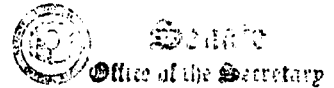


**SEVENTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
Second Regular Session }**



'18 MAY 22 A11 :35

**SENATE  
S.B. No. 1814**

RECEIVED BY: \_\_\_\_\_

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INTRODUCED BY **SENATOR VICENTE C. SOTTO III**

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**AN ACT  
ENHANCING PUBLIC SAFETY AT THE LOCAL LEVEL BY ESTABLISHING  
AND MAINTAINING A DEPARTMENT OF PUBLIC SAFETY IN EVERY  
PROVINCE, CITY AND MUNICIPALITY**

**EXPLANATORY NOTE**

The State recognizes that “the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.”<sup>1</sup> Likewise, “the State shall ensure the autonomy of local governments.”<sup>2</sup>

Considering that the Constitution of the Philippines recognizes the importance of local governments, the Local Government Code has empowered the local government units to ensure and protect the general welfare of their constituents through “the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants”<sup>3</sup>. As such, the local government units are expected to be at the frontline in providing the needed

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<sup>1</sup> Section 5, Article II, 1987 Philippine Constitution

<sup>2</sup> Section 25, Article II, 1987 Philippine Constitution

<sup>3</sup> Section 16, Local Government Code of the Philippines

services of their respective constituents because they have more and closer contact with their local government than with the national government.

In order to enhance the ability of the local government units to effectively and timely respond to the needs of their citizens, the creation of a Department of Public Safety in every province, city and municipality is being proposed to improve the capability of local government units to meet the demand for greater safety and security, better local traffic management, and enhanced disaster preparedness and response.

According to the Japan International Cooperation Agency (JICA), based on its updated figure for 2017, the worsening traffic congestion in Metro Manila alone now costs P3.5 Billion in lost opportunities per day. Moreover, based on the data from the Philippine Statistics Authority, the number of deaths due to road crashed has been increasing since 2006 - with its concomitant economic losses per accident. The public also incurs economic and other losses in instances of deaths, injuries and damage to property due to crime and natural or man-made disasters and calamities. Many of such losses, however, may be prevented by a more responsive and better prepared government at the local level. A proactive local approach can be part of a broader and more comprehensive solution to the challenges that the country confronts in the areas of public order and safety.

This bill promotes greater commitment to public order and safety by local government units and increases their responsiveness by establishing a fully functional and responsive central command and control center and emergency response and management system. Further, the proposed measure institutionalizes the creation of a Department of Public Safety under the direct control and supervision of the provincial governor, city and municipal mayor. The Department of Public Safety will support and augment law enforcement, oversee the operations of private security agencies and security guards, clear sidewalks and public spaces of obstruction, and mitigate the effects of disasters and calamities. This

measure also allows for contiguous municipalities and cities to jointly establish collective command and control centers and emergency response and management systems pending the ability of certain municipalities and cities to establish their own independent centers and systems.

In view of the foregoing, the passage of this bill is earnestly recommended.

  
**VICENTE C. SOTTO III**



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**AN ACT  
ENHANCING PUBLIC SAFETY AT THE LOCAL LEVEL BY  
ESTABLISHING AND MAINTAINING A DEPARTMENT OF PUBLIC  
SAFETY IN EVERY PROVINCE, CITY AND MUNICIPALITY**

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

1 SECTION 1. **Short Title.** - This Act shall be known as the  
2 "*Public Safety Act.*"

3 SEC. 2. **Declaration of Policy.** - It is the policy of the State to  
4 promote public order, ensure public safety and further spur economic  
5 development through the enhancement of local government capability  
6 in addressing safety and security concerns and maintaining public  
7 order including the implementation of efficient and effective local  
8 traffic management and disaster preparedness and relief operations.  
9 Towards this end, all local government units shall establish and  
10 maintain a fully functional and responsive central command and  
11 control center and emergency response and management system in  
12 order to protect and preserve the right of the people to life, liberty and  
13 property.

