


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SENATE

RECEIVED 

P.S. Resolution No. 606

INTRODUCED BY SENATOR VILLAR

RESOLUTION URGING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT A STUDY, IN AID OF LEGISLATION, ON THE REPORTED INCREASE IN CAR THEFT INCIDENTS IN THE COUNTRY WITH THE END IN VIEW OF CRAFTING A RELEVANT LAW AIMED AT DETERRING THE COMMISSION OF THE OFFENSE

WHEREAS, Section 5 of Article II of the 1987 Constitution declares it as a principle of the state that:

"the maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy."

WHEREAS, Republic Act No. 6539 otherwise known as AN ACT PREVENTING AND PENALIZING CARNAPPING was enacted to deter the commission of theft of motor vehicles by defining the crime of "Carnapping" as the taking, with intent to gain, of a motor vehicle belonging to another without the latter's consent, or by means of violence against or intimidation of persons, or by using force upon things; and provides the following penalties:

"Section 14. Penalty for Carnapping. Any person who is found guilty of carnapping, as this term is defined in Section two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than seventeen years and four months and not more than thirty years, when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping";

WHEREAS, despite the stiff penalty the incidence of carnapping continue to rise most especially in urban areas like Quezon City, Manila and environs;

WHEREAS, the Department of Justice issued recently an advisory urging the public to be vigilant against carjackers and car thieves;¹

WHEREAS, said advisory cited the 2011 report of the Philippine National Police Highway Patrol Group which showed the rise in carnapping statistics and enumerated the current modus of carnapping syndicates in perpetrating the crime;²

WHEREAS, according to the report there are various ways of committing the crime, from faking accidents, taking unattended vehicles to using fake police uniform and license plates, this aside from having in their possession several high-powered rifles; these modus clearly shows that the car thieves are well-funded, as shown by their high-end getaway vehicles and well placed hide;³

WHEREAS, our laws should be made responsive to the new methods of committing the crime adopted by syndicates in order to deter its commission; the current law should be amended in order for it to fully attain its purpose of punishing the offenders and deterring the further commission of the crime;

WHEREAS, it is the duty of the legislature to act as directed by the fundamental law promote peace and order and protect the property rights of citizens in order for them to enjoy the blessings of democracy;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Senate of the Philippines to urge the appropriate Senate Committees to conduct a study, in aid of legislation, on the reported increase in car theft incidents in the country with the end in view of crafting a relevant law aimed at deterring the commission of the offense.

Adopted,


MANNY VILLAR

¹ As cited in <http://www.philstar.com/nation/article.aspx?publicationsubcategoryid=65&articleid=728580>
September 19, 2011, 3:00 PM

² ibid

³ ibid