

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE of REPRESENTATIVES
House Bill No. **3445**

Introduced by: MA. THERESA B. BONOAN-DAVID
4th District, City of Manila

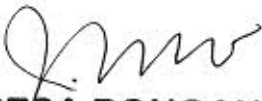
EXPLANATORY NOTE

This bill seeks to regulate the use of cellular phones while driving. As we know, cellular phones have now become a necessity for everybody. All sectors of society, of all ages and classes, have their own mobile phones. This has also resulted to the prevalence of the use of text messaging, or the short message service (SMS), a common feature of modern mobile phones. In addition, the Philippines has been known to be the texting capital of the world.

Then again, the necessity of using mobile phones does not prevail over the need to ensure road safety. There have been reports that using mobile phones while driving causes distraction among drivers resulting to road accidents which destroys property, and in some instance, loss of life. This bill seeks to address such concern. It proposes to regulate the use of mobile phones while driving through promoting hands free devices so that drivers may not be distracted while driving.

Road safety is of prime importance. Thus, passage of this bill is earnestly requested.

This is a House of Representative counterpart bill to one filed in the Senate by Senator Ramon Bong Revilla, Jr.


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**AN ACT REGULATING THE USE OF CELLULAR PHONE WHILE
DRIVING AND PROVIDING PENALTIES IN VIOLATION THEREOF**

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

Section 1. Declaration of Policy. - It is the policy of the State to maintain peace and order, protect life, liberty and property, and promote the general welfare of the people.

While the State recognizes the vital role of communication and information in nation-building, the State puts premium on the life and safety of its citizens by regulating the use of communication gadgets.

Sec. 2. Definition of Terms. -As used in this Act, the following terms shall mean:

- a) Cellular Phone is a portable electronic device used for mobile voice or data communication over a network of specialized base stations known as cell sites;
- b) Short Message Service (SMS) is a communications protocol allowing the interchange of short text messages between phone devices;
- c) Accessories means the devise or apparatus that can be connected to the cellular phone such as, but not limited to earphones, microphones, jacks, which are capable of sending, receiving, storing or otherwise processing messages from other gadgets of communication.

Sec. 3. Use of Cellular Phone While Driving. - To carry out the abovementioned policy, the use of mobile phones for text messaging and/or for dial-up communication while driving all types of vehicles shall be allowed provided, that appropriate hands-free accessories shall be installed therein.

Sec. 4. Penal Provision - Violation of this Act shall be punishable by:

(a) First Offense - fine of Three Thousand Pesos (P 3,000.00);

(b) Second Offense - fine of Five Thousand Pesos (P 5,000.00);

(c) Third and succeeding Offenses - a fine of not less than Five Thousand Pesos (P 5,000.00) but not more than Ten Thousand Pesos (P10,000.00) and/or imprisonment of not more than one (1) year at the discretion of the Court.

Sec. 5. Separability Clause. - If any part, section, or provision of this Act shall be held invalid or unconstitutional, the other provisions shall not be affected thereby.

Sec. 6. Repealing Clause. - All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Sec. 7. Effectivity. - This Act shall take effect (15) days after its complete publication in at least two (2) newspapers of national circulation.

Approved.