

Republic of the Philippines
HOUSE OF THE REPRESENTATIVE
Quezon City

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 1023

Introduced by Honorable Benhur L. Salimbangon

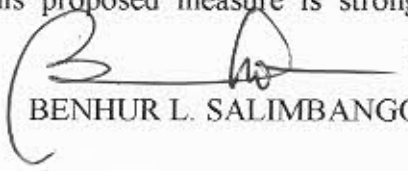
EXPLANATORY NOTE

This bill seeks to amend Section 36(a) of Republic Act No. 9165 otherwise known as the Comprehensive Dangerous Act of 2002 giving qualifications as to who shall be subjected to undergo mandatory drug testing for purposes of obtaining a driver's license.

It is without a doubt that the requirement of mandatory drug testing to all persons who wish to obtain or renew a driver's license had been bombarded with criticism and condemnation especially from the poor sector of the society. Not only does it cause so much hassle from the applicant drivers but likewise burdens them financially. It is a fact that prevailing cost of drug testing from drug testing centers accredited by the Department of Health cost more than Three Hundred Pesos (P300.00). That amount already means a lot to a middle income earner driver. It is quite wrong to burden a driver who has conscientiously been a good citizen and certainly there is no compelling reason for a person without any record at all to be subjected to so much hassle. Thus, the mandatory urine drug testing should only be applicable to individuals with criminal record or with pending criminal case in court or with traffic violation citations.

Further, the result of the study of the Dangerous Drugs Board showed that a very negligible percentage of 0.4 % of those tested have been found to be positive of illegal drugs. Not to mention the existence of several testing centers which have questionable accreditation.

In view of the foregoing, the approval of this proposed measure is strongly recommended.


BENHUR L. SALIMBANGON

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AN ACT
AMENDING SECTION 36 (a) OF REPUBLIC ACT NO. 9165
OTHERWISE KNOWN AS THE COMPREHENSIVE DANDEROUS DRUGS
ACT OF 2002, PROVIDING QUALIFICATIONS FOR MANDATORY DRUG
TESTING OF DRIVER LICENSE APPLICANTS

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

SECTION 1. Section 36 paragraph (a) of the Republic Act No. 9165 otherwise known as the "Comprehensive Dangerous Act of 2002" is hereby amended as follows:

Section 36. *Authorized Drug Testing.* Authorize drug testing shall be done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results. The DOH shall take steps in setting the price of the drug test with DOH accredited drug testing centers to further reduce the cost of such drug test. The drug testing shall employ, among others, two (2) testing methods, the screening test which will determine the positive result as well as the type of the drug used and the confirmatory test which will confirm a positive screening test. Drug test certificates issued by accredited drug testing shall be valid for one-year period from the date of issue which may be used for other purposes. The following shall be subjected to undergo drug testing:

- (a) Applicants for driver's license. No driver's license shall be issued or renewed to any person unless he/she presents a certification that he/she has undergone a mandatory drug test and indication thereon that he/she is free fro the use of dangerous drugs;

to be amended as follows:

- (a) Applicants for driver's license. It shall be mandatory for applicants of driver's license either new or renewal for persons with criminal records., with pending criminal case/s in court at the time of application or who has found to have traffic violation citation/s issued by the Land Transportation Office or any of its authorized/deputized local agency;**

SECTION 2. This Act shall take effect upon its publication in at last two (2) national newspapers of general circulation.

Approved,