

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

TWENTIETH CONGRESS  
First Regular Session

HOUSE BILL NO. **3304**



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Introduced by  
**REPRESENTATIVE FRANZ S. PUMAREN**

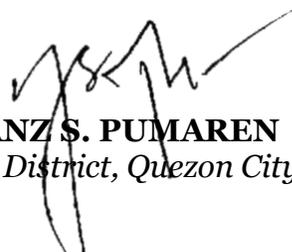
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### **EXPLANATORY NOTE**

In the Philippines, an average of 32 people die every day as a result of road accidents, according to the UN data. Data from the Philippine National Police (PNP) reported an increase in road accidents in 2024 compared to 2023 which also showed a 35% increase in road accident fatalities— 2,747 fatalities in 2024 compared to 2,030 fatalities in 2023. The same PNP data disclosed that 27,248 or 87.17 percent of the road accidents were caused by reckless driving such as bad overtaking, improper turning, speeding, drunk driving, overloading and using mobile phones while driving. On the other hand, the PNP data also showed that 790 road accidents were attributed to motor vehicle condition while 725 cases were caused by poor road conditions.<sup>1</sup>

Considering the numerous transportation-related accidents recorded, there is need to create an independent body dedicated to accident investigation and safety advocacy in order to continuously improve the safety transportation systems in the Philippines.

This bill seeks to establish National Transportation Safety Board, with the core mission to determine the “probable cause” of transportation accidents and incidents. This independent agency shall focus on identifying the causes of these accidents with in depth analysis of factors (such as mechanical failures, human error, environmental conditions and regulatory shortcomings) with then end goal of making formulation of safety improvement standards for the implementation by the concerned government agencies.

  
**FRANZ S. PUMAREN**  
*3rd District, Quezon City*

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<sup>1</sup> <https://lto.gov.ph/news/lto-embarks-on-comprehensive-data-analysis-for-holistic-govt-intervention-on-road-accidents-road-rage/> posted 19 APRIL 2025

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**AN ACT**  
**ESTABLISHING THE NATIONAL TRANSPORTATION SAFETY BOARD,**  
**DEFINING ITS POWERS, FUNCTIONS, AND APPROPRIATING FUNDS**  
**THEREOF**

**Section 1. Short Title.** – This Act shall be known as the "National Transportation Safety Board Act".

**Section 2. Declaration of Policy.** – It is hereby declared the policy of the State to establish and maintain a safe, reliable and secure transportation system; promote and ensure a safe, a viable, efficient, and dependable transportation system as an essential instrument for national development and economic progress. The state is committed to the prevent accidents, reduce fatalities and injuries, save lives and to protect property and environment across all modes of transportation.

Consistent with this policy, the State recognizes the necessity to create an independent non-regulatory agency, to be known as the National Transportation Safety Board to promote impartial and objective accident investigation, identify systematic safety issues, to issue actionable safety recommendations and serve as the focal point of transportation safety.

**Section 3. Creation of the National Transportation Safety Board.** – Pursuant to the foregoing policy, there is hereby created a National Transportation Safety Board, hereinafter referred to as the "Board", which shall be attached to the Department of Transportation.

**Section 4: Coverage.** - The NTSB shall cover all transportation accidents and/or mishaps within the territorial jurisdiction of the Philippines whether land, air, or water or outside the territorial jurisdiction of the Philippine provided that aircraft, ship or any vehicle similar thereto Provided, that it is registered under Philippine laws.

The NTSB shall also cover all types of accidents whether or not alarming nature which results in serious physical injury or loss of life or property or causing substantial damage to or destruction of property or surroundings.

