

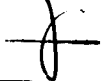
SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



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SENATE

S. No. 514

RECEIVED BY: 

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
DEFINING THE OFFENSE OF RECKLESS DRIVING AND PROVIDING
PENALTIES FOR THE COMMISSION THEREOF AND FOR OTHER RELATED
PURPOSES

EXPLANATORY NOTE

Too many lives have been claimed and too many dreams have been extinguished already by reckless, senseless drivers, oftentimes driving hulking public utility buses (PUBs), container trucks, passenger vans, taxis and *jeepneys*, in wanton disregard of the safety and well-being of others on the road. It is time to hold these drivers accountable to their acts of putting the lives and limbs of fellow drivers, passengers and commuters in harm's way.

Likewise, the operators and/or owners of these offending vehicles have to be made directly responsible for any damages, prejudice and injuries which may be caused by their wayward drivers in order to compel them to exercise extraordinary diligence in the selection and supervision of said drivers.

To date, however, reckless driving has not been defined as a crime in the statute books but is only penalized as a quasi-offense under Article 365 of the Revised Penal Code as reckless imprudence resulting to homicide, physical injuries and damage to property,

This bill seeks to define reckless driving in itself as a criminal offense and to provide stiffer penalties for its commission. Likewise, the bill makes the owner and/or operator of the offending vehicle principally and directly liable for the damage, injury and/or prejudice resulting from the incident unless they can show that they exercised extra-ordinary diligence in the selection and supervision of their drivers.


If passed into law, it is hoped that this bill will work to deter this pernicious practice or at the very least, keep reckless drivers away from our thoroughfares.

In view of the foregoing, the immediate passage of this bill is most earnestly requested.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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

1 **SECTION 1. Declaration and State Policy.** – It is hereby declared that the act of
2 driving recklessly is pernicious to public interest. Hence, it is the policy of the State to
3 consider the same as a criminal offense and to severely penalize it.
4

5 **SEC. 2. Definition.** – Any person who is in control of any vehicle traveling upon a
6 highway, or upon public or private property open to public use, drives the same carelessly,
7 imprudently and heedlessly or without due caution and circumspection, or at a speed or in a
8 manner as to endanger or be likely to endanger any person or property, or who passes when
9 there is a prohibition against passing, shall be guilty of reckless driving and upon conviction
10 and shall be punished as provided in Section (3) hereof.
11

12 **SEC.3. Penalties.** – Any person found to be guilty of reckless driving shall be
13 subjected to a penalty of imprisonment from one (1) month to six (6) months and/or a fine of
14 Ten thousand pesos (Php 10,000.00), or both.
15

16 In case the offender's act results to slight physical injuries to any party, the penalty
17 imposable shall be imprisonment of six (6) months and one (1) day to two (2) years plus a
18 fine of Twenty thousand pesos (Php 20,000.00).
19

20 In case the offender's act results to less serious physical injuries to any party, the
21 penalty imposable shall be imprisonment of two (2) years and one (1) day to four (4) years
22 plus a fine of forty thousand pesos (Php 50,000.00).
23

24 In case the offender's act results to serious physical injuries to any party, penalty
25 imposable shall be imprisonment of four (4) years and one (1) day to six (6) years, plus a fine
26 of Eighty thousand pesos (Php 80,000.00).
27

28 In case the offender's act results to the death, permanent injury or mutilation of any
29 body part of any party, the penalty imposable shall be imprisonment of six (6) years and one
30 (1) day to twelve (12) years plus a fine of One hundred thousand pesos (Php 100,000.00).
31

1 When the execution of the act covered by this article shall have only resulted in
2 damage to the property of another, the offender shall be punished by imprisonment of six (6)
3 months to two (2) years and/or a fine ranging from an amount equal to the value of said
4 damages to three (3) times such value, but which shall in no case be less than Ten thousand
5 pesos (Php 10,000.00).
6

7 The trial court shall also award the actual and compensatory damages to the victims,
8 based on the evidence presented and pursuant to existing rules and jurisprudence.
9

10 Any government official or employee, who by neglect or connivance, has in any
11 manner aided or abetted in the violation or circumvention of the provisions of this Act, shall
12 be held criminally liable as co-principal under this section and shall, in addition, suffer the
13 penalty of perpetual absolute disqualification to hold public office.
14

15 **SEC. 4. Direct Liability of Operator and/or Owner of tile Offending Vehicle.** – The
16 owner and/or operator of the vehicle driven by the offender shall be directly and principally
17 liable together with the offender for the fine and the award against the offender for civil
18 damages unless he or she is able to convincingly prove that he or she has exercised extra-
19 ordinary diligence in the selection and supervision of his/her drivers in general and the
20 offending driver in particular.
21

22 This rule shall principally apply to the owners and/or operators of public utility
23 vehicles, commercial vehicles like delivery vans, cargo trucks, freight trucks, container
24 trucks, etc., as well as school and company buses, hotel transports, car or vans for rent, taxi
25 cabs, etc. In any case, the subsidiary liability of the owner and/or operator of the vehicle
26 driven by the offending driver shall remain.
27

28 **SEC. 5. Repeated Offenders.** – In case a person is found guilty of reckless driving for
29 two (2) or more times committed within a period of five (5) years, the same shall be a ground
30 for the permanent revocation of his license by the Land Transportation Office (LTO).
31

32 **SEC. 6. Separability Clause.** – Any provision of this Act or the applicability of such
33 provision to any person or circumstance shall be held invalid, the validity of the other
34 provisions of this this Act and the applicability of such provisions to other persons or
35 circumstances shall not be affected thereby.
36

37 **SEC. 7. Repealing Clause.** – All laws, executive issuances, orders and rules and
38 regulations contrary to or inconsistent with this Act, or any part thereof, are hereby repealed,
39 amended and/or modified accordingly.
40

41 **SEC. 8. Effectivity Clause.** - This Act shall take effect upon its approval and upon
42 publication in the Official Gazette and two (2) newspapers of general circulation in the
43 country.

Approved,