

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **1165**



Introduced by HON. IRWIN C. TIENG, HON. MARIANO MICHAEL M.
VELARDE and HON. JOSE L. ATIENZA, JR.

EXPLANATORY NOTE

Life is so sacred that every individual should value. However, due to accidents or negligence, many lives are sacrificed or destroyed. In the Philippines, road accident is one of the major causes of death or serious injuries.

The data of the Department of Public Works and Highways' Traffic Accident Reporting Analysis System (DPWH-TARAS), Metropolitan Manila Development Authority (MMDA) and the Philippine National Police-Highway Patrol Group (PNP-HGP) show that in 2011 alone, 85,820 road accidents were recorded. A close to 2,000 individuals were killed while almost 29,000 people were injured.

In Metro Manila, records of the MMDA's Metro Manila Accident Reporting and Analysis System (MMARAS) show that there were total a of 40,033 road accidents for the first half of 2012 at an average of 220 accidents per day.

The PNP-HPG reported that the common cause of vehicular accidents is human error which involves overspeeding, inattentiveness, overtaking, and disregard for traffic signs and rules. Noticeably, however, is the rapid increase of accidents caused by the use of mobile phones while driving since 2007.

Studies, mostly foreign, have suggested that cellphones cause accident that kill thousands of people every year and create traffic jams. A related study revealed that cellphone owners admit to sometimes not driving as safely as they should while using those communication gadgets.

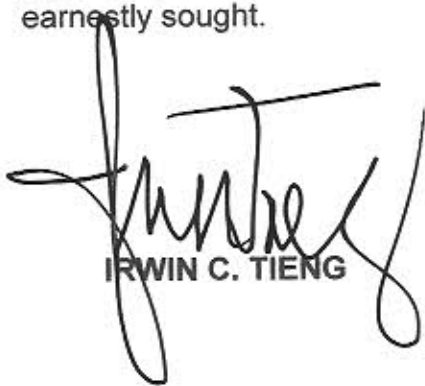
In this modern age, the trend on the use of mobile phones has apparently led to the increase in the number of people who use the devices while driving. There are two dangers associated with driving and cellphone use. One, drivers take their eyes off the road while composing, sending and receiving text messages. Two, people can become so absorbed in their texting that their ability to concentrate on the act of driving is severely impaired, jeopardizing the safety of vehicle occupants and pedestrians.

Motorists who use cellphones while driving are four times as likely to get into crashes serious enough to injure themselves, the passengers and the pedestrians as well. Using cellphone while driving is worse than drunk driving.

Countries reported to have laws related to cellphone use Australia, Austria, Belgium, Brazil, Bostwana, Chile, the Czech Republic, Denmark, Egypt, France, Germany, Greece, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Kenya, Malaysia, the Netherlands, Norway, Poland, Portugal, Romania, Russia, Singapore, the Slovak Republic, Slovenia, South Africa, South Korea, Spain, Sweden, Switzerland, Taiwan, Turkey, Turkmenistan, the United Kingdom and Zimbabwe. Most countries prohibit the use of hand-held phones while driving.

In the Philippines, except for few cities, like Quezon City and Makati, which have ordinances banning cellphone use while driving, there is no law yet to this effect.

Thus, in view of the urgency of this measure, passage of this Bill, which aims to penalize the use of cellphones, particularly texting while driving, is earnestly sought.



IRWIN C. TIENG

MARIANO MICHAEL M. VELARDE

JOSE L. ATIENZA, JR.

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY

SIXTEENTH CONGRESS
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HOUSE BILL NO. 1165

Introduced by HON. IRWIN C. TIENG, HON. MARIANO MICHAEL M.
VELARDE and HON. JOSE L. ATIENZA, JR.

AN ACT
TO PROHIBIT AND PENALIZE READING, COMPOSING AND SENDING
ELECTRONIC MESSAGES WHILE DRIVING, AND FOR OTHER PURPOSES

BE IT ENACTED by the Senate and the House of Representatives of the
Philippines in Congress assembled.

SECTION 1. *Short Title.* This Act shall be known as the "Anti-Texting
While Driving Act of 2013".

SECTION 2. It shall be unlawful for any person to use cell phones,
particularly for text messaging, while driving.

By text messaging, it shall mean "reading, composing, and sending
electronic messages".

SECTION 3. Any person who shall violate any provision of this Act shall
suffer the following penalties, to wit:

- a. FIRST OFFENSE: suspension of driver's license for thirty (30) days
and a fine of three thousand pesos (P 3,000.00);
- b. SECOND OFFENSE: suspension of driver's license for sixty (60)
days and a fine of five thousand pesos (P 5,000.00)
- c. THIRD OFFENSE: suspension of driver's license for ninety (90)
days and a fine of ten thousand pesos (P10,000.00); and
- d. FOURTH OFFENSE: revocation of driver's license and a fine of
twenty thousand pesos (P20,000.00)

The foregoing penalties shall be without prejudice to the other liabilities
under the Revised Penal Code or any Special Laws the offending driver commits.

SECTION 4. *Implementing Rules and Regulations.* – The Philippine
National Police (PNP), in coordination with other concerned government agencies
and instrumentalities it may deem essential, within sixty (60) days from the
effectivity of this Act, formulate and develop the implementing rules and
regulations for the proper execution of the provisions of the law.

SECTION 5. Any laws, decrees, ordinances or rules and regulations which are inconsistent with or contrary to the provisions of this Act is hereby amended or repealed.

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

Approved,