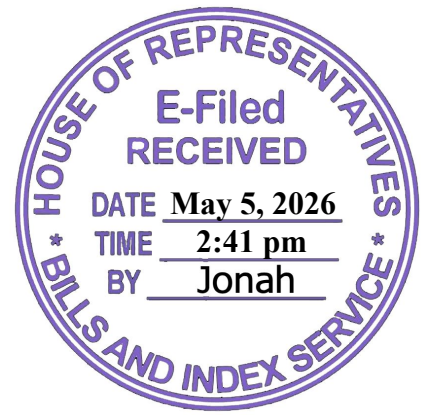


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **9099**



Introduced by Representative Richard I. Gomez, DPA

EXPLANATORY NOTE

Road safety is a fundamental right, yet the current legal framework under Republic Act No. 10586, otherwise known as the "Anti-Drunk and Drugged Driving Act of 2013," has revealed critical procedural loopholes that allow intoxicated drivers to evade justice.

The tragic death of young entrepreneur Kingston Ralph Cheng in Cebu City on February 8, 2026, highlighted a systemic "hiding tactic." By avoiding immediate police contact, suspects allow the alcohol or drugs in their system to dissipate naturally, rendering chemical tests—the primary evidence required by the current law—ineffective. This gap essentially shields hit-and-run behavior and penalizes the victims of road tragedies.

Firstly, this bill redefines "driving under the influence of alcohol (DUIA)" as a driver with blood alcohol concentration (BAC) after a breath analyzer test, of above 0.00%, versus the present IRR of RA 10586 which defines DUIA for drivers of private vehicles as drivers with BAC of above 0.05%. It is important to note that the same IRR already provides for DUIA for drivers of motorcycles and public utility vehicles (PUVs) as drivers with BAC of above 0.0%. This bill also proposes that the mandatory alcohol and drug tests be administered within a two hour window from the time of the accident. Moreover, refusal to undergo the mandatory test will amount to a *prima facie* presumption that the driver was DUI. This bill also defines a "hit and run incident" which shall constitute as an aggravating circumstance to the final penalties given to DUI offenders.

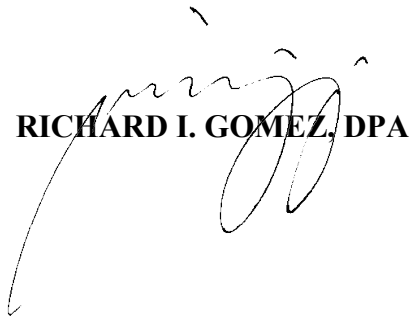
In terms of penalties, this bill proposes an increase in fines for all types of violations, from (a) DUI without injury, to (b) DUI with injury and (c) DUI resulting in death. This bill also proposes to lengthen periods for imprisonment for DUI without injury or death to six months (from current three months imprisonment), as an increased preventive measure. For DUI resulting in

death or homicide, this bill proposes to increase the penalty to *reclusion perpetua* (from *reclusion temporal* per Art. 249 of the Revised Penal Code).

Furthermore, this bill proposes the establishment and institutionalization of a dedicated community public reporting channel via the 911 national emergency hotline and/or an official social media platform account for the purpose of reporting DUI incidents. This shall encourage the prevention of DUI accidents, timely reporting of accidents and also providing secondary evidence from the public to ensure that DUI violators are brought justice.

Finally, this bill proposes that the Philippine Information Agency (PIA) in coordination with the LTO conduct a continuous educational and informational campaign via social media on the dangers, consequences and penalties for DUI.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



RICHARD I. GOMEZ, DPA

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**AN ACT STRENGTHENING THE ANTI-DRUNK AND DRUGGED DRIVING ACT OF
2013, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10586, AND
PROVIDING STIFFER PENALTIES THEREFOR**

*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 "*Kingston Cheng Road Safety
Act.*"

SEC. 2. *Amendment of Section 3.* - Section 3 of Republic Act No. 10586 is hereby
amended to read as follows:

