, while  
9 operating a motor vehicle in any private or public road, street, alley, bridge, or highway,  
10 runs over a pedestrian though negligence or accident, regardless of whether or not the  
11 pedestrian sustains serious injuries, and who, upon subsequent or simultaneous discovery  
12 thereof, deliberately runs over the same pedestrian for the second time, or employs other  
13 means, methods, or forms for the purpose of killing or causing the death of the same  
14 pedestrian, shall be liable for the crime of murder committed under extraordinary  
15 circumstances and shall suffer penalty of:

16 (a) *Reclusion perpetua*, if the pedestrian died by reason, or on occasion of,  
17 the driver's felonious acts.

18 (b) *Prision mayor* in its maximum period to *reclusion temporal* in its  
19 maximum period if the pedestrian merely suffered physical injuries, despite being  
20 ran over for the second time; and

1                   (c) The penalty of one degree lower than those provided in Paragraph (B)  
2 shall be imposed upon owners and operators of public utility motor vehicles  
3 whose drivers are found guilty of the crime as defined in this Article, if it can be  
4 shown that said owners and operators did not exercise extraordinary diligence in  
5 the selection and supervision of their employees; *Provided, that*, if the public  
6 utility motor vehicle used in committing the abovementioned crime is registered  
7 to a corporation, partnership, or association, the penalty shall be imposed upon its  
8 proper officers and employees, if it can be shown that said officers and employees  
9 did not exercise extraordinary diligence in the selection and supervision of their  
10 employees; *Provided, further* that the term “proper officers and employees” used  
11 herein shall include, but is not limited to, the president, vice president, corporate  
12 secretary, treasurer, manager, administrative officers, and directors of the  
13 corporation, partnership, or association concerned.”

14           SECTION 2. *Repealing Clause.* - Any law, presidential decree or issuance, executive  
15 order, letter of instruction, or administrative rule or regulation contrary to or inconsistent with  
16 this Act is hereby repealed, modified, or amended accordingly.

17           SECTION 3. *Effectivity Clause.* - This Act shall effect fifteen (15) days after its  
18 publication in at least two newspapers of general circulation.

Approved,