**Section 5. Powers and functions of the NTSB.** – The NTSB shall have the following powers and functions:

- a. To assess and systematize transportation safety standards in accordance with the international safety caliber of applicable conventions, treaties and best practices in transportation safety including those developed by transportation agencies, and recommend its implementation to all sectors of Philippine transportation;
- b. To conduct investigation and, if necessary, hearings concerning any transportation accident and incidents across all major mode of transportation including, maritime, air, or land, in order to determine the probable cause of thereof and identify safety issues that need to be addressed to prevent the same in the future. *Provided*, that other agencies mandated to investigate concurrently such accidents shall coordinate with, cooperate with and extend its full support to the Board during the conduct of investigation. *Provided further*, that the board may compel the presence of an indispensable party or organization or agency whether public or private, to any case or investigation conducted by the Board;
- c. To conduct a broader and/or special studies to identify and address recurring safety problems or emerging issues. These studies may focus on specific technologies, human factors, or regulatory practices across different modes of transportation. *Provided*, that the Board shall not be prevented from making further inquiries on accidents subject of past investigations and shall require the investigating bodies to submit the pertinent records, reports, findings and recommendations;
- d. The board may collaborate and require the participation of the members of the academe and the non-government organizations in investigations that shall require their expertise and knowledge
- e. To promulgate transportation safety standards and recommend such standards to the concerned government agencies and/or private organization the adoption thereof;
- f. Prepare written reports regarding its investigations and special studies, including the findings and safety recommendations thereon and make such reports available to the public;
- g. Assess and evaluate the techniques and methods of accident investigation and prepare and publish from time to time the recommended procedures for accident investigations;

**Section 6: Compositions, Qualifications, and Appointments of the Members of the Governing Board.** –

- a. The Board shall be composed of seven (7) full-time Members, headed by a Chairman. who shall be appointed by the President of the Philippines. A Member of the Board must be a natural-born citizen at the time of his/her appointment, and must have at least three (3) years of actual experience in the administration, operation and management of a transport utility firm or regulatory agency in either

air, land, sea or rail transportation and knowledgeable in accident reconstruction, safety engineering or transportation and traffic safety: Provided, That three (3) of the full-time members must come from the commuting public, including a representative from organizations advocating for road safety.

- b. The members shall be Filipino citizens and residents of the Philippines, at least thirty-five (35) years of age, and persons of good moral character, unquestionable integrity, and recognized probity and competence.
- c. The Chairman shall have a term of five (5) years but may be renewed for a non-extendible period of one (1) year: Provided, That the term of the initial appointees shall be staggered such that the Chairman shall hold office for a term of five (5) years, the next three (3) members for three (3) years and the other three (3) members for two (2) years.
- d. Upon the expiration of their respective terms, they shall continue to serve until their successor shall have been appointed and qualified. In case a member fails to complete his term, his successor shall only serve the unexpired portion of the term of his predecessor.
- e. A member may be removed from office by the President for cause in accordance with the Civil Service rules and regulations.
- f. In case of incapacity or absence of the Chairperson, the members shall choose from among themselves an acting Chairperson.
- g. The Board shall establish and maintain distinct appropriately staffed bureaus, divisions, or offices, to investigate and report on accidents involving each of the following modes of transportation:
  1. Aviation;
  2. Highway and motor vehicle;
  3. Pipeline, railroad, and tracked vehicle; and
  4. Marine transport carriers.

**SECTION. 7. Chairperson; Duties and Powers.** - The Chairperson shall be the chief executive and administrative officer of the NTSB. The Chairperson shall:

- a. Administer oaths and issue subpoena duces tecum or subpoena ad testificandum: Provided, that subpoenas shall be issued under the signature of the Chairperson and may be served by any officer, personnel or employee of the NTSB as designated by the Chairperson;
- b. Execute and carry out the policies, decisions, orders, and resolutions approved by the Board;
- c. Direct and supervise the operations and internal administration of the NTSB, including enforcement of disciplinary actions;
- d. Sign appointments, make temporary assignments, rotate and transfer of personnel in accordance with law;
- e. Prepare the annual budget of the NTSB for approval by the Board;
- f. Supervise the expenditures of the NTSB;
- g. Delegate his/her authority, in whole or in part, to other officials of the NTSB in accordance with Executive Order No. 292, otherwise known as the Administrative Code of 1987, as amended, and the rules and regulations of the Board; and
- h. Perform such other functions as may be authorized by the Board.

