



HOUSE OF REPRESENTATIVES

H. No. 6112

BY REPRESENTATIVES VELARDE, AGLIPAY-VILLAR, CASTELO, BIAZON, OLIVAREZ, SARMIENTO (C.), PANCHO, UNABIA, SARMIENTO (E.M.), BIRON, GARCIA (G.), VELOSO, GONZALEZ, NOEL, SAMBAR, PIMENTEL, QUIMBO, SUANSING (E.), VIOLAGO, TUGNA, ERICE, SANDOVAL, BAGATSING, VILLANUEVA, MANALO, ZARATE, DEL MAR, BATOCABE, HOFER, UYBARRETA, ARENAS, ROMUALDO, ONG (E.), ONG (H.), MONTORO, GONZALES (A.D.), UNICO, PRIMICIAS-AGABAS, CATAMCO, VIOLAGO, TAMBUNTING, DALIPE, SY-ALVARADO AND GARCIA (J.E.), PER COMMITTEE REPORT NO. 340

AN ACT MANDATING THE INSTALLATION OF SAFETY MONITORING DEVICES IN PUBLIC UTILITY VEHICLES AND PROVIDING PENALTIES FOR VIOLATION THEREOF

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 Utility Vehicle Monitoring Act”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the
4 State to ensure the safety of its citizens, particularly the public transport users,
5 from criminal activity such as theft, robbery, homicide, kidnapping and the
6 like. Towards this end, the State shall require all operators of public utility
7 vehicles (PUVs) to install a closed-circuit television (CCTV) and Global

1 Positioning System (GPS) tracker on their motor vehicles as a means of
2 deterring crime and of gathering the necessary information to help prosecute
3 perpetrators of the aforesaid crimes.

4 SEC. 3. *Definition of Terms.* – As used in this Act:

5 (a) *Closed-Circuit Television* or *CCTV* refers to an electronic
6 communications system equipped with a video camera or video cameras,
7 capable of recording and storing signals or digital information and connected
8 to a monitor or set of monitors designed to perform surveillance over a limited
9 area;

10 (b) *Global Positioning System* or *GPS* refers to a navigational system
11 that determines the latitude and longitude of a particular location on earth by
12 calculating the difference in time it takes for signals sent from different
13 satellites to reach a receiver at that location;

14 (c) *GPS Tracker* refers to an electronic communications device that
15 uses the GPS to determine, track and record its precise location, or of anything
16 on which it is attached or mounted, at regular intervals;

17 (d) *Operator* refers to any person or entity in whose name a Certificate
18 of Public Convenience (CPC) is issued by the Land Transportation
19 Franchising and Regulatory Board (LTFRB) to operate a public transport
20 service for compensation and for a covered period of time;

21 (e) *Public Utility Vehicle* or *PUV* refers to any duly registered public
22 utility bus, taxicab, school transport service, tourist transport service,
23 UV express service, bus rapid transit, airport bus, premium taxi, transport
24 network vehicle service, shuttle bus and other motor vehicles as may hereafter
25 be classified by the LTFRB or appropriate agency as such; and

26 (f) *Tampering* refers to any act of intentionally dismounting,
27 destroying or breaking the CCTV or GPS tracker or any other act intended to
28 disable or hinder any of its functions. It includes the act of deleting or editing
29 the contents of the storage device of the CCTV.

1 SEC. 4. *Mandatory Installation of CCTV and GPS Tracker.* –

2 Following the effectivity of this Act, no public utility vehicle as herein defined
3 shall be allowed to operate on any road or highway without the required
4 CCTV and GPS tracker installed, duly authenticated, and sealed by the
5 LTFRB. A minimum of two (2) units of CCTV shall be installed for every
6 type of PUV. Replacement of damaged or stolen CCTV or GPS tracker must
7 undergo the same process of installation, authentication and sealing.

8 The operator of a PUV shall be required to display a written notice
9 boldly displayed in conspicuous locations outside and inside the body of the
10 PUV to inform the passengers that the PUV is equipped with CCTV and GPS
11 tracker.

