

(H. B. 2256)

**(No. 161-2015)**

(Approved October 1, 2015)

## **AN ACT**

To amend Section 10.05 of Act No. 22-2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” in order to provide that official vehicles of domestic violence victims’ shelters used to provide protection and services to victims are hereby exempt from the application of this Section; and for other purposes.

### **STATEMENT OF MOTIVES**

In Puerto Rico, the code of laws currently in effect relating to domestic violence is a cutting edge tool that seeks to achieve the prevention and eradication of this serious social and public health evil. Since its enactment, Act No. 54 of August 15, 1989, as amended, known as the “Domestic Abuse Prevention and Intervention Act,” became the core concept of the public policy of the Government of Puerto Rico with respect to domestic violence.

Undoubtedly, implementation and execution mechanisms are critical for the effectiveness of any legislation. Hence, any legislation that provides protection to domestic violence victims serves as the basis for the creation and development of initiatives aimed at the coordination of guidance, education, prevention, intervention, and survivor support services throughout the Island.

Notwithstanding the efforts made by government and nonprofit organizations, domestic violence continues to be present in our society. Statistics of domestic violence incidents in the Island reveal a pressing need to continue strengthening services and protections available to survivors. These statistics also identify the need to broaden the tools available to continue progressing in terms of prevention and eradication of domestic violence.

Shelter, protection, and specialized support services in Puerto Rico for domestic violence victims are rendered mostly by nonprofit and faith-based organizations. Shelters for domestic violence victims have become a key factor in guaranteeing the safety of victims who abandon their attacker, which is a time where their safety and integrity is most vulnerable. Shelters for domestic violence victims constitute an urgent measure to receive and protect them, since they are designed to guarantee the safety of victims and provide them with an emotional distance that allows them to protect themselves while they gauge their options and make a decision as to what will be the next step in their lives and those of their children, including the fundamental decision of whether to continue or end their relationships with their attackers.

As an example of the function of shelters, the Puerto Rico Domestic Violence Shelter Network is a nonprofit organization incorporated in 2011, which encompasses eleven (11) shelters that offer emergency and protection services to women and children who are victims of domestic violence and are at risk of losing their lives to their attackers. The following currently compose the Shelter Network:

1. Casa de la Bondad in the Municipality of Humacao;
2. Casa Protegida Julia de Burgos and its three (3) shelters, located in the Municipalities of San Juan, Ponce, and Aguadilla;
3. Hogar Ruth in the Municipality of Vega Alta;
4. Casa Protegida Luisa Capetillo in the Municipality of Arecibo;
5. Hogar Nueva Mujer in the Municipality of Cayey;
6. Hogar la Piedad in the Municipality of Caguas;
7. Instituto Prevocacional e Industrial (CAPROMUNI) in the Municipality of Arecibo;
8. Hogar Clara Lair in the Municipality of Hormigueros; and
9. La Casa de Todos in the Municipality of Juncos.

In addition to the shelter service, these nonprofit organizations offer assistance and guidance to domestic violence victims and oftentimes their children. As it happens with many nonprofit organizations that serve the community, the shelters for domestic violence victims are nurtured from the commitment and dedication of the volunteer and salaried staff showing their solidarity with Puerto Rican women who seek help to escape from abuse. Likewise, it is worth noting that these entities depend on donations and government appropriations almost exclusively to keep operating.

As part of their work, shelters for domestic violence victims transport on a daily basis victims who receive the services they render. Sometimes they are part of the team that comes to rescue the victims or pick them up and transport them to the police station, the court, a medical appointment, among others, all of which are related to the emergency situation that ensued after the domestic violence incident. When transporting survivors it is important to guarantee that the attacker has no way of knowing in which vehicle the victim is being transported, as well as to safeguard the privacy and dignity of the victim.

For such reason, it is our duty to make available to these organizations any tools that help them guarantee the safety, confidentiality and, most of all, the life of domestic violence survivors. The proposed legislative action shall be of great benefit for Puerto Rican women who are victims of domestic violence, their safety, and their protection. In doing so, legislative measures are supported with actions and efforts geared toward preventing and eradicating domestic violence in our society.

***BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:***

Section 1.- Section 10.05 of Act No. 22-2000, as amended, is hereby amended to read as follows:

“Section 10.05.- Use of One-way Glass and Tinted Glass Windshields and Windows

The use of one-way glass for the windshield and glass windows of vehicles or motor vehicles, as well as any other tint that prevents vision through the windshield of vehicles or motor vehicles, is hereby prohibited. The altering thereof by applying tints and any other material or product used as a solar filter on the windshield and windows of motor vehicles to produce a percentage of transmission of visible light of less than thirty-five percent (35%) is likewise prohibited. Official vehicles of the Government duly authorized by the Secretary, as well as ambulances, bullet-proof vehicles for the transportation of securities, official vehicles of domestic violence victims shelters that are necessary to discharge their functions of protecting and rendering services to domestic violence victims and which are registered for such purposes in the Department; vehicles specially designed and devoted exclusively to the transportation of tourists, and those vehicles factory-equipped with tinted rear windshields or windows and that produce a percentage of light transmission that is less than that indicated in this Section are exempt from the application of the provisions in this Section. Upon evaluation of the corresponding request, the vehicles or motor vehicles that the Secretary certifies to such effects for security reasons or that are contracted by the Government of the Commonwealth of Puerto Rico to render security services shall also be exempt from these provisions. Rear windshields or windows are understood to be all those located in the vehicle or motor vehicle behind the drivers' seat.

...”

Section 2.- The Secretary of Transportation and Public Works is hereby authorized to adopt or amend regulations as necessary to achieve the purposes of this Act. Provided, that the regulations shall include, as a requirement, that each shelter shall provide the Department of Transportation and Public Works with a list of the official vehicles necessary to discharge its functions of protecting and rendering services to domestic violence victims, and that the Department shall establish an efficient mechanism to allow for the update of such list when so warranted, in order to establish the controls needed to ensure the effectiveness of this Act.

Section 3.- Effectiveness

This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 161-2015 (H. B. 2256)** of the **6<sup>th</sup> Regular Session** of the **17<sup>th</sup> Legislative Assembly of Puerto Rico**:

**AN ACT** to amend Section 10.05 of Act No. 22-2000, as amended, known as the "Puerto Rico Vehicle and Traffic Act," in order to provide that official vehicles of domestic violence victims' shelters used to provide protection and services to victims are hereby exempt from the application of this Section; and for other purposes.

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

In San Juan, Puerto Rico, on this 26<sup>th</sup> day of February, 2016.

Juan Luis Martínez Martínez  
Director