**Section 8: Duties and Powers of the Board.** - The Board shall:

- a. Initiate and conduct studies on matters pertaining to safety in transportation and avoiding injury to persons and damage to property;
- b. Gather, analyze, maintain, and publish from time to time data and statistics on transportation accidents;
- c. Prescribe requirements for persons and institutions regarding data gathering, reporting, the preservation, proper handling, conservation, and protection of evidence, records files, and/or specimens related to any accident;
- d. Issue periodic reports to Congress, the President, and make them available to government agencies and instrumentalities, and non-government organizations concerned with transportation safety upon request, including owners of public transportation carriers who may be concerned with the findings of the Board and to interested persons. Such reports shall contain proposals for corrective measures to make the transportation of persons as safe and free from the risk of injury as possible, including steps to minimize human injuries from transportation accidents: Provided, the said reports shall be made public within sixty (60) days from its submission to the Congress or to the president, as the case may be;
- e. The Board may require and shall be furnished a copy of reports by the officials concerned on any transportation-related accident, The Board may order, if necessary, the autopsy, or require other tests of such persons as may be needed for the investigation of the accident;
- f. The Board may call the assistance of, and use any available services, equipment, facilities, of the Department of Justice (DOJ) Department of Transportation (DOTC), Philippine Coast Guard (PCG), Department of National Defense (DND), Department of Public Works and Highways (DPWH), Philippine National Police (PNP), and other agencies and instrumentalities of the government;
- g. The Board may enter into such contracts, leases, agreements and other transactions as may be necessary in the conduct of its functions and duties;
- h. The Board may create advisory committees composed of qualified private citizens and government officials with whom the Board may consult in the implementation of its functions and duties, and to pay honoraria of these persons for meetings actually attended. Whenever necessary, the Board may likewise appoint or retain the services of recognized experts as consultants on the accidents under investigation. Such consultants shall be paid compensation as fixed by the Board: Provided, That not more than three (3) consultants shall be appointed for each accident being investigated Provided, further, That no officer, external auditor, or legal counsel of any investigated: Provided, further, That no officer, external auditor, or legal counsel of any private company or enterprise primarily engaged in the transportation industry shall be eligible for appointment as a consultant of the Board within three (3) years from his retirement, resignation, or separation therefrom;
- i. Appoint advisory committees composed of qualified private citizens and officials of the national government and LGUs as appropriate;
- j. Accept donations and gifts of money and other property;
- k. Accept donations and gifts of money and other property;

- l. Enter into contracts with non-profit entities to carry out studies related to the duties and powers of the Board for its operating expenses;
- m. The Chairman of the Board may determine the number of committees that are appropriate to maintain effective liaison with other departments, agencies and instrumentalities of the national government and LGUs, non-government organizations, and independent standard-setting authorities that carry out programs and activities related to transportation safety. The Board shall designate a representative to serve in the committees;
- n. The Board or any officer, or employee designated by the Chairman, may conduct an inquiry to obtain information related to transportation safety; and
- o. (o) The Board or its designated officer or employee may require by order, a department, agency, or instrumentality of the national government, LGUs or a person, natural or juridical, which transports persons or goods, to submit to the Board a written report and answers to request and questions pursuant to the powers of the Board under this Act. The Board shall prescribe the time within which the reports and the answers thereto must be submitted to its designated officer or employee. Copies of the report and the answers thereto shall be made public within sixty (60) days from submission to the Board.

**SECTION 9. Quorum.** - The presence of at least four (4) members shall constitute a quorum and the majority vote of members present shall be necessary for the adoption of any rule, ruling, order, resolution, decision or other acts of the Board.

**SECTION 10. Compensation.** - The Chairman and the Members of the Board shall have the rank of a Department Undersecretary and Assistant Secretary, respectively. They shall receive the compensation and other emoluments corresponding to those of a Department Undersecretary and Assistant Secretary, respectively.

