

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

H. B. No. 633

Introduced by HONORABLE JUAN EDGARDO "SONNY" M. ANGARA

EXPLANATORY NOTE

Drunk driving or driving under the influence of alcohol and/or drugs remains a leading factor in motor vehicle accidents. It is a big problem in our country that has not been properly addressed. While official reports (or the lack thereof) do not accurately show the deleterious effects of drunk driving in our country, it cannot be denied that it is indeed a grave public concern that needs to be dealt with more seriously. Our antiquated laws, particularly Republic Act No. 4136, as amended, or the Land Transportation and Traffic Code, which merely prohibits driving under the influence of liquor or narcotic drug with a corresponding miniscule penalty for violation, do not address the seriousness of the matter. In many jurisdictions, driving under the influence of alcohol and/or drugs is considered a great concern that is combated through stricter penalties and methodical laws that seek to effectively and efficiently eliminate the problem.

There must be full personal and social responsibility for the incidence of drunk driving in our country. At present, there is no law defining and punishing the crime of driving under influence of drug. Existing laws on car accidents involving drunk drivers are lenient, treating such accidents as caused by reckless imprudence and not by deliberate act. This bill seeks to protect public safety by criminalizing the act of driving while under the influence of drugs or alcohol.

Under the measure, it shall be unlawful for any person to drive or operate any motor vehicle while under the influence of alcoholic beverages or drugs. A first offense merits a P1,000 fine and one-year suspension of driver's license, or 30 days of imprisonment at the discretion of the court. While the second and subsequent offense will carry a P5,000 fine, five years suspension of driver's license and 30 days imprisonment.

In view of the foregoing, the approval of this bill is earnestly sought.


JUAN EDGARDO "SONNY" M. ANGARA
Representative
Lone District, Province of Aurora

Introduced by Honorable JUAN EDGARDO "SONNY" M. ANGARA

AN ACT
DEFINING AS A CRIME THE ACT OF DRIVING A MOTOR VEHICLE WHILE UNDER
THE INFLUENCE OF LIQUOR AND/OR PROHIBITED DRUGS AND PROVIDING
GRADUATED PENALTIES THEREFOR

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

SECTION 1. State Policy. It shall unlawful for any person to operate and drive any motor vehicle while under the influence of liquor and/or prohibited drugs.

SEC. 2. Penalties. Any person found guilty of violating the provisions of this Act shall be sentences to suffer any of the following penalties:

- a) For the first offense a fine of One Thousand Pesos and suspension of his license to drive for one year;
- b) For the second offense and all subsequent offenses, a fine of Five Thousand Pesos and the revocation of his license to drive for five years; provided, that if during the period that the offender's license to drive was suspended or revoked, then in addition to the penalty specified in this paragraph, he/she will be sentenced to one to five years imprisonment.

SEC. 3. Promulgation of Rules and Regulations. The Department of Transportation and Communication (DOTC) in cooperation with the Metropolitan Manila Development Authority (MMDA) and the Department of Health (DOH), shall promulgate rules and regulations to implement the provisions of this Act, which shall include but shall not be confined to the following:

- a) the level of alcohol and/or drug content on a person's blood or breath
- b) to be considered as intoxicating;
- c) procedures for apprehension;
- d) the necessary gadgets or test instruments to be used; and
- e) the procedures for testing.

SEC. 4. *Separability Clause.* If any provisions, or part hereof, is held invalid or unconstitutional, the remainder of the law of the provision not otherwise affected shall remain valid and subsisting.

SEC. 5. *Repealing Clause.* Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule and regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

SEC. 6. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in at least two newspaper of general circulation.

Approved,