12 No operator shall be granted a CPC or franchise to operate a PUV
13 without complying with these requirements: *Provided*, That, in the case of
14 PUVs which are already in operation prior to the effectivity of this Act, the
15 concerned operators shall comply with the mandatory installation of the
16 CCTVs and GPS tracker upon renewal of registration or not later than six (6)
17 months from the promulgation of the implementing rules and regulations
18 (IRR) of this Act, whichever comes earlier.

19 SEC. 5. *Specifications and Standards of CCTV and GPS Tracker.* –

20 The LTFRB, in coordination with the Department of Transportation (DOTr),
21 the Department of Information and Communications Technology (DICT) and
22 the Department of Trade and Industry (DTI)-Bureau of Product Standards
23 (BPS), shall provide for the specifications and standards of the CCTV and
24 GPS tracker herein required, including the storage device which must be
25 capable of recording at least thirty (30) calendar days of information before
26 being overridden by subsequent ones. It shall also determine the required
27 number and location of CCTVs for every type of PUV to ensure optimum
28 view and usage.

1 SEC. 6. *Maintenance of a GPS Tracking Server and CCTV Recording*
2 *Archive.* – The LTFRB Central Office and its Regional Offices shall
3 establish, maintain and manage a GPS tracking server and an archive for all
4 CCTV recordings of PUVs which are subjects of complaints filed before it and
5 of PUVs involved in traffic incidents.

6 In coordination with the Land Transportation Office (LTO), the LTFRB
7 shall likewise establish, maintain and manage a GPS tracking server and
8 archive to be manned by authorized LTO personnel in LTO offices located in
9 strategic areas for data gathering and to ensure the effective monitoring of
10 every registered PUV.

11 In implementing the provisions of this Act, the LTFRB or authorized
12 LTO personnel shall require the operator of any PUV that is the subject of a
13 complaint or a party to an incident, to surrender the vehicle within twenty-four
14 (24) hours from receipt of the order either for its storage device to be removed
15 or the contents thereof to be copied by the authorized officer for purposes of
16 preserving the same. Noncompliance with this order constitutes a violation of
17 the provisions of this Act. In the case of PUVs involved in vehicular incidents,
18 the law enforcement officer conducting the investigation shall, within
19 twenty-four (24) hours, report the incident to the LTFRB or authorized LTO
20 personnel. Noncompliance shall be dealt with according to administrative rules
21 and regulations.

22 The CCTV archive and GPS tracking server herein mentioned shall be
23 established within six (6) months following the promulgation of the IRR of
24 this Act.

25 SEC. 7. *Confidential Nature of CCTV Footages.* – The confidentiality
26 of the videos and other information captured by and stored in the CCTV shall
27 be maintained. Unless otherwise authorized under this Act, the use, viewing,
28 disclosure or publication of the contents of the storage device, whether in
29 whole or in part, is prohibited.

1 SEC. 8. *Use of CCTV Footages as Evidence.* – The LTFRB or any
2 court of competent jurisdiction, in cases or complaints filed before it, may use
3 the information captured by and stored in the CCTV for evidentiary purposes.
4 Law enforcement agencies may, in the conduct of investigations pertaining to
5 the cases filed before them, request for a copy of the CCTV recordings
6 pertaining thereto, subject to the applicable provisions of this Act.

7 SEC. 9. *Access to GPS Tracking Server.* – Upon official written
8 request or electronic mail by a law enforcement agency, its agents shall be
9 granted access to a particular GPS tracking record of the subject vehicle during
10 the conduct of a criminal, administrative, or traffic investigation or police
11 operation.

12 SEC. 10. *Penal Provisions.* – The following penalties shall be
13 imposed upon the offender who is found to have committed the punishable
14 acts enumerated hereunder:

15 (a) A fine of five thousand pesos (P5,000.00), for the first offense;
16 ten thousand pesos (P10,000.00), for the second offense; and fifteen thousand
17 pesos (P15,000.00), for the third offense shall be imposed upon any person
18 who:

19 (1) Operates or allows another to operate a PUV without a working
20 CCTV or GPS tracker, or without the required devices installed and sealed by
21 the LTFRB;

22 (2) Tamper with the CCTV or GPS tracker;

23 (3) Operates or allows another to operate a PUV with a tampered
24 CCTV or GPS tracker;

25 (4) Fails to bring the PUV for purposes of removing the storage
26 device of the CCTV or copying the contents thereof upon the order of the
27 LTFRB; or

28 (5) Fails to comply with the requirement of installation of CCTV and
29 GPS tracker as provided in this Act.

