

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10229



Introduced by **Rep. MANUEL “WOWO” L. FORTES**

EXPLANATORY NOTE

More than a decade after the passage of Republic Act No. 10586, or the “Anti-Drunk and Drugged Driving Act of 2013,” incidents of impaired driving continue to claim lives. The issue lies not in the absence of penalties but in weak enforcement and operational gaps.

Law enforcers often lack proper equipment, drivers refuse testing without consequence, hospitals fail to conduct timely examinations, and modern evidence, such as CCTV or dashcam footage, is underutilized. Local traffic authorities remain under-empowered, while establishments serving alcohol bear no responsibility in preventing impaired driving.

This measure seeks to amend RA 10586 by strengthening enforcement standards, mandating equipment, ensuring admissibility of evidence, requiring post-accident testing, deputizing local traffic enforcers, and assigning preventive duties to establishments.

By closing these gaps, the law will move from merely penalizing offenders to being effectively enforced nationwide. Road safety is a shared responsibility, and this amendment aims to protect lives, promote responsible driving, and restore public confidence in traffic enforcement.

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


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Twentieth Congress of the
Republic of the Philippines
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HOUSE BILL NO. **10229**

Introduced by **Rep. MANUEL “WOWO” L. FORTES**

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

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

SECTION. 1. Section 3 of Republic Act No. 10586 is hereby amended to read as follows:

“SECTION 3. Definition of Terms. — For purposes of this Act:

(e) *Probable Cause* refers to the standard to be used by the law enforcement officer (LEO) in apprehending the person driving the motor vehicle is under the influence of alcohol, dangerous drugs and/or other similar substances when he personally witnesses or observes erratic driving (e.g lane straddling, sudden stops, over speeding, swerving, weaving) indicating impairment, confirmed by alcohol smell, slurred speech, bloodshot eyes, poor coordination, or failed sobriety test.

(f) *Driving under the influence of alcohol* refers to the act of operating a motor vehicle by a person in a state of intoxication as determined by the following Blood Alcohol Concentration (BAC) thresholds:

- (1) 0.0% for novice drivers (within the first three years of licensing), professional drivers, drivers of trucks, buses, motorcycles, and operators of public utility vehicles;
- (2) 0.02% for all other drivers of private motor vehicles.

Any level of alcohol above these thresholds shall constitute prima facie evidence of driving under the influence.

(k) *Vulnerable Zones* refer to high-risk areas where the presence of pedestrians or specific groups is concentrated and where the road infrastructure provides no physical barriers for protection, which areas include but are not limited to: school zones, hospital vicinities, public markets, playgrounds, and residential areas with high population density.

SEC. 2. Section 6-A of Republic Act No. 10586 is hereby added to read as follows:

SECTION 6-A. Use of Secondary Evidence for Proof of Violation. – In addition to the field sobriety, chemical, and confirmatory tests required under Section 6 herein, secondary evidence shall be gathered by the law enforcement officer to prove a violation of this Act when primary tests are unavailable, infeasible, inadmissible, or refused by the driver, including but not limited to:

- (a) Testimony from credible witnesses attesting to the driver's manifest intoxication, erratic driving, or physical signs of impairment such as slurred speech, unsteady gait, or odor of alcohol;
- (b) Video or photographic recordings from body-worn cameras, dashcams, or surveillance capturing behavior indicative of drunkenness or drug influence; or
- (c) Circumstantial evidence, such as refusal to submit to chemical testing (deemed presumptive admission under this Act), vehicle collision patterns consistent with impairment, or documented field sobriety test failures.

Law enforcement officers shall document secondary evidence as soon as practicable and contemporaneously with the incident, including timestamps where available.

SEC. 3. Section 7 of Republic Act No. 10586 is hereby amended to read as follows:

SECTION 7. *Mandatory Alcohol Screening, Implied Consent, and Presumption of Guilt.* - Any driver of a motor vehicle in a vehicular accident resulting in the loss of human life, or physical injuries shall be subjected to chemical tests and shall be deemed to have given their consent to have their breath, urine, saliva, blood, or urine tested for alcohol or drug content.

- (a) **Mandatory Alcohol Screening (MAS):** Law enforcement officers are authorized to demand a breath sample for field screening from any driver who has been personally determined to have probable cause of being intoxicated or under the influence of dangerous drugs.

- (b) **Presumption of Intoxication and Prima Facie Evidence of Guilt:** If a driver refuses to submit to the required tests despite being informed of the implied consent rule, such refusal shall give rise to a disputable presumption that the driver was under the influence of alcohol or drugs at the time of the operation of the vehicle, and shall be deemed as prima facie evidence of guilt.

SEC. 4. Section 7-A shall be incorporated in Republic Act No. 10586 to read as follows:

SECTION 7-A. *Post-Accident Testing Requirements.* – In the event of a road vehicular accident resulting in physical injury or death:

- (a) **Mandatory Testing:** All drivers involved shall be subjected to a chemical test for alcohol and drugs within two (2) hours of the incident.
- (b) **Law Enforcement Duty:** Responding officers are required to facilitate this testing immediately. Failure of an officer to initiate testing without a valid medical justification shall be grounds for administrative disciplinary action.
- (c) **Mandatory Cooperation of Medical Facilities:** All government and private medical facilities, including attending physicians and medical staff, are mandated to cooperate with law enforcement in the administration of chemical tests following a vehicular accident involving injury or death.