**SECTION 11. Offices of the NTSB.** - For the proper management and effective implementation of the objectives of the NTSB, the following offices are hereby established:

- a. Office of the Executive Director. - The NTSB shall have an Executive Director who shall be appointed by the President of the Philippines upon recommendation of the Board. The Executive Director must be at least thirty-five (35) years of age at the time of appointment, a member of the Philippine bar, and engaged in the practice of law for at least ten (10) years prior to the date of appointment. The appointee must not have been a candidate for any elective position in the elections immediately preceding the appointment.

The Executive Director shall assist the Chairperson in the discharge of his functions as executive and administrative head of the Board and be responsible for the day-to-day management of the NTSB; record and report the proceedings of the Board; have custody of records, maps, profiles, reports, and other documents filed in connection with any case or proceedings before the NTSB; supervise the NTSB laboratory; and, perform such other functions as may be assigned by the Chairperson or the Board.

- b. Office of Aviation Safety. - The Office of Aviation Safety shall conduct investigations of all aviation accidents and submit the corresponding reports and necessary transportation safety recommendations to the Board.
- c. Office of Maritime Safety. - The Office of Maritime Safety shall conduct investigations of all maritime accidents and submit the corresponding reports and necessary transportation safety recommendations to the Board
- d. Office of Surface Transportation Safety. - The Office of Surface Transportation Safety shall conduct investigations of road transportation, railroad, and pipeline accidents and submit the corresponding reports and necessary transportation safety recommendations to the Board.
- e. Office of Transportation Safety Standards. - The Office of Transportation Safety Standards shall prescribe safety standards in all transportation systems; establish and update transportation safety standards through continuing research and in-depth studies; and oversee the implementation of the safety recommendations program of the NTSB.
- f. Office of Research and Engineering. - The Office of Research and Engineering shall provide technical advice and services to the NTSB; conduct research and carry out analytical studies and tests on all aspects of the NTSB's transportation accident investigation, accident prevention and safety promotion activities; conduct safety studies on specific safety issues; perform statistical analyses of transportation accidents and incident data; maintain archival records of the NTSB's accident investigation and safety promotion activities; and, support the NTSB's data processing, computing and information management requirements.
- g. Office of the General Counsel. - The Office of the General Counsel shall provide legal advice and assistance to the NTSB and its officers, personnel and employees; prepare rules, opinions and orders; and represent the NTSB in court actions and other proceedings.
- h. Office of Public Affairs. - The Office of Public Affairs shall provide the general public, including Congress and the national agencies, the transportation industry, and the media with current and accurate information concerning the activities, programs and objectives of the NTSB.
- i. Administration Office. - The Administration Office shall provide administrative support in the following aspects: budget; accounting and audit; human resource management; information and automatic data processing management; property, space, communications, facilities and transportation management; and, printing, publications, correspondence, procurement, contracting, and accident inquiry services.

**SECTION 12. Personnel.** - Subject to civil service laws, rules and regulations, and the approval of the Department of Budget and Management, the Board shall determine its own staffing pattern and the number of personnel of the organization. The Board shall, in accordance with existing laws and policies, select, appoint, employ, and fix the compensation of such officers and employees, including investigators, and attorneys, as may be necessary to carry out its powers and duties.

**SECTION 13. Prohibited Interests.** - The Chairperson, members of the Board, officers, and employees shall not, during their tenure, hold any other office or

employment. Neither shall they engage in the practice of any profession or in the active management or control of any business which, in any way, may be affected by the functions of their office, nor shall they be financially interested, directly or indirectly, in any contract with, or in any franchise or privilege, granted by the government and its subdivisions, agencies or instrumentalities, including government-owned or controlled corporations or their subsidiaries. They shall directly avoid conflict of interest in the conduct of their office.

No spouse or relative by consanguinity or affinity within the fourth civil degree and no law, business or professional partner or associate of the Chairperson or Members may appear as counsel or agent on any matter pending before the Board or transact business directly or indirectly therewith.

The disqualification shall apply during the tenure of the official concerned and one (1) year thereafter.

Any violation of this section shall be a ground for removal from the NTSB as well as administrative, civil or criminal prosecution under applicable laws.

