

(H.B. 1677)

(No. 205)

(Approved September 27, 2006)

AN ACT

To amend subsection (a) of Section 10.17 of Act No. 22 of January 7, 2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” in order to make clear that the obligation of every vehicle driver to pick up or remove from the pavement any object that becomes detached or falls from the vehicle which may constitute a traffic hazard and an obstacle shall apply, provided it does not put the driver’s life and safety at risk and that should the latter’s life or safety be at risk, the driver shall take all necessary steps with the pertinent municipal or governmental authorities to pick up or remove the object; and for other purposes.

STATEMENT OF MOTIVES

Act No. 22 of January 7, 2000, as amended, known as the Puerto Rico Vehicle and Traffic Act, seeks, among other things, to look after the public safety since that law has a direct impact on the daily lives and activities of the citizens. The aforementioned Act imposes certain obligations on the conductors and passengers of motor vehicles so that our citizens may be guaranteed safety traffic measures while driving along our thoroughfares.

Sadly, we frequently witness incidents whereby objects become detached or fall from motor vehicles thus constituting a hazard or an obstacle on our thoroughfares. However, the drivers of said vehicles continue driving in total disregard of the object that has fallen to the

pavement. This brings about an increase in the incidence of accidents on our thoroughfares since it causes other drivers to make risky maneuvers that endanger their lives as well of others.

Subsection (a) of Section 10.17 of the above cited Act, imposes on the driver involved in a situation as the one described above, the obligation of immediately picking up or removing the object from the pavement. However, we must recognize that complying with this provision may endanger the life and safety of the driver.

With that in mind, this Legislature believes it necessary and convenient to make clear that compliance with this provision of Law shall be achieved so that it does not entail putting at risk the lives and safety of our drivers. Should this be the case, under this Act a driver is bound to recur to the corresponding governmental or municipal authorities, such as the Puerto Rico Police, the Municipal Police or the Civil Defense, among others, so they may help the driver in picking up or removing the object from the pavement, be it by controlling the traffic or physically assisting the driver, should this be necessary.

It is important that our thoroughfares be kept clean and safe so as to guarantee that the movement of vehicular traffic be free from obstacles that are harmful to the environment and that endanger the safety of drivers. It is likewise the responsibility of this Legislature to ensure that compliance with the Law does not entail putting at risk the lives and safety of our drivers, considering the fact that many of our thoroughfares have a large vehicular flow, that the speed limits have been increased and that these are factors that may dissuade drivers from faithfully complying with the Law. In this sense the government and municipal authorities must render all the necessary and required cooperation with their personnel and other resources so as to

contribute to making the thoroughfares of Puerto Rico clean, safe and adequate in order to, in that sense, reduce the incidence of accidents and loss of life in our thoroughfares.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Subsection (a) of Section 10.17 of Act No. 22 of January 7, 2000, as amended, is hereby amended to read as follows:

“Section 10.17.-Conduct of drivers or passengers

Drivers or passengers of motor vehicles shall obey the following rules:

- (a) It shall be the obligation of every driver of a motor vehicle from which any object, which may be a hazard or obstacle to traffic, is detached or falls off, to immediately stop and pick it up, or remove it from the pavement, provided this does not put at risk the life and safety of said driver or other drivers or citizens, in which case, the driver shall be bound to take the necessary and pertinent steps as soon as possible with the corresponding municipal or government authorities to pick up or remove said object. This does not exempt the driver of his/her duty to make arrangements with the public sector, when necessary, for complying with what is herein provided.
- (b)”

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. 205 (H.B. 1677) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to amend subsection (a) of Section 10.17 of Act No. 22 of January 7, 2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” in order to make clear that the obligation of every vehicle driver to pick up or remove from the pavement any object that becomes detached or falls from the vehicle which may constitute a traffic hazard and an obstacle shall apply, provided it does not put the driver’s life and safety at risk and that should the latter’s life or safety be at risk, the driver shall take all necessary steps with the pertinent municipal or governmental authorities to pick up or remove the object; and for other purposes,

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

In San Juan, Puerto Rico, today 22nd of January of 2007.

Francisco J. Domenech
Director