Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City



THIRTEENTH CONGRESS

First Regular Session

House Bill No. 930

Introduced by REP. JUDY J. SYJUCO

EXPLANATORY NOTE

The cellular phone has become an indispensable part of our lives. Though it continues to be a symbol of one's position in society, its importance has spread into the lower strata of our social structure. That it has gained prominence in the Filipinos' lives is mirrored in our being dubbed as the "Text Capital of the World."

With the beneficial effects of cellular phones though come the concomitant problems associated with its use, particularly with regard to safety concerns connected with its use by motorists while on board moving motor vehicles. Not a few have voiced their concern about the accidents that may befall one using this gadget while driving a vehicle. This concern resulted in the enactment by some cities of ordinances prohibiting the said practice.

The concern is well placed. This practice poses risks to the life and limb not only of the motorists but also of pedestrians or innocent by-standers who happen to be at the wrong place at the wrong time. Hence, there is a need for a nationwide effort to ban this altogether.

In view of the above, approval of this proposed measure is earnestly sought.

JUDY J. SYJUCO

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AN ACT
REGULATING THE USE OF HANDHELD CELLULAR PHONES
BY MOTORISTS

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

SECTION 1. *Title.* This Act shall be known and cited as the "The Cellular Phone Safety Act."

SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to promote the safety of its citizens from the injurious effects of vehicular accidents caused by the use of handheld cellular phones by motorists while on board a moving motor vehicle.

SECTION 3. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

a) *Handheld cellular phone* – refers to a cellular phone without the aid of a hands-free device or a contraption of similar nature;

b) *Use of handheld cellular phone* – refers to the act of calling, receiving a call or the sending and receiving of text and/or picture messages;

c) *Motorist* – refers to the driver of the motor vehicle;

d) *Moving motor vehicle* – refers to both private and public motor vehicle with the engine running and operating on any road, thoroughfare or street;

e) *Private motor vehicle* – refers to the following:

1. Any motor vehicle owned by individuals and juridical persons for private and official use;
2. Any motor vehicle owned by the National Government or any of its agencies, instrumentalities or political subdivisions, including government-owned or –controlled corporations or their subsidiaries; and,
3. Any diplomatic vehicle.

f) *Public motor vehicle* – refers to public utility vehicle or vehicle for hire.

SECTION 4. *Ban on the Use of Handheld Cellular* Phones. – No motorist on board a moving motor vehicle may use a handheld cellular phone.

SECTION 5. *Exemption.* – A motorist who uses a hands-free or speaker phone device or other similar contraptions which allow a person to make and/or receive calls without having to hold the cellular phone shall not be covered by this ban.

SECTION 6. *Implementation.* – The Land Transportation Office (LTO) is the lead agency in the implementation of this Act. It shall, with the assistance of the National Telecommunications Commission and other concerned agencies, promulgate the necessary implementing Rules and Regulations of this Act.

SECTION 7. *Fines and Penalties.* – In the enforcement of this Act, the following fines and penalties shall be imposed:

a) First Violation – a minimum fine of One Hundred Pesos (P100.00) but no to exceed One Thousand Pesos (P1,000.00);
b) Second Violation – a minimum fine of Two Hundred Pesos (P200.00) but not to exceed Two Thousand Pesos (P2,000.00); and,
c) Third and succeeding violations – a minimum fine of Five Hundred Pesos (P500.00) but not to exceed Five Thousand Pesos (P5,000.00) and suspension of driver's license for three (3) months.

SECTION 8. *Nationwide Public Information Campaign.* – The LTO, in coordination with the Philippine Information Agency (PIA), Department of Education, Culture and Sports (DECS) and private agencies and organizations shall undertake a regular nationwide information campaign for the attainment of the objectives of this Act.

SECTION 9. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the remainder shall remain valid and subsisting.

SECTION 10. *Repealing Clause.* – All laws, decrees, orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 11. *Effectivity.* - This Act shall take effect upon its approval.

Approved,