1 The offender's driver's license or franchise, as the case may be, shall be
2 suspended for thirty (30) days, upon the fourth offense; ninety (90) days upon
3 the fifth offense; and one hundred eighty (180) days, for the sixth offense.

4 For the subsequent offense, the franchise or driver's license of the
5 offender shall be revoked or cancelled.

6 (b) A penalty of imprisonment ranging from one (1) year to three (3)
7 years and a fine ranging from one hundred thousand pesos (P100,000.00) to
8 two million pesos (P2,000,000.00) shall be imposed upon any person who, not
9 being authorized by law:

10 (1) Publishes or broadcasts or causes to be published or to be
11 broadcast, in whatever medium, any video or information stored or recorded in
12 the CCTV of a PUV; or

13 (2) Sells or distributes or causes to be sold or distributed any such
14 recorded or stored video or information.

15 (c) In addition to administrative penalties and damages, if applicable,
16 a penalty of imprisonment ranging from one (1) year to three (3) years and a
17 fine ranging from one hundred thousand pesos (P100,000.00) to two million
18 pesos (P2,000,000.00) shall be imposed upon:

19 (1) Any public officer or government agent who releases, gives or
20 transmits to another any stored or recorded CCTV footage or information
21 obtained by reason of an authorized criminal, administrative or traffic
22 investigation or police operation, except when circumstances warrant media
23 distribution to help identify and locate the whereabouts of a suspect or
24 suspects of a crime, or to protect the welfare of the public in cases involving
25 heinous crimes;

26 (2) Any law enforcement agent who, by force, intimidation, or any
27 other means, gains access to the GPS tracking server without the authority
28 from the requesting agency as provided under this Act;

1 (3) Any officer of the LTFRB or LTO charged with the custody of
2 archived video footages or information who releases or transmits the same to
3 persons not authorized for such possession or permits any unauthorized person
4 to have access to or gain possession of such video footages or information; or

5 (4) Any officer of the LTFRB or LTO charged with the maintenance
6 of GPS tracking server who allows any unauthorized person to gain access to
7 the tracking server or particular GPS tracking record.

8 The offenses punishable under subsections (b) and (c) herein shall be
9 prosecuted in accordance with the provisions of Republic Act No. 10173 or
10 the "Data Privacy Act of 2012" and other applicable laws.

11 SEC. 11. *Review of Pecuniary Penalties.* – Five (5) years after the
12 effectivity of this Act and every five (5) years thereafter, the LTFRB may,
13 after public consultation with stakeholders and concerned agencies, increase
14 the amount of fine herein provided: *Provided, That,* such adjustment shall in
15 no case be more than ten percent (10%) of the amount sought to be increased.

16 SEC. 12. *Random Inspection of PUVs.* – The LTFRB may conduct
17 unannounced ocular inspections on any PUV to ensure the proper
18 implementation of this Act.

19 SEC. 13. *Public Information Campaign.* – The LTFRB shall, with the
20 assistance of the Philippine Information Agency (PIA), conduct a continuing
21 nationwide public information campaign within a period of six (6) months
22 following the promulgation of the IRR of this Act.

23 SEC. 14. *Implementing Rules and Regulations.* – Within sixty (60)
24 days after the effectivity of this Act, the LTFRB, in coordination with the
25 DOTr, the LTO, the Philippine National Police (PNP), the Department of
26 Justice (DOJ), the DTI-BPS, the DICT and other stakeholders, shall
27 promulgate the necessary rules and regulations for the effective
28 implementation of this Act.

1 **SEC. 15. *Separability Clause.*** – If any provision of this Act is
2 declared invalid or unconstitutional, the remaining provisions or parts thereof
3 not otherwise affected thereby shall remain valid and subsisting.

4 **SEC. 16. *Repealing Clause.*** – All laws, decrees, executive orders and
5 issuances, ordinances, rules and regulations, or parts thereof inconsistent with
6 the provisions of this Act are hereby repealed or modified accordingly.

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

Approved,

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