Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 564

Submitted by the Committee on Revision of Laws on OCT 15 2020

Re : House Bill No. 7886

Recommending its approval in substitution of House Bills Numbered 1637 and 2090.


Mr. Speaker:

The Committee on Revision of Laws to which were referred House Bill No. 1637, introduced by Reps. Alfred Vargas, Manuel Luis T. Lopez and Eric L. Olivarez, entitled:

"AN ACT IMPOSING STIFTER PENALTIES FOR THE STEALING OR VANDALIZING OF GOVERNMENT ROAD SIGNS AND OTHER RISK REDUCTION DEVICES, ACCESSORIES AND OTHER FACILITIES AND FOR OTHER PURPOSES";

and House Bill No. 2090 introduced by Reps. Raneo "Ranie" E. Abu, Deogracias Victor "DV" B. Savellano, Domingo C. Rivera and Eduardo "Bro. Eddie" C. Villanueva, entitled:

"AN ACT IMPOSING STIFFER PENALTIES ON THE OFFENSE OF STEALING OR VANDALIZING GOVERNMENT ROAD SIGNS AND OTHER WARNING DEVICES, ACCESSORIES AND OTHER FACILITIES AND FOR OTHER PURPOSES"

has considered the same and recommends that the attached House Bill No. 7886, entitled:

"AN ACT IMPOSING STIFFER PENALTIES FOR THE OFFENSES OF STEALING, OR VANDALIZING OF GOVERNMENT ROAD AND TRAFFIC SIGNS, WARNING DEVICES, ACCESSORIES AND OTHER FACILITIES"

Respectfully submitted,

[Signature]

CHERYL P. DELOSO-MONTALLA
Chairperson

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
Second Regular Session

HOUSE BILL NO. 7886
(In Substitution of House Bills Numbered 1637 and 2090)

Introduced by REPS. ALFRED VARGAS, MANUEL LUIS T. LOPEZ, ERIC L. OLIVAREZ, RANEO "RANIE" E. ABU, DEOGRACIAS VICTOR "DV" B. SAVELLANO, DOMINGO C. RIVERA, EDUARDO "BRO. EDDIE" C. VILLANUEVA, LAWRENCE "LAW" H. FORTUN, JOEL MAYO Z. ALMARIO, JOSEPH STEPHEN "CARAPS" S. PADUANO, STELLA LUZ A. QUIMBO and CHERYL P. DELOSO-MONTALLA

"AN ACT
IMPOSING STIFFER PENALTIES FOR THE OFFENSES OF STEALING OR VANDALIZING OF GOVERNMENT ROAD AND TRAFFIC SIGNS, WARNING DEVICES, ACCESSORIES AND OTHER FACILITIES"

Be it enacted by the Senate and the House of Representatives of the Philippines Congress Assembled:

SECTION 1. Short Title - This Act shall be known as the "Stealing or Vandalizing of Government Road and Traffic Signs and Devices Act".

SEC. 2. Declaration of Policy - It is the policy of the State to protect the safety of people and their property, in this regard, the State shall endeavor to continually improve the condition of roads and make vehicular traffic as safe as possible by providing motorists with appropriate information through signs and accident-prevention devices. In pursuit of this end, the State shall mandate concerned government agencies and instrumentalities to install, in conspicuous and appropriate places, road and traffic signs and devices, to warn motorists of risks and dangers on the road.

SEC. 3. Theft and Damage of Government Traffic and Road Signs and Devices - It shall be unlawful to steal or vandalize government road and traffic signs, warning devices, accessories, and other facilities, installed by national and local governments for the purpose of cautioning motorists of imminent dangers along the road.

SEC. 4. Government Road and Traffic Signs Warning Devices and Accessories - As used in this Act, the term "road and traffic signs, warning devices and accessories, and other facilities" shall mean road or traffic signs exemplified by the
signs "Stop", "Yield", "Slippery When Wet". Signs indicating zigzagging sections of roads, railings, and similar devices shall serve to provide road information, notices and warnings to motorists and the public to facilitate vehicular traffic and avoid the occurrence of accidents, loss of life and damage to property. A man-hole cover shall be considered a road accident-prevention accessory.

The Department of Public Works and Highways (DPWH) shall provide a list of all lawful road and traffic signs, warning devices and accessories, and other facilities owned by the government. The list shall be updated as the need arises.

SEC. 5. Prohibited Acts – It shall be unlawful for any person to commit any of the following acts:

1. Steal government road and traffic signs, warning devices, accessories, and other facilities or any parts thereof, installed by national and local governments, listed and duly provided by the DPWH under Section 4 of this Act;

2. Vandalize, damage, destroy, dismantle, or disassembled government road and traffic signs, warning devices, accessories, and other facilities or any part thereof, installed by national and local governments, listed and duly provided by the DPWH under Section 4 of this Act;

3. Sell or buy stolen road and traffic signs, warning devices, accessories, and other facilities or any part thereof, listed and duly provided by the DPWH under Section 4 of this Act;

4. Attempt to commit any of the aforementioned prohibited acts; and

5. Benefit from the proceeds or fruits of any of the abovementioned prohibited acts knowing that the same are derived from the commission of a prohibited act.