**SECTION 14. Recommendations of the Board.** - The Board shall submit a recommendation regarding transportation safety to the appropriate government agencies of which they shall respond to each recommendation formally and in writing not later than thirty (30) days after receipt thereof. The failure on the part of the concerned agency to abide by the recommendation of the Board without any justifiable reason shall be a ground for administrative liability of the head of the agency or concerned official as well as other sanctions as provided under existing laws.

The Board shall recommend to the appropriate government agencies the recall of any defective means of transportation and to cause the installation of the required part or parts to make it safe and notify not only the distributor or purchaser but also the public of such defect. It shall also recommend the grounding of any defective means of transportation pending the investigation of the cause or nature of its defect. Moreover, the Board may also recommend the denial, amendment, modification, suspension, or revocation of a certificate of public convenience, registration or franchise if the means of transportation, including the activities of a commercial carrier, have been found negligent, as well as suspension or revocation of license, as the case may be.

**SECTION 15. Disclosure, Availability, and Use of Information.** –

- a. Except as provided in this section, any copy of record, information or report of investigation submitted to the NTSB shall be made available to the public upon request and payment of reasonable cost;
- b. The Board shall not make the records available for purposes other than accident or incident investigation, unless the appropriate authority for the administration of justice determines that their disclosure outweighs the adverse domestic and international impact;
- c. The Board shall not disclose any information related to a trade secret except:

1. To another department, agency, or instrumentality of the national government, when requested for official use;
  2. To a committee of Congress having jurisdiction over the subject matter to which the investigation is related, when requested by that committee;
  3. In a judicial proceeding under a court order that preserves the confidentiality of the information without impairing the proceeding; and
  4. To the public: Provided, That such disclosure shall be for the protection of public health and safety: Provided, further, That the disclosure shall be made in a manner designed to protect and preserve its confidentiality.
- d. The Board shall not publicly disclose any part of a cockpit voice recording or transcript of oral communications by and between flight crew members and ground station related to an accident or incident investigated by the NTSB: Provided, That the NTSB shall make public any part of the transcript that it deems relevant to the said accident or incident:
1. When the NTSB holds a public hearing on the accident or incident; or
  2. When the NTSB makes public its findings relative to the said accident or incident.
- e. Except as provided in Section 15 (b) of this Act, the Board shall maintain the confidentiality of, and exempt from disclosure:
1. Laboratory records provided to the Board; and
  2. Medical information related to the test or a review of the test voluntarily provided to the Board by the tested officer or employee.
- f. The Board may use a laboratory record of a person made available to it under this Act to develop an evidentiary record in its investigation of an accident or incident where the fitness of such person is at issue.

**SECTION 16. Non-admissibility as Evidence.** - No part of a report of the NTSB related to a transportation accident investigation may be admitted as evidence or shall be used in any a civil action for damages resulting from a matter mentioned in the report. Furthermore, the NTSB shall have immunity from suits arising from its investigation, pronouncements, and findings.

**SECTION 17. Relationship with Other Government Agencies.** -

- a. Nothing in this Act shall deprive other government agencies of performing their initial functions. including the investigation of accidents or making inquiries thereon, when those functions exist prior to the effectivity of this Act: Provided, That the Board, at its discretion, may require the submission of the records, findings, and recommendations of the investigation or inquiry;

- b. The PNP or any other law enforcement agency shall continue to investigate and record accidents involving motor vehicles and/or pedestrians for this purpose, the Board shall prescribe a uniform and standard operating system for investigation of such accidents. which shall be mandatory on the part of the investigating body or person;
- c. The Board may require the submission of the records, findings, and/or recommendations of previous accidents and/or investigations of such accidents, from any government agency. For this purpose, the agency concerned shall transmit to the Board, within fifteen (15) days from receipt thereof, said records, findings, and/or recommendations; and
- d. In the exercise of its powers, the Board shall take into consideration the provisions of any treaty entered into by the Republic of the Philippines with other countries relative to the investigation of accidents over which the Board assumed jurisdiction.

