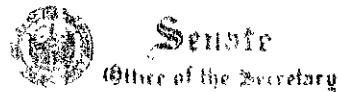


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



14 AUG -6 P2:06

SENATE
S. NO. **2346**

RECEIVED BY: *J*

Introduced by Senator Miriam Defensor Santiago

AN ACT
AUTHORIZING THE LAND TRANSPORTATION OFFICE (LTO) TO SUSPEND A
PERSON'S DRIVER'S LICENSE SUBJECT TO AN OUTSTANDING WARRANT OF
ARREST

EXPLANATORY NOTE

Article 3, Section 6 of the Constitution proscribes the impairment of the right to travel "except in the interest of national security, public safety, or public health, as may be provided by law."

In the Philippines, we have a very high number of outstanding warrants and there is a need to impose restrictions on persons with outstanding warrants, such as prohibiting renewal of one's driver's license, to compel them to submit to the jurisdiction of the court. An outstanding arrest warrant is an arrest warrant that has not been served. A warrant may be outstanding if the person named in the warrant is intentionally evading law enforcement, is unaware that a warrant is out for him/her, the agency responsible for executing the warrant has a backlog of warrants to serve, or a combination of these factors.


This bill authorizes the Land Transportation Office to suspend a person's driver's license subject to an outstanding warrant of arrest.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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'14 AUG -6 P2:06

SENATE
S. NO. 2346

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 AUTHORIZING THE LAND TRANSPORTATION OFFICE (LTO) TO SUSPEND A
3 PERSON'S DRIVER'S LICENSE SUBJECT TO AN OUTSTANDING WARRANT OF
4 ARREST

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

5 SECTION 1. *Declaration of policy.* - The State upholds the right of persons to
6 travel, except in the interest of national security, public safety, or public health. The State
7 likewise recognizes the necessity of regulating such a right in order to ensure that the
8 authority of its institutions to enforce the law and prosecute offenders is not negated by
9 loss of jurisdiction.

10 SECTION 2. *Suspension of licenses subject to an outstanding warrant of arrest.*
11 - Notwithstanding any other provision of law, the LTO Commissioner shall have the
12 power to revoke the license to drive a motor vehicle or motorcycle of any person against
13 whom a warrant of arrest is outstanding. The Commissioner is directed to develop and
14 establish a program and procedure which will allow the immediate denial of a license
15 because a person has an outstanding warrant of arrest. Such a program shall be designed
16 in such a manner that upon filing an application for a license, the license will be denied to
17 such person or where a license has been granted, the right thereto shall be suspended
18 upon notice that such an outstanding warrant in fact exists.

1 SECTION 3. *Access to records of all outstanding warrants of arrest.* - As part of
2 such program, the National Bureau of Investigation (NBI) shall explore the feasibility of
3 providing general computer access to all outstanding warrants of arrest to the LTO.

4 SECTION 4. *Notice Requirement.* - A person shall receive notice that the license
5 shall be suspended in ninety (90) days due to an outstanding warrant unless such person
6 furnishes proof to the Commissioner that such warrant has been recalled or fails to exist.
7 A license may be restored by the direction of the Commissioner upon such person
8 furnishing sufficient proof that the warrant has been recalled.

9 SECTION 5. *Repealing Clause.* - All laws, orders, issuances, rules and
10 regulations or parts thereof inconsistent with the provisions of this Act are hereby
11 repealed, modified, or amended accordingly.

12 SECTION 6. *Separability Clause.* - If any part of this Act is held invalid or
13 unconstitutional, the other parts or provisions thereof not affected shall remain valid and
14 effective.

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

Approved,