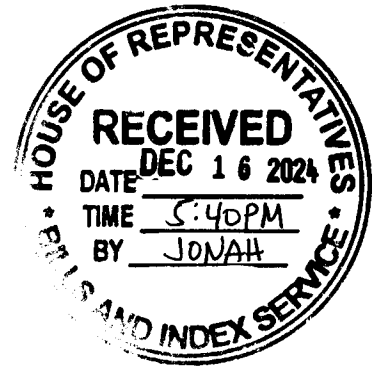




**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City**

**Nineteenth Congress
Third Regular Session**

House Bill No. 11220

Introduced by Akbayan Representative Percival Cendaña

**AN ACT
AMENDING REPUBLIC ACT NO. 10586, OTHERWISE KNOWN AS THE "ANTI-
DRUNK AND DRUGGED DRIVING ACT OF 2013"**

Prefatory Statement

Globally, the World Health Organization (WHO) cites road traffic crashes as the leading cause of death among people aged 15-29 years. In the Philippines, in the years 2015-2019, out of 18, 735 deaths due to road crashes, 5,213 are attributable to alcohol use.¹ An average of three out of ten deaths from vehicular accidents involved an alcohol-impaired driver.

While Republic Act No. (RA) 10586, also known as the "Anti-Drunk and Drugged Driving Act of 2013," is a laudable legislation promoting safe transportation, the Global Status Report on Road Safety 2015, gave a rating of 1 out of a maximum score of 10 in its enforcement and implementation.

This proposed legislation aims to strengthen existing rules and regulations on road safety by instituting the following measures:

- Providing funds in order to procure breathalyzers to fully implement the "Anti-Drunk and Drugged Driving Act of 2013";
- Sobriety checkpoints and random breath-testing;
- Administrative suspension of licenses

¹ Institute for Health Metrics and Evaluation, University of Washington, 2020.

- Other proactive measures such as alternative transportation, designated drivers, and mass media campaigns.

Deaths caused by vehicular accidents are completely preventable. Road safety measures should be implemented proactively to reduce the risk of alcohol-related harms. Safe transportation should be an important component of any country's roadmap towards development and progress.

The passage of this bill is earnestly sought.



Rep. Percival Cendaña

Akbayan Partylist

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DRUGGED DRIVING ACT OF 2013"

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

1 SECTION 1. Section 1 of Republic Act No. 10586 is hereby further amended to read as
2 follows:

3 "Section 1. Short Title. – This Act shall be known as the **"ANTI-IMPAIRED DRIVING ACT**
4 **OF 2024"**.

5
6
7 SECTION 2. Section 9 of Republic Act No. 10586 is hereby further amended to read as
8 follows:

9
10 **"SECTION 9. ACQUISITION OF EQUIPMENT. – WITHIN SIX (6) MONTHS FROM THE**
11 **EFFECTIVITY OF THIS ACT, THE LAND TRANSPORTATION OFFICE (LTO) AND THE**
12 **PHILIPPINE NATIONAL POLICE (PNP) SHALL ACQUIRE AND MAINTAIN AN**
13 **ADEQUATE NUMBER OF BREATH ANALYZERS TO BE UTILIZED BY LAW**
14 **ENFORCEMENT OFFICERS AND DEPUTIZED LOCAL TRAFFIC ENFORCEMENT**
15 **OFFICERS NATIONWIDE.**

16
17 **THE NUMBER OF BREATH ANALYZERS CONSIDERED 'ADEQUATE' SHALL BE**
18 **DETERMINED BASED ON A NEEDS ASSESSMENT CONDUCTED JOINTLY BY THE**
19 **LTO AND PNP, IN CONSULTATION WITH RELEVANT TRAFFIC SAFETY EXPERTS**
20 **AND PUBLIC HEALTH AGENCIES. THE NEEDS ASSESSMENT SHALL CONSIDER,**
21 **AMONG OTHERS, THE NUMBER OF TRAFFIC ENFORCEMENT PERSONNEL,**
22 **HISTORICAL DATA ON ROAD ACCIDENTS INVOLVING INTOXICATION, AND**
23 **GEOGRAPHIC AND POPULATION NEEDS PER REGION.**

1
2 THE ACQUISITION AND MAINTENANCE OF THESE DEVICES SHALL BE A
3 CONTINUOUS PROCESS, SUBJECT TO PERIODIC REVIEW OF LTO AND PNP
4 EVERY TWO (2) YEARS TO ENSURE THE SUFFICIENCY AND FUNCTIONALITY OF
5 THE EQUIPMENT.
6

7 FUNDING FOR THE ACQUISITION, MAINTENANCE, AND PERIODIC UPGRADE
8 OF THESE DEVICES SHALL BE SOURCED FROM THE ANNUAL BUDGET
9 APPROPRIATIONS OF THE LTO AND PNP, SUPPLEMENTED, IF NECESSARY, BY
10 GRANTS, DONATIONS, OR SPECIAL APPROPRIATIONS AUTHORIZED BY
11 CONGRESS.
12

13 THE LTO AND PNP SHALL DIVIDE COSTS PROPORTIONALLY BASED ON THE
14 NUMBER OF PERSONNEL EACH AGENCY DEPLOYS FOR ROAD SAFETY
15 ENFORCEMENT DUTIES AND THE VOLUME OF TRAFFIC INCIDENTS MANAGED IN
16 THEIR RESPECTIVE JURISDICTIONS.
17

18 THE LTO AND PNP SHALL PROVIDE AN ANNUAL REPORT TO CONGRESS
19 DETAILING THE NUMBER OF BREATH ANALYZERS ACQUIRED, THE
20 DISTRIBUTION ACROSS REGIONS, AND ANY CHALLENGES ENCOUNTERED IN
21 EQUIPMENT DEPLOYMENT AND MAINTENANCE."