"SEC. 3. *Definition of Terms.* – For the purpose of this Act:

xxx

(e) *Driving under the influence of alcohol (DUIA)* refers to the act of
operating a motor vehicle while the driver's blood alcohol concentration level has,
after being subjected to a breath analyzer test, reached ~~the level of intoxication, as~~
~~established jointly by the Department of Health (DOH), the National Police~~
~~Commission (NAPOLCOM) and the Department of Transportation and~~
~~Communications (DOTC)~~ A LEVEL ABOVE 0.00% FOR DRIVERS OF ALL
VEHICLES INCLUDING PRIVATE MOTOR VEHICLES, MOTOR VEHICLES
DESIGNED TO CARRY HAZARDOUS MATERIALS, PUBLIC UTILITY

VEHICLES, INCLUDING TWO-WHEEL, THREE-WHEEL, FOUR-WHEEL AND LARGER CAPACITY VEHICLES.

xxx

(K) *HIT-AND-RUN ROAD* ACCIDENT REFERS TO A ROAD TRAFFIC INCIDENT WHERE THE DRIVER OF A MOTOR VEHICLE INVOLVED IN A COLLISION OR ACCIDENT RESULTING IN PHYSICAL INJURY, DEATH, OR DAMAGE TO PROPERTY, FAILS TO:

(A) IMMEDIATELY STOP THE MOTOR VEHICLE AT THE SCENE OF THE ACCIDENT;

(B) PROVIDE IDENTIFICATION, INCLUDING THEIR NAME, ADDRESS, DRIVER'S LICENSE NUMBER, AND VEHICLE REGISTRATION DETAILS TO THE PARTIES INVOLVED OR TO THE NEAREST LAW ENFORCEMENT OFFICER; AND

(C) RENDER IMMEDIATE ASSISTANCE TO ANY INJURED PERSON, UNLESS DOING SO WOULD POSE AN IMMEDIATE THREAT TO THE DRIVER'S SAFETY FROM A HOSTILE CROWD OR ENVIRONMENTAL HAZARD."

SEC. 3. *Amendment of Section 4.* - Section 4 of Republic Act No. 10586 is hereby amended to read as follows:

"**SEC. 4. *Driver's Education.*** - Every applicant for a motor vehicle driver's license shall complete a course of instruction that provides information on safe driving including, but not limited to, the effects of the consumption of alcoholic beverages on the ability of a person to operate a motor vehicle, the hazards of driving under the influence of alcohol, dangerous drugs and/or other similar substances, and the penalties attached for violation thereof.

For professional drivers, every applicant for a driver's license or those applying for renewal thereof shall undergo the driver's education herein stated.

The driver's license written examination shall include questions concerning the effects of alcohol and drug intoxication on the ability of a person to operate a motor vehicle and the legal and pecuniary consequences resulting from violation of the provisions of this Act.

THE APPLICATION FOR AND THE ISSUANCE OF A DRIVER'S LICENSE CONSTITUTES AN IMPLIED CONSENT ON THE PART OF THE DRIVER TO UNDERGO SOBRIETY OR DUI TEST, WHEN WARRANTED BY THE AUTHORITIES. REFUSAL TO UNDERGO THE TEST AT THE ROADSIDE WILL BE SUFFICIENT GROUND FOR THE AUTOMATIC SUSPENSION OF THE LICENSE FOR ONE YEAR, REGARDLESS OF WHETHER THE DRIVER WAS UNDER THE INFLUENCE OR NOT.

SEC. 4. *Amendment of Section 6.* - Section 6 of Republic Act No. 10586 is hereby amended to read as follows:

"SEC. 6. *Conduct of Field Sobriety, Chemical and Confirmatory Tests.* – A law enforcement officer who has probable cause to believe that a person is driving under the influence of alcohol, dangerous drugs and/or other similar substances by apparent indications and manifestations, including overspeeding, weaving, lane straddling, sudden stops, swerving, poor coordination or the evident smell of alcohol in a person's breath or signs of use of dangerous drugs and other similar substances, shall conduct field sobriety tests.

If the driver fails in the sobriety tests, it shall be the duty of the law enforcement officer to implement the mandatory determination of the driver's blood alcohol concentration level through the use of a breath analyzer or similar measuring instrument.

