

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 744



Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

This bill promotes the responsible use of cellular phones while driving and promotes driver awareness of the dangers of road traffic. This bill was previously filed by Senator Manny Villar in the 15th Congress. Passage of this bill is urgently requested now in the 16th Congress.


HARLIN CAST. ABAYON
Representative
First District of Northern Samar

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HOUSE BILL NO. _____

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AN ACT
REGULATING THE USE OF MOBILE PHONE WHILE DRIVING, PROVIDING
PENALTIES IN VIOLATION THEREOF AND FOR OTHER PURPOSES

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. In addition to the standard voice function of a cellular phone, current mobile phones may support many additional services and accessories, such as SMS for text messaging, email, packet switching for access to the internet, gaming, bluetooths, infrared, camera with video recorder and MMS for sending and receiving photos and videos.

b) Text Messages - Means the use of message sending by pressing the keypad of the cellular phone in composing a message and sending it through the phone;

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 modes of communication.

Sec. 3. Use of Cellular Phone While Driving. -To carry out the above-mentioned policy, the use of mobile phones for text messaging and/or for dial-up communication shall be allowed while driving all types of vehicles: Provided, that different hands-free accessories shall be connected

therein. This section does not apply to a person using a wireless telephone for emergency purposes, including but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity. This section does not also apply to emergency services professional using a wireless telephone while operating an authorized emergency vehicle, in the course and scope of higher duties.

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

- (a) First Offense - fine of One Thousand Pesos (P 1,000.00);
- (b) Second Offense - fine of Three Thousand Pesos (P 3,000.00);
- (c) Third and succeeding Offenses - a fine of not less than Three Thousand Pesos (P 3,000.00) but not more than Ten Thousand Pesos (P 10,000.00) and/or imprisonment of not more than one (1) year at the discretion of the Court.

Sec. 5. Information Dissemination - The Philippine Information Agency (PIA) shall undertake a massive information campaign relevant to the implementation of this Act. All telecommunication companies and mobile phone service providers are likewise mandated to inform the subscribers and phone users basic and necessary details that would effectively carry out the objectives of this Act.

Sec. 6. 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. 7. 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. 8. Effectivity. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,