SEC. 6. Penalties - The violation of this Act shall be punished with the following penalties:

a. The penalty of imprisonment of not less than twelve (12) years but not more than fifteen (15) years or a fine twice (2x) the market value of the government property stolen in Philippine Currency, or both, at the discretion of the court, shall be imposed on any person found guilty of stealing government road and traffic signs, warning devices, accessories, and other facilities or any part thereof, including man-hole covers as defined in Section 4 of this Act;

b. The same penalty provided under paragraph (a) of this Section shall be imposed on any person found guilty of selling or buying government road
and traffic signs, other risk reduction or warning devices, accessories, and other facilities or any part thereof as defined in Section 4 of this Act;

c. The penalty of imprisonment of not less than six (6) years but not more than ten (10) years or a fine twice (2x) the market value of the government property in Philippine Currency, or both, at the discretion of the court, shall be imposed on any person found guilty of vandalizing, destroying, damaging, tampering, or disassembling government road and traffic signs, warning devices, accessories, and other facilities or any part thereof, including man-hole covers as defined in Section 4 of this Act;

d. The penalty of imprisonment of not less than six (6) years but not more than eight (8) years or a fine equivalent to the market value of the government property in Philippine Currency, or both, at the discretion of the court, shall be imposed on any person who attempts to commit any of the prohibited acts provided Section 4 of this Act;

e. The penalty of imprisonment of not less than two (2) years but not more than seven (7) years or a fine twice (2x) the market value of the government property in Philippine Currency, or both, at the discretion of the court, shall be imposed on any person found guilty of unlawfully benefiting from the proceeds or fruits of any of the prohibited acts enumerated in Section 4 of this Act; and

f. Government employees found guilty of violation of this Act either as principal or as an accomplice shall be penalized according to the penalties prescribed in Section 6 of this Act. In addition, such government employees shall forfeit all their retirement benefits and shall be barred from further employment with the government.

SEC. 7. Incentives – Cash incentives shall be provided to a person or persons who will provide information leading to the apprehension of violators of this Act. The amount of incentives shall be provided for in the rules and regulations to be promulgated to implement this Act.

SEC. 8. Non-applicability of Articles 308, 309 and 310 of the Revised Penal Code - Articles 308, 309, and 310 of the Revised Penal Code shall not be applicable to cases contemplated or enumerated in this Act.

SEC. 9. Implementing Rules and Regulations - Within one hundred eighty (180) days from the effectivity of this Act, the DPWH shall issue the necessary rules and regulations for its implementation.
SEC. 10. Separability Clause - Any portion or provision of this Act which may be declared unconstitutional or contrary to any existing law shall not have the effect of nullifying other portions or provisions hereof.

SEC. 11. Repealing Clause - All other laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 12. Effectivity - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved
AN ACT
IMPOSING STIFFER PENALTIES FOR THE OFFENSES OF STEALING OR VANDALIZING OF GOVERNMENT ROAD AND TRAFFIC SIGNS, WARNING DEVICES, ACCESSORIES AND OTHER FACILITIES"


Committee Referral: COMMITTEE ON REVISION OF LAWS

Committee Chairperson: REP. CHERYL P. DELOSO-MONTALLA

OBJECTIVES:

➢ To improve the conditions of roads and make vehicular traffic as safe as possible by ensuring that motorists are provided with appropriate road information through signs and accident-prevention devices; and

➢ To deter the stealing or vandalizing of government road and traffic signs, warning devices, accessories, and other facilities, by providing stiffer penalties for the commission thereof.

KEY PROVISIONS:

➢ Penalizes the stealing, or damaging government road and traffic signs, other risk reduction or warning devices, accessories, and other facilities installed by national and local governments for the purpose of warning motorists of imminent dangers along the road;
 Defines the terms "traffic signs and accident warning devices and instruments"; includes man-hole covers as accident-prevention devices;

 Mandates the Department of Public Works and Highways (DPWH) to provide a list of all government road and traffic signs, warning devices, accessories, and other facilities, and to update the list as the need arises;

 Provides incentives to those who will give information leading to the apprehension of violators of this Act, the nature and amount of which shall be provided in the rules and regulations to be promulgated to implement this Act;

 Mandates that Articles 308, 309, and 310 on Theft, Penalties and Qualified Theft of the Revised Penal Code (RPC) shall not be applicable to cases contemplated or enumerated in this Act; and

 Mandates the DPWH to issue the necessary rules and regulations to implement this Act within one hundred eighty (180) days of its effectivity.

 RELATED LAWS:

 Revised Penal Code of the Philippines; and

 Republic Act No. 10344, entitled: "An Act Penalizing the Unauthorized Taking, Stealing, keeping or Tampering of Government Risk Reduction and Preparedness Equipment, Accessories and Similar Facilities"