22 ~~[Within four (4) months from the effectivity of this Act, the Land Transportation~~
23 ~~Office (LTO) and the Philippine National Police (PNP) shall acquire sufficient breath~~
24 ~~analyzers and drug-testing kits to be utilized by law enforcement officers and~~
25 ~~deputized local traffic enforcement officers nationwide giving priority to areas with~~
26 ~~high reported occurrences of accidents. For purposes of acquiring these equipment~~
27 ~~and for the training seminars indicated in Section 10 hereof, the LTO shall utilize~~
28 ~~the Special Road Safety Fund allotted for this purpose as provided under Section 7~~
29 ~~of Republic Act No. 8794, entitled: "An Act Imposing a Motor Vehicle User's Charge~~
30 ~~on Owners of All Types of Motor Vehicles and for Other Purposes". Additional~~
31 ~~yearly appropriations for the purchase of breath analyzers and drug-testing kits~~
32 ~~shall be provided annually under the General Appropriations Act.]"~~
33
34

35 SECTION 3. Section 10 of Republic Act No. 10586 is hereby further amended to read as
36 follows:
37

38 "Section 10. Deputation. The LTO **[may]** **SHALL** deputize traffic enforcement officers of
39 the PNP, the Metropolitan Manila Development Authority (MMDA), **TOLL OPERATORS**,
40 and **THE LOCAL TRAFFIC ENFORCEMENT OFFICERS OF** cities and municipalities in
41 order to enforce the provisions of this Act.
42

43 **FOR THIS PURPOSE, THE AFOREMENTIONED GOVERNMENT AGENCIES AND**
44 **INSTITUTIONS MAY ESTABLISH OR DESIGNATE A BUREAU OR UNIT FOR THE**
45 **DEPUTIZED TRAFFIC ENFORCERS WHO ARE CHARGED TO ENFORCE THE**
46 **PROVISIONS OF THIS ACT.**
47
48

1 SECTION 4. Section 12 of Republic Act No. 10586 is hereby further amended to read as
2 follows:

3
4 "Section 12. Penalties. – A driver found to have been driving a motor vehicle while under
5 the influence of alcohol, dangerous drugs and/or other similar substances, as provided for
6 under Section 5 of this Act, shall be penalized as follows:

7
8 (a) If the violation of Section 5 did not result in **SERIOUS** physical injuries or
9 homicide, **OR RESULTED IN LESS SERIOUS PHYSICAL INJURIES AS**
10 **DEFINED IN ARTICLE 265 OF THE REVISED PENAL CODE, OR SLIGHT**
11 **PHYSICAL INJURIES AS DEFINED IN ARTICLE 266 OF THE REVISED PENAL**
12 **CODE**, the penalty of [~~three (3) months~~] **TWELVE (12) MONTHS** imprisonment,
13 and a fine ranging from [~~Twenty~~] **FIFTY** thousand pesos [~~[(Php20,000.00)] (PHP~~
14 **50,000)** to [~~Eighty~~] **ONE HUNDRED** thousand pesos [~~[(Php80,000.00)] (PHP~~
15 **100,000)** shall be imposed;

16
17 (b) If the violation of Section 5 resulted in **SERIOUS** physical injuries, the penalty
18 provided in **IN THE APPLICABLE PARAGRAPH OF** Article 263 of the Revised
19 Penal Code, **IN ITS MAXIMUM PERIOD**, or the penalty provided in the [~~next~~]
20 **IMMEDIATELY** preceding subparagraph, whichever is higher, and a fine ranging
21 from One hundred **FIFTY** thousand pesos [~~[(Php100,000.00)] (PHP 150,000)~~] to
22 **THREE [Two]** hundred thousand pesos [~~[(Php200,000.00)] (PHP 300,000)~~] shall
23 be imposed;

24
25 (c) If the violation of Section 5 resulted in homicide, the penalty **OF RECLUSION**
26 **TEMPORAL** provided in Article 249 of the Revised Penal Code, **IN ITS MAXIMUM**
27 **PERIOD**, and a fine ranging from [~~Three~~] **FIVE** hundred thousand pesos
28 [~~[(Php300,000.00)] (PHP 500,000)~~] to [~~Five hundred thousand pesos~~
29 **(Php500,000.00)] ONE MILLION PESOS (PHP 1,000,000)** shall be imposed; and