14 SEC. 3. **Creation of a Department of Public Safety.** - Every  
15 province, city and municipality is hereby mandated to create a  
16 Department of Public Safety (DPS) which, under the direct control and  
17 supervision of the provincial governor, city or municipal mayor, is

1 tasked to implement public order and safety laws and ordinances,  
2 help reduce vehicular traffic congestion and address the effects of  
3 man-made and natural disasters. The DPS shall operate a fully-  
4 functional and responsive central command and control center and  
5 emergency response and management system that will connect  
6 constituents needing immediate assistance with the emergency  
7 resources of the government, such as law enforcement, medical  
8 services, and fire and rescue services, using the most appropriate and  
9 available technologies and communications, with a fully-operative call  
10 center and dispatch hotline, adequate and well-trained staff, sufficient  
11 and up-to-date emergency response equipment, all consistent with  
12 national standards and best practices.

13 Contiguous municipalities and cities may, through their local  
14 chief executives, enter into arrangements and agreements to establish  
15 collective command and control centers and emergency response and  
16 management systems pending the ability of certain municipalities and  
17 cities to establish their own independent centers and systems.

18 Any province, city or municipality with an existing DPS or  
19 similar agency shall retain the same but must conform with the  
20 provisions of this Act.

21 **SEC. 4. Power and Functions.** – The DPS shall exercise the  
22 following powers and functions:

23 (a) Prepare, integrate, coordinate, supervise and control all  
24 plans, programs, projects and activities of the local  
25 government relative to the promotion and maintenance of  
26 peace and order and the protection of life, liberty and  
27 property;

28 (b) Secure the general public and maintain public order in  
29 conjunction with the police and other national law  
30 enforcement agencies;

- 1 (c) Augment auxiliary traffic services and support other agencies  
2 tasked to enforce traffic management;
- 3 (d) Issue temporary terminal permits to public utility vehicles  
4 and manage public utility terminals;
- 5 (e) Monitor and supervise private security agencies and security  
6 guards and issue their security clearances and business or  
7 work permits;
- 8 (f) Issue traffic clearance certificates to business  
9 establishments;
- 10 (g) Clear sidewalks, public parks and other public areas of  
11 obstructions such as unauthorized structures or fixtures and  
12 unlicensed vendors;
- 13 (h) Organize plans for and undertake evacuation, rescue and  
14 relief operations in times of disasters, calamities and civil  
15 disturbances; and
- 16 (i) Establish, maintain and operate a central command and  
17 control center and emergency response and management  
18 system that will monitor and respond to various  
19 contingencies in which emergency resources of the  
20 government are required by the constituents.

21 Accordingly, existing departments within the local  
22 government units whose primary functions are those enumerated  
23 above are hereby integrated and included within the DPS. The DPS  
24 may assume additional functions other than those enumerated above  
25 and may absorb other offices or agencies within the local government  
26 unit as long as the functions or offices are in relation to public order,  
27 safety and security and the protection of life, liberty or property,  
28 unless an existing law expressly prohibits the same.

29 SEC. 5. **Funding.** – The amount necessary for the initial  
30 implementation of this Act shall be charged against the current  
31 appropriations of the local government units. Thereafter, such sum as

1 may be necessary for continued implementation shall be included in  
2 the annual budget of the local government unit.

3           **SEC. 6. *Compliance Period.*** – The local government units  
4 shall comply within one (1) year from the effectivity of this Act. Within  
5 thirty (30) days from compliance, the governor, city or municipal  
6 mayor shall report the same to the Secretary of the Interior and Local  
7 Government.

8           **SEC 7. *Separability Clause.*** – If any provision of this Act is  
9 declared unconstitutional or otherwise invalid, the validity of the other  
10 provisions shall not be affected thereby.

11           **SEC 8. *Repealing Clause.*** – All laws, decrees, orders, rules  
12 and regulations or parts thereof inconsistent with this Act are hereby  
13 repealed or modified accordingly.

14           **SEC 9. *Effectivity.*** – This Act shall take effect after fifteen  
15 (15) days from its publication in the Official Gazette or in a newspaper  
16 of general circulation.

*Approved,*