

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. **5745**



Introduced by: **REPRESENTATIVE EDWIN L. OLIVAREZ**

EXPLANATORY NOTE

Per data compiled by the Traffic Management Group of the Philippine National Police, major causes of road accidents include failure to yield right of way, reckless overtaking, tailgating, improper turning, and exceeding lawful speed limit causing various injuries to drivers, vehicles, and pedestrians. A supporting study by Mendoza (2006) also revealed that 85 percent of road accidents in the Philippines were caused by driver error or violations, determining that the social environment has role to play wherein intentions to commit violations were higher when other drivers were seen to commit violations and when there were no traffic enforcers on sight. Alongside the current transportation safety policies, roadway infrastructure, and driver education programs, innovations in ICT also have the potential to improve the implementation of traffic regulations and guarantee road safety for a more inclusively mobile community.

Where rates of road accidents are rampant and where public transport account for 80% of all trips in Metro Manila, drivers and passengers of public utility vehicles should be afforded safety and protection while they are mobile.

A dashboard camera, or 'dash cam' is a device which may be installed on the vehicle that can monitor and record all of the automobile's activities. The installation of dash cams can provide a record documenting incidents of road rage, events leading up to accidents one's driving speed, road routes, direction, seat belt usage and steering, and braking events, among others. A crash or 'unusual motion' of the vehicle can automatically trigger the camera's recording function, but the driver can also manually operate it for the purpose of monitoring driving performance. Even when the car is parked, a dash cam can act as surveillance and

can record who is responsible for the damage or an attempted break-in. Incidents of road mishaps and criminal actions can be prevented.

In the case of California and Australia, the legalization of dash cams leads to an 80 percent reduction in accidents in cars. Drivers in Russia have also been early adopters of dashboard camera technologies for self-protection and have used and uploaded footages online as visual proof and have and admissible evidence to fend off charges from possibly-corrupt police officers and against insurance scammers who often 'Stage' accidents.

Provided that appropriate restrictions are placed with regard to the strategic placement of the device system so as not to obscure driving as well as act in accordance with laws on electronic surveillance, the installation of dashboard cameras should be allowed as it affords the right to safety for Filipino motorists.



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**AN ACT PROVIDING FOR THE MANDATORY
INSTALLATION OF DASHBOARD CAMERAS OR
'DASHCAM' SYSTEMS IN VEHICLES OPERATED FOR
PUBLIC UTILITY**

SECTION 1. *Short Title.* This Act shall be known as the “Dashcam Act of 2015”.

SECTION 2. *Definition of Terms.* For purposes of this Act, the following terms shall be used under the definition provided hereof, to wit:

Dashboard camera or dash cam – a camera that is mounted in or around the dashboard. The camera is easily attached using a suction cup mount. Powered by batteries, it is hardwired into the vehicle’s 12-volt system or through the cigarette lighter port. The dash cam faithfully records all it sees as the card moves about its daily business. The dash cam automatically starts when the card does and records video into removable storage. More complex versions include global positioning systems that can pinpoint the location of what has been recorded, monitor speed, time and date for the recordings. Shocks sensors can even tag recording upon impact to ensure that data is not overwritten in the event of a collision.

Public Utility Vehicles – buses, trucks and other units used for public transport such taxis, multi-cabs, TNCs (transportation network companies), and TNVs (transport network vehicles) used because of its ubiquity, flexibility, reasonable cost, and traditional and habitual acceptability.

SECTION 3. *Procurement and Installation of Dash Cams.* The installation and use of a dashboard camera system shall be required for all public utility vehicles. Owners and operators of taxi franchises, bus lines and other vehicles for public utility shall be required to procure dashcams and install these on all their units. The proper placement of a dashboard camera system shall be ensured that it does not impair the driver's view of the road and outside the range of airbag deployment, the ideal location which is in the windshield.

SECTION 4. *Restrictions in Placement.* To ensure reliable visibility, the dash cam system may not be larger than a 5-inch square area on the driver's side of the windshield, or a 7-inch square area on the passenger's side windshield.

SECTION 5. *On Privacy and Electronic Surveillance.* The usage of the dashcam as a recording device shall be in compliance with the provisions of Republic Act 10173 or the Data Privacy Act of 2012, assuring that the data subject/s need to consent before the recording and release of information unless there is a legal obligation that required for it to be kept or processed. If the public utility vehicle owns a dash cam with a shock sensor, the recorder may not store more than 30 seconds of data before and after the event that triggers its recording function. Provided that proper process was followed, data obtained through a dash cam is admissible in court.

SECTION 6. *Requirement for LTO Registration.* – After the expiration of a one (1) year grace period by this Act for the installation of dashboard camera systems, no bus, taxi, or any public utility vehicle for that matter shall be allowed registration and renewal of registration by the LTO sans the GPS.

SECTION 7. *Monitoring.* – The LTFRB, LTO and the Metro Manila Development Authority shall be tasked to conduct regular ocular inspections after the lapse of one (1) year from promulgation of this Act to ensure that all licensed owners/operators have complied with the requirements of this Acts.

SECTION 8. *Violation of this Act.* - Violation of any of the provisions of this Act shall be meted with a fine of not more than FIVE HUNDRED THOUSAND PESOS (P500,000). against the proprietor of the business to be imposed by a court of competent jurisdiction, as the case may be;

SECTION 9. *Repealing Clause.* – All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are inconsistent with this Act, are hereby repealed or amended as the case may be.

SECTION 10. *Separability Clause.* – In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

SECTION 11. *Effectivity Clause.* – This Act shall take effect after its complete publication in at least three (3) newspapers of general circulation.

APPROVED.