If the law enforcement officer has probable cause to believe that a person is driving under the influence of dangerous drugs and/or other similar substances, it shall be the duty of the law enforcement officer to bring the driver to the nearest police station to be subjected to a drug screening test and, if necessary, a drug confirmatory test as mandated under Republic Act No. 9165.

ALL COSTS, DIRECT OR INCIDENTAL, TO THE CONDUCT OF A DUI TEST SHALL BE AT THE EXPENSE OF THE DRIVER CONCERNED.

Law enforcement officers and deputized local traffic enforcement officers shall be responsible in implementing this section.

SEC. 5. *Amendment of Section 7.* - Section 7 of Republic Act No. 10586 is hereby amended to read as follows:

"SEC. 7. *Mandatory Alcohol and Chemical Testing of Drivers Involved in Motor Vehicular Accidents.* – A driver of a motor vehicle involved in a vehicular accident resulting in the loss of human life or physical injuries shall be subjected to chemical tests, including a drug screening test and, if necessary, a drug confirmatory test as mandated under Republic Act No. 9165, to determine the presence and/or concentration of alcohol, dangerous drugs and/or similar substances in the bloodstream or body, TO BE ADMINISTERED WITHIN A TWO (2) - HOUR WINDOW FROM THE TIME OF THE ACCIDENT. THE EXTRACTION OF BLOOD OR THE ADMINISTRATION OF A BREATHALYZER TEST SHALL BE TREATED AS A FORENSIC EMERGENCY.

ALL MEDICAL FACILITIES, WHETHER PUBLIC OR PRIVATE, ARE MANDATED TO PRIORITIZE THE COLLECTION OF FORENSIC SAMPLES FOR DUI INVESTIGATIONS. FAILURE OF A MEDICAL FACILITY TO COOPERATE SHALL SUBJECT THE INSTITUTION TO ADMINISTRATIVE SANCTIONS."

SEC. 6. *Community Reporting and Citizen Intervention.* - A new section is inserted to read as follows:

"**SEC. 7-A. *Community Reporting and Citizen Intervention.*** – To ensure the timely apprehension of impaired drivers and the collection of forensic evidence within the prescribed window, the following reporting framework is hereby established:

(a) ***Dedicated Public Reporting Channels.*** – The Department of Transportation (DOTr) and the Land Transportation Office (LTO), in coordination with the Department of the Interior and Local Government (DILG), shall establish a centralized '**Road Safety Emergency Hotline**' to be integrated with the National Emergency Hotline 911 and/or the establishment of an official Road Safety Facebook Page managed by the LTO for the immediate reporting of suspected DUI incidents, including hit and run incidents.

(b) ***Admissibility of Citizen-Provided Evidence.*** – Photos, CCTV footage, dashcam footage, and video recordings of erratic driving or accidents captured and submitted by citizens through official channels shall be admissible as secondary evidence to establish probable cause for an immediate stop or to support a DUI charge in cases where a chemical test was delayed due to the suspect's flight.

(c) ***Good Samaritan Immunity.*** – Any citizen who, in good faith, reports a suspected impaired driver to the authorities shall be immune from civil or criminal liability arising from such report, provided that the report is not proven to be malicious or intentionally false. The identity of the reporter shall remain confidential unless their testimony is indispensable for the prosecution of the case.

(d) ***Mandatory Police Response.*** – Upon receipt of a verified report through the official reporting channels, the nearest law enforcement unit or traffic enforcer is mandated to intercept the reported vehicle immediately. Failure of an officer to act on a verifiable report without valid justification shall constitute Dereliction of Duty under existing administrative laws."

SEC. 7. *Amendment of Section 8.* - Section 8 of Republic Act No. 10586 is hereby amended to read as follows:

"**SEC. 8. *Refusal to Subject Oneself to Mandatory Tests.*** – A driver of a motor vehicle who refuses to undergo the mandatory field sobriety and drug tests under Sections 6, 7 and 15 of this Act shall be penalized by the confiscation and automatic revocation of his or her driver's license, in addition to other penalties provided herein and/or other pertinent laws." THE DRIVER'S REFUSAL TO UNDERGO THE MANDATORY TESTS SHALL CONSTITUTE A *PRIMA FACIE* PRESUMPTION THAT HE OR SHE WAS DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DANGEROUS DRUGS AT THE TIME OF THE INCIDENT.