All medical facilities shall conduct tests, as practicable, without compromising patient care, and to prevent the natural dissipation of alcohol, within two (2) hours where feasible, subject to DOH guidelines. Any medical facility, medical professional, or medical staff who wilfully refuses, delays, or obstructs the conduct of a mandatory test without a valid justification (e.g., immediate life-saving intervention) shall be subject to applicable administrative, civil, and criminal sanctions.

For this purpose, the results of chemical tests conducted during DUI investigations are subject to the provisions of the Data Privacy Act, provided that the disclosure of the said results is permitted when necessary for the investigation and for the protection of lawful rights and interests.

SEC. 5. Section 9 of Republic Act No. 10586 is hereby further amended to read as follows:

SECTION 9. *Acquisition of Equipment and Training.* – Within six (6) months from the effectivity of this act, the land transportation office (LTO) and the Philippine national police (PNP) shall acquire and maintain an adequate number of breath analyzers to be utilized by law enforcement officers and deputized local traffic enforcement officers nationwide.

The number of breath analyzers considered 'adequate' shall be determined based on a needs assessment conducted jointly by the LTO and PNP, in consultation with relevant traffic safety experts and public health agencies. The needs assessment shall consider, among others, the number of traffic enforcement personnel, historical data on road crashes involving intoxication, general deterrence principles in road policing, and geographic and population needs per region.

A broader use of breath analyzers in the field shall be conducted through random breath testing in public transport terminals, random sobriety checkpoints, and targeted enforcement during high-risk events.

The acquisition and maintenance of these devices shall be a continuous process, subject to periodic review of LTO and PNP every two (2) years to ensure the sufficiency and functionality of the equipment.

Law enforcement personnel and deputized local traffic enforcement officers equipped with breath analyzers shall undergo regular training on the proper conduct of field sobriety tests and the use of breath analyzers.

Funding for the acquisition, maintenance, periodic upgrade, and training for the use of these devices shall be sourced from the annual budget appropriations of the LTO and PNP, supplemented, if necessary, by grants, donations, or special appropriations authorized by Congress.

The LTO and PNP shall divide costs proportionally based on the number of personnel each agency deploys for road safety enforcement duties and the volume of traffic incidents managed in their respective jurisdictions.

The LTO and PNP shall provide an annual report to Congress detailing the number of breath analyzers acquired, the distribution across regions, and any challenges encountered in equipment deployment and maintenance.

SEC. 6. Section 12 of Republic Act No. 10586 is hereby amended to read as follows:

SECTION 12. Penalties. - A driver found to have been driving a motor vehicle while under the influence of alcohol 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) months imprisonment, and a fine ranging from Twenty thousand pesos (Php 20,000.00) to Eighty thousand pesos (Php 80,000.00) shall be imposed. However, if the violation did not result in physical injuries or homicide but is committed within a designated Vulnerable Zone, the penalty shall be increased to six (6) months imprisonment and a fine ranging from Fifty thousand pesos (Php 50,000.00) to One hundred thousand pesos (Php 100,000.00).

- 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) to two hundred thousand pesos (Php 200,000.00) shall be imposed. But when the physical injuries are sustained within a Vulnerable Zone, the maximum period of the imposable prison term shall be applied, and the fine shall be increased by fifty percent (50%).
- c. If the violation of Section 5 resulted in homicide, the penalty provided in Article 249 of the Revised Penal Code and a fine ranging from three hundred thousand pesos (Php 300,000.00) to five hundred thousand pesos (Php 500,000.00) shall be imposed. But if the homicide occurred within a Vulnerable Zone, the penalty shall be *reclusion perpetua* and the fine shall be increased to a range of Seven hundred thousand pesos (Php 700,000.00) to One million pesos (Php 1,000,000.00).
- e. Rehabilitative Pathway: In addition to the penalties of imprisonment and fine, any person found in violation of this Act shall be required to enroll in and successfully complete an Impaired Driver Intervention Program (IDIP). The IDIP shall include behavioral therapy, defensive driving education, and victim impact seminars. Failure to complete the IDIP shall be a ground for the permanent revocation of the driver's license.

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

SECTION 18. *Proactive measures to prevent impaired driving.* – Private and public establishments, such as bars, clubs, and other establishments serving alcohol, shall institute proactive measures to prevent impaired driving, such as engaging designated drivers, alternative modes of transportation for impaired drivers, and other innovative measures to prevent impaired driving and promote safe transportation.

Local government units shall require and provide support to establishments that serve alcohol to adopt programs that train staff to recognize intoxication and support designated driver practices, refusal of service to intoxicated individuals, and provide information on the risks of drunk driving. Failure to comply with these proactive measures will result in non-issuance or non-renewal of the business permit.

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

Section 19. *Appropriations.* - The initial amount of one billion and six hundred million pesos (Php 1,600,000,000.00) is hereby appropriated under the Department of Transportation (DOTR) through the Land

Transportation Office (LTO) for the first year of implementation of this act. Thereafter, such amount necessary to carry out the provisions of this act shall be appropriated in the annual general appropriations act.

SEC 9. *Separability Clause*. – If, for any reason, any section of this Act shall be deemed unconstitutional and invalid, the other sections or provisions hereof shall not be affected and shall remain in force and effect.

SEC 10. *Repealing Clause*. – All laws, executive orders, decrees, instructions, rules, and regulations, contrary to or inconsistent with any provisions of this Act are repealed or amended accordingly.

SEC 11. *Effectivity*. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,