#### **SECTION 18. Disclosure, Availability, and Use of Information. -**

- a. Except as provided in this section, any copy of the record, information or report of investigation submitted to the Board shall be made available to the public upon request and at reasonable cost,
- b. The Board shall not make the records available for purpose other than accident or incident investigation, unless the appropriate authority for the administration of justice determines that their disclosure outweighs the adverse domestic and international impact,
- c. The Board shall not disclose any information related to a trade secret, except:
  - 1. To another department, agency, or instrumentality of the national government, when requested for official use;
  - 2. To a committee of Congress having jurisdiction over the subject matter to which the investigation is related, when requested by that committee;
  - 3. In a judicial proceeding under a court order that preserves the confidentiality of the information without impairing the proceeding; and
  - 4. To the public: Provided, that such disclosure shall be for the protection of public health and safety; Provided, further, that the information so disclosed will not be detrimental to public health and safety: Provided final, that the disclosure shall be made in a manner designed to protect and preserve its confidentiality.
- d. The Board shall not publicly disclose any part of a cockpit voice recording or transcript of oral communications by and between flight crew Members and ground station related to an accident or incident Investigated by the Board: Provided, That the Board shall make public any part of transcript the Board decides is relevant to the said accident incident:
  - 1. When the Board holds a public hearing on the accident or incident; or
  - 2. When the Board makes public its findings relative to the said accident or incident.

- e. Any law to the contrary notwithstanding the head of the concerned agency shall, upon order or written request by the Board provide the following information to the board:
  - 1. Any report or a confirmed positive toxicological test, verified as positive by the medico-legal officer of the National Bureau of Investigation (NBI), conducted on an officer or employee of the concerned agency under post-accident, unsafe practice, or reasonable toxicological requirements of the concerned with the circumstances of an accident or incident under the investigative jurisdiction of the Board; and
  - 2. Any laboratory record documenting that the test is confirmed as positive.
- f. Except as provided in Section 10 (b) of this Act, the Board shall maintain the confidentiality of, and exempt from disclosure:
  - 1. Laboratory records provided to the board shall maintain the confidentiality of, and be exempt from disclosure; and
  - 2. Medical information related to the test or a review of the test voluntarily provided to the Board by the tested officer or employee.
- g. The Board may use a laboratory record made available to it under this Act to develop an evidentiary record in its investigation of an accident or incident if:
  - 1. The fitness of the tested officer or employee is at issue in the investigation; and
  - 2. The use of that record is necessary to develop the evidentiary records.

**SECTION 19. Appropriations.** - The sum of Fifty Million Pesos (P50,000,000.00) is hereby appropriated out of any funds in the National Treasury not otherwise appropriated, for the initial organization and operations of the Board Thereafter, such sums, as may be necessary for the operations of the Board, shall be included in the annual General Appropriations Act.

**SECTION 20. Annual Report.** - The Board shall submit to the President and Congress an annual report at the end of every calendar year containing, among others:

- (a) Statistical and analytical information of accident or incident investigations conducted and reviewed by the Board during the preceding year;
- (b) A survey and summary of the recommendations made by the Board to reduce the likelihood of the recurrence of those accidents, together with the observed response to each recommendation; and
- (c) The uses of, disbursement form, and receipt to the Fund created in accordance with this Act.

**SECTION 21. Implementing Rules and Regulations.** - Within sixty (60) days from the effectivity of this Act, the Board, In consultation with the DOJ, DOTC, PCG, DND, DPWH, PNP, and NBI, shall promulgate the implementing Rules and Regulations (IRR)

for the effective implementation of this Act. The IRR shall provide procedures geared towards streamlined processes and swift justice by observing timeline or deadline in rendering decisions and issuances, plain writing or easy-to understand instructions, and over-all improvement of the industry.

**SECTION 22. Separability Clause.** - If, for any reason, any provisions of this Act are declared invalid or unconstitutional, the other part or parts thereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 23. Repealing Clause.** - All laws, decrees, executive orders, issuances or rules and regulations, or portions thereof, that are inconsistent with this Act or any provision or provisions, thereof, are repealed or modified accordingly.

**SECTION 24. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

*Approved,*