SEC. 8. *Amendment of Section 12.* - Section 12 of Republic Act No. 10586 is hereby amended to read as follows:

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

(a) If the violation of Section 5 did not result in physical injuries or homicide, the penalty of ~~three (3)~~ SIX (6) months imprisonment , and a fine ranging from ~~Twenty thousand pesos (Php 20,000.00)~~ FIFTY THOUSAND PESOS (PHP 50,000.00) to ~~Eighty thousand pesos (Php 80,000.00)~~ ONE HUNDRED FIFTY THOUSAND PESOS (PHP 150,000.00) shall be imposed;

(b) If the violation of Section 5 resulted in physical injuries, the penalty provided in Article 263 of the Revised Penal Code or the penalty provided in the next preceding subparagraph, whichever is higher, and a fine ranging from ~~One hundred thousand pesos (Php 100,000.00)~~ TWO HUNDRED THOUSAND PESOS (PHP 200,000.00) to ~~Two hundred thousand pesos (Php 200,000.00)~~ FOUR HUNDRED THOUSAND PESOS (PHP 400,000.00) shall be imposed;

(c) If the violation of Section 5 resulted in homicide, the penalty ~~provided in Article 249 of the Revised Penal Code~~ OF RECLUSION PERPETUA and a fine ranging from ~~Three hundred thousand pesos (Php 300,000.00)~~ FIVE HUNDRED THOUSAND PESOS (P500,000.00) to ~~Five hundred thousand pesos (Php 500,000.00)~~ ONE MILLION PESOS (PHP1,000,000.00) shall be imposed;

(d) The nonprofessional driver's license of any person found to have violated Section 5 of this Act shall also be confiscated and suspended for a period of twelve (12) months for the first conviction and perpetually revoked for the second conviction. The professional driver's license of any person found to have violated Section 5 of this Act shall also be confiscated and perpetually revoked for the first conviction. The perpetual revocation of a driver's license shall disqualify the person from being granted any kind of driver's license thereafter.

(E) PERPETUAL DISQUALIFICATION. – ANY DRIVER CONVICTED OF A DUI OFFENSE RESULTING IN DEATH OR PERMANENT DISABILITY SHALL BE PERPETUALLY DISQUALIFIED FROM OWNING OR OPERATING A MOTOR VEHICLE; AND

(F) IF THE VIOLATION OF SECTION 5 WAS A *HIT AND RUN* INCIDENT, MAXIMUM PENALTIES SHALL BE IMPOSED. "

The prosecution for any violation of this Act shall be without prejudice to criminal prosecution for violation of the Revised Penal Code, Republic Act No. 9165 and other special laws and existing local ordinances, whenever applicable.

SEC. 9. *Continuous National Information Campaign.* - Section 14 of Republic Act No. 10586 is hereby amended to read as follows:

"SEC. 14. CONTINUOUS *Nationwide Information Campaign.* – Within one (1) month from the promulgation of the implementing rules and regulations as provided under Section 17 hereof, the Philippine Information Agency (PIA), in coordination with the LTO, the local government units (LGUs) and other concerned agencies, shall conduct information, education, and communication (IEC) campaign for the attainment of the objectives of this Act.

THE CONCERNED AGENCIES, HEADED BY THE PIA, SHALL ESTABLISH A CONTINUOUS AND EFFECTIVE INFORMATION CAMPAIGN USING SOCIAL MEDIA TO MAINTAIN CONTINUOUS TOP OF MIND AWARENESS OF THE PROVISIONS OF RA 10586, AS AMENDED."

SEC. 10. *Separability Clause.* – If any provision of this Act be declared invalid or unconstitutional, the remaining parts or provisions not otherwise affected shall remain in force.

SEC. 11. *Repealing Clause.* – All laws, executive orders, or administrative rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,