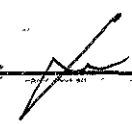


**FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)**

OFFICE OF THE SECRETARY

9 APR 28 A9:50

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 303

Submitted by the Committee on Public Services on APR 28 2009

RE : S. B. No. 3188 prepared by the Committee

Recommending its approval in substitution of S. B. Nos. 96, 2529 and 3013.

Sponsor : Senator Revilla, Jr.

MR. PRESIDENT:

The Senate Committee on Public Services to which were referred S. B. No. 96, introduced by Senator Villar, *entitled:*

**"AN ACT
REQUIRING THE MANDATORY COMPLIANCE BY MOTORISTS
OF PRIVATE AND PUBLIC VEHICLES TO USE HANDS-FREE
DEVICES WHILE DRIVING."**

S. B. No. 2529, introduced by Senator Ejercito Estrada, *entitled:*

**"AN ACT
PROHIBITING THE USE OF CELLULAR PHONE WHILE
DRIVING AND FOR OTHER PURPOSES." and**

S. B. No. 3013, introduced by Senator Revilla, *entitled:*


**"AN ACT
REGULATING THE USE OF CELLULAR PHONE WHILE DRIVING
AND PROVIDING PENALTIES IN VIOLATION THEREOF."**

has considered the same and has the honor to report them back to the Senate with the recommendation that the attached S. B. No. 3188, prepared by the Committee, *entitled:*

**"AN ACT
REGULATING THE USE OF MOBILE PHONE WHILE DRIVING,
PROVIDING PENALTIES IN VIOLATION THEREOF AND FOR
OTHER PURPOSES."**


be approved in substitution of S. B. Nos. 96, 2529 and 3013 with Senators Villar, Ejercito Estrada and Revilla as authors thereof.

Respectfully submitted:



RAMON "BONG" B. REVILLA, JR.
Chairman
Committee on Public Services

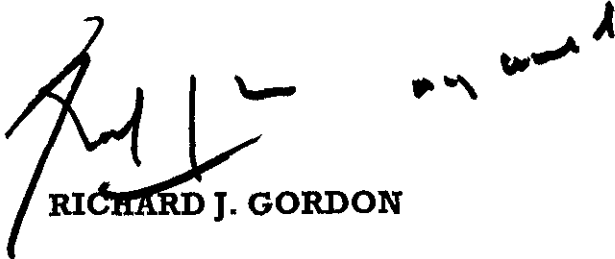
MEMBERS:



EDGARDO J. ANGARA



GREGORIO "Gringo" B. HONASAN



RICHARD J. GORDON

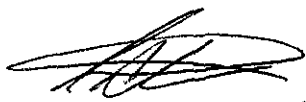
MAR A. ROXAS