30
31 (d) The nonprofessional driver's license of any person found to have violated
32 Section 5 of this Act shall also be confiscated and suspended for a period of
33 [~~twelve (12)]~~ **TWENTY-FOUR (24)** months for the first conviction and perpetually
34 revoked for the second conviction. The professional driver's license of any person
35 found to have violated Section 5 of this Act shall also be confiscated and
36 perpetually revoked for the first conviction. The perpetual revocation of a driver's
37 license shall disqualify the person from being granted any kind of driver's license
38 thereafter. **PROVIDED, THAT DURING THE PENDENCY OF THE CASE, THE**
39 **DRIVER'S LICENSE SHALL BE CONFISCATED AND SHALL BE TURNED**
40 **OVER TO LTO. PROVIDED FURTHER, THAT CONFISCATED DRIVER'S**
41 **LICENSES SHALL BE RELEASED BY LTO ONLY AFTER FINAL DISPOSITION**
42 **OR LAWFUL ORDER OF THE COURTS.**

43
44 xxx"

1
2
3 SECTION 5. Section 14 of Republic Act No. 10586 is hereby further amended to read as
4 follows:
5

6 "Section 14. Nationwide Information Campaign. – Within [~~one (1) month~~] **SIX (6)**
7 **MONTHS** from the promulgation of the implementing rules and regulations as provided
8 under Section 17 hereof, the Philippine Information Agency (PIA), in coordination with the
9 LTO, the local government units (LGUs) and other concerned agencies, shall conduct
10 information, education, and communication (IEC) campaign for the attainment of the
11 objectives of this Act. **LIKEWISE, THE MONTH OF NOVEMBER SHALL BE DECLARED**
12 **AS THE NATIONAL ANTI-IMPAIRED DRIVING AWARENESS MONTH TO PROMOTE**
13 **RESPONSIBLE DRIVING AND ROAD SAFETY."**
14
15

16 SECTION 6. Section 15 of Republic Act No. 10586 is hereby further amended to read as
17 follows:
18

19 "Section 15. Nationwide Random Terminal and Toll Inspection. – The LTO, together with
20 deputized toll operators shall **REGULARLY** conduct random terminal and toll inspections
21 of private and public utility drivers. **IN CASE A DRIVER OR CONDUCTOR WAS FOUND**
22 **IMPAIRED BY ALCOHOL, APPROPRIATE ACTION SHALL BE UNDERTAKEN**
23 **UNDER THIS ACT AND THE OPERATOR IN CASE OF PUBLIC UTILITY VEHICLES**
24 **SHALL LIKEWISE BE MADE LIABLE IF FOUND TO BE NON-COMPLIANT WITH**
25 **RELEVANT ADMINISTRATIVE GUIDELINES AND REGULATIONS.** The cost of such
26 tests shall be defrayed by the LTO."
27

28 SECTION 7. A new section designated as Section 18 of Republic Act No.10586 is hereby
29 inserted to read as follows:
30

31 **"SECTION 18. PROACTIVE MEASURES TO PREVENT IMPAIRED DRIVING.—**
32 **PRIVATE AND PUBLIC ESTABLISHMENTS, SUCH AS BARS, CLUBS, AND OTHER**
33 **ESTABLISHMENTS SERVING ALOCOHOL SHALL INSTITUTE PROACTIVE**
34 **MEASURES TO PREVENT IMPAIRED DRIVING SUCH AS ENGAGING DESIGNATED**
35 **DRIVERS, ALTERNATIVE MODES OF TRANSPORTATION FOR IMPAIRED**
36 **DRIVERS, AND OTHER INNOVATIVE MEASURES TO PREVENT IMPAIRED DRIVING**
37 **AND PROMOTE SAFE TRANSPORTATION."**
38
39

40 SECTION 8. A new section designated as Section 19 of Republic Act No. 10586 is hereby
41 inserted to read as follows:
42

43 **"SECTION 19. APPROPRIATIONS. - THE INITIAL AMOUNT OF PHP 1,600,000,000**
44 **(ONE BILLION AND SIX HUNDRED MILLION PESOS) IS HEREBY APPROPRIATED**

1 **UNDER THE DEPARTMENT OF TRANSPORTATION (DOTR) THROUGH THE LAND**
2 **TRANSPORTATION OFFICE (LTO) FOR THE FIRST YEAR OF IMPLEMENTATION OF**
3 **THIS ACT. THEREAFTER, SUCH AMOUNT NECESSARY TO CARRY OUT THE**
4 **PROVISIONS OF THIS ACT SHALL BE APPROPRIATED IN THE ANNUAL GENERAL**
5 **APPROPRIATIONS ACT.”**
6
7

8 SECTION 9. *Repealing Clause.* – All other laws, decrees, executive orders, issuances,
9 and rules and regulations, or part thereof, inconsistent with this Act are hereby likewise repealed
10 or amended accordingly.
11

12
13 SECTION 10. *Separability Clause.* – If, for any reason, any section or provision of this Act
14 is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall
15 remain in full force and effect.
16

17
18 SECTION 11. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days upon
19 publication in at least two (2) newspapers of general circulation.

Approved,