

**EIGHTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
First Regular Session }**



Senate
Office of the Secretary

**SENATE
S.B. No. 239**

'19 JUL -8 A11 :59

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

**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."¹ Likewise, "the State shall ensure the autonomy of local governments."²

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"³. As such, the local government units are expected to be at the frontline in providing the needed

¹ Section 5, Article II, 1987 Philippine Constitution

² Section 25, Article II, 1987 Philippine Constitution

³ 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.


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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 “Public
2 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 in
6 addressing safety and security concerns and maintaining public order
7 including the implementation of efficient and effective local traffic
8 management and disaster preparedness and relief operations. Towards
9 this end, all local government units shall establish and maintain a fully
10 functional and responsive central command and control center and
11 emergency response and management system in order to protect and
12 preserve the right of the people to life, liberty and property.

13 SEC. 3. **Creation of a Department of Public Safety.** – Every
14 province, city and municipality is hereby mandated to create a
15 Department of Public Safety (DPS) which, under the direct control and

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

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

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

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

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

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

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

1 SEC. 5. **Funding.** – The amount necessary for the initial
2 implementation of this Act shall be charged against the current
3 appropriations of the local government units. Thereafter, such sum as
4 may be necessary for continued implementation shall be included in the
5 annual budget of the local government unit.

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

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

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

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

Approved,