

Republic of the Philippines  
House of Representatives  
Quezon City, Metro Manila

SIXTEENTH CONGRESS  
First Regular Session

House Bill Number 3211



---

**Introduced by Representative ROLANDO G. ANDAYA, JR.**

---

**EXPLANATORY NOTE**

The past decade saw a significant increase in the number of mobile phone users in the country. It has been projected that by the end of 2016, the number of mobile phone users in the Philippines would reach 117 million.

Because one can practically do everything with a tap of a finger using a mobile phone, it has become not only a very important tool of communication, but also a means to do business, organize personal tasks and a handy gadget for entertainment.

We cannot however discount the fact that the use of mobile phones has its disadvantages, particularly when it is used while operating motor vehicles. The use of mobile phone while driving creates a significant accident risk, not only to the user but to other people on the road, as well.

Driving is such a complex task that requires great concentration. Using a mobile phone while driving can impair the driver's performance. It divides the driver's physical and cognitive awareness and may therefore pose threat to other road users.

In order to save lives and limbs, this bill prohibits the use of mobile phone while driving.

Immediate passage of this bill is earnestly sought.

  
**ROLANDO G. ANDAYA, JR.**

Republic of the Philippines  
House of Representatives  
Quezon City, Metro Manila

SIXTEENTH CONGRESS  
First Regular Session

House Bill Number **3211**

---

**Introduced by Representative ROLANDO G. ANDAYA, JR.**

---

**AN ACT REGULATING THE USE OF HAND-HELD MOBILE COMMUNICATION  
DEVICES WHILE DRIVING AND FOR OTHER PURPOSES**

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

SECTION 1. Short Title. – This Act shall be known as the “Anti-Mobile  
Communication Devices Use While Driving Act of 2013”.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to  
safeguard its citizenry from the ruinous and extremely injurious effects of vehicular  
accidents. While the State recognizes the vital role of information and communications  
technology in nation-building, the State also promotes the safety of the public from the  
acts of persons which have become inimical in the exercise and enjoyment of these  
rights and to regulate such acts.

Towards this end, it shall pursue a more proactive and preventive approach to  
secure the safety of motorists, their passengers and pedestrians at all times by banning  
the use of mobile communication devices by motorists while driving or operating a  
moving motor vehicle.

SEC. 3. Definition of Terms. – As used in this Act, the term:

- (a) Diplomatic motor vehicle refers to any motor vehicle leased or owned by a  
foreign mission and its staff for their official use.

- (b) Government motor vehicle refers to any motor vehicle owned by the national government or any of its agencies, instrumentalities or political subdivisions, including government-owned or –controlled corporations or their subsidiaries for official use.
- (c) Implementing agency refers to the Department of Transportation and Communications (DOTC)-Land Transportation Office (LTO).
- (d) Mobile communication devices refer to electronic communication equipment such as, but not limited to, cellular phones, i-phones, wireless telephones, two-way radio transceivers, walkie-talkie, pagers and beepers capable of transmitting, receiving, or both, of encrypted data and/or signals through wireless, electronic or any other similar means.
- (e) Motor vehicle refers to engine-driven vehicles such as, but not limited to, automobiles, trucks, vans, buses, jeeps, motorcycles and tricycles.
- (f) Motorist refers to a person driving a motor vehicle.
- (g) Private motor vehicle refers to any motor vehicle owned by individuals and juridical persons for private use.
- (h) Public motor vehicle refers to a motor vehicle issued by the Land Transportation Franchising and Regulatory Board (LTFRB) to operate as a public utility vehicle or any vehicle for hire.
- (i) Using a mobile communication device refers to the act of making a call, receiving a call or the act of composing, sending or viewing of text and multi-media messages, including the act of doing internet and other similar functions.

SEC. 4. Ban on the Use of Mobile Communication Devices While Driving. – To ensure public safety, it shall be unlawful for any person to use hand-held mobile communication device while driving a private or public motor vehicle.

SEC. 5. Extent of Coverage. – Wheeled agricultural machineries such as tractors and construction equipment such as graders, rollers, backhoes, payloaders, cranes, bulldozers, mobile concrete mixers and the like, and other forms of conveyances such as bicycles, pedicabs, habal-habal, trolleys, kuliglig, wagons, carriages, carts, sledges, chariots or the like, whether animal or human-powered, are covered by the provisions of

this Act as long as the same are operated or driven in public thoroughfares, highways or streets or under circumstances where public safety is under consideration.

SEC. 6. Exemptions. – The ban shall not be imposed if the motorist concerned uses a mobile communication device with the aid of a hands-free device such as, but not limited to, a speaker phone, earphones and microphones or other similar device which allows a person to make and receive calls without having to hold the mobile communication device. The provisions of this Act shall not apply to persons performing urgent, emergency and official functions where such limitations will result to greater injury or impair the performance thereof.

SEC. 7. Nationwide Public Information Campaign. – The DOTC-LTO, in coordination with the Philippine Information Agency (PIA), the Department of Education (DepED), the Department of the Interior and Local Government (DILG)-Philippine National Police (PNP) and private agencies and organizations, shall undertake a nationwide information, education and communication (IEC) campaign for a period of six (6) months from the effectivity of this Act.

SEC. 8. Penalties. – Any person who shall violate any provision of this Act shall be punishable by:

- (a) First offense – a fine of One thousand pesos (P1,000.00);
- (b) Second offense – a fine of Three thousand pesos (P3,000.00);
- (c) Third offense – a fine of Five thousand pesos (P5,000.00) and suspension of driver's license for three (3) months; and
- (d) Fourth and succeeding offenses – a fine of Five thousand pesos (P5,000.00) but not more than Ten thousand pesos (P10,000.00) and revocation of driver's license:

Provided, That the implementing agency may increase the amount of fine herein imposed once every three (3) years in the amount not exceeding ten percent (10%) of the existing rates sought to be increased.

The foregoing penalties shall be without prejudice to the other liabilities under the Revised Penal Code, as amended, or any special law, arising out or on occasion of the herein prohibited acts.

SEC. 9. Assistance by Other Agencies. – The Metropolitan Manila Development Authority (MMDA), the PNP and other concerned government agencies and instrumentalities shall render such assistance as required by the implementing agency in order to effectively implement the provisions of this Act.

SEC. 10. Implementing Rules and Regulations . – The DOTC-LTO shall promulgate the necessary implementing rules and regulations within sixty (60) days from the effectivity of this Act.

SEC. 11. Separability Clause. – If, for any reason, any part or provision of this Act is declared invalid, such declaration shall not affect the other provisions of this Act.

SEC. 12. Repealing Clause. – All laws, executive orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 13. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,