

(H.B. 1996)

(No. 145)

(Approved December 5, 2005)

AN ACT

To amend Section 7.05 of Act No. 22 of January 7, 2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” in order to provide that the amount of the fines for violations of this Section shall be covered into the fund managed by the Automobile Accidents Compensation Administration (ACAA, Spanish acronym) for the purpose of financing and/or defraying the cost for the health services and compensation insurance, as provided in Act No. 138 of June 26, 1968, known as the “Automobile Accident Social Protection Act.”

STATEMENT OF MOTIVES

Act No. 138 of June 26, 1968, known as the “Automobile Accident Social Protection Act,” is a social assistance law whose main purpose is to reduce to a minimum the economic and social effects the victims and families of those who suffer automobile accidents must face. The Automobile Accidents Compensation Administration (ACAA, Spanish acronym) is the entity provided by law to protect those victims by means of an annual premium paid when the license is renewed for providing medical-hospital services, rehabilitation in rest homes and disability compensation for generating income, among others.

During the past 2004-05 fiscal year a total of 46,366 injured persons received services from the Automobile Accidents Compensation Administration (ACAA, Spanish acronym), of which 27,541 were drivers,

14,616 were passengers and 4,209 were pedestrians, statistics which largely show that the injuries caused in motor vehicle traffic accidents represents a silent epidemic that affects all sectors of Puerto Rican society. Regarding the distribution of deaths caused by vehicular accidents, a total of 436 deaths were registered during that fiscal year, of which 53.58% involved young people between the ages of 15 and 34. This data coincides with the quarterly report prepared by the office of the Assistant Superintendent for Traffic Administration, corresponding to the months of January and March 2005, which shows that 69,992 vehicular accidents took place then, including 113 deaths.

The purpose of Act No. 22 of January 7, 2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” is to counteract the act of driving motor vehicles in the public highways under the influence of alcoholic beverages, drugs or controlled substances in a thorough, decisive and energetic manner so as to promptly and totally eradicate this type of criminal conduct which threatens the sound coexistence of all citizens. Pursuant to these postulates, Section 7.05 provides that any person who causes bodily harm to another as a consequence of driving a motor vehicle under the influence of alcoholic beverages, drugs or controlled substances, shall incur a misdemeanor and be sanctioned with the penalty of a fine of not less than one thousand (1,000) dollars nor of more that five thousand (5,000) dollars, the penalty of restitution and suspension of the driver’s license for a term of five (5) years.

This Legislature believes that assigning the amount of the fines collected for violations of this Section to the Automobile Accidents Compensation Administration (ACAA, Spanish acronym), for providing the rehabilitation services to the beneficiaries of the health services and

compensation insurance as provided in Act No. 138 of June 26, 1968, as amended, cannot be postponed so that said beneficiaries may be reintegrated to their social milieu to live as independently as possible.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-To amend Section 7.05 of Act No. 22 of January 7, 2000, as amended, to read as follows:

“Section 7.05.-If as a consequence of a violation of the provisions of Sections 7.01, 7.02 and 7.03 of this Act, a driver should cause bodily harm to another person, he/she shall incur a misdemeanor and if convicted shall be punished with a fine of not less than one thousand (1,000) dollars nor of more than five thousand (5,000) dollars, and the penalty of restitution. Furthermore, it shall entail suspension of his/her driver’s license, for a term of not less than one (1) year nor of more than five (5) years, as well as not preventing any other process, for the same faults, for violation of Sections 7.01, 7.02 and 7.03 of this Act.

The amount of the fines for violations to the provisions of this Section shall be covered into the fund managed by the Automobile Accidents Compensation Administration (ACAA, Spanish acronym) to finance and/or defray the cost for the health services and compensation insurance, as provided in Act No. 138 of June 26, 1968, known as the “Automobile Accident Social Protection Act.”

Section 2.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 145 (H.B. 1996) of the 2nd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 7.05 of Act No. 22 of January 7, 2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” in order to provide that the amount of the fines for violations of this Section shall be covered into the fund managed by the Automobile Accidents Compensation Administration (ACAA, Spanish acronym) for the purpose of financing and/or defraying the cost for the health services and compensation insurance, as provided in Act No. 138 of June 26, 1968, known as the “Automobile Accident Social Protection Act.”,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 1st of March of 2006.

Francisco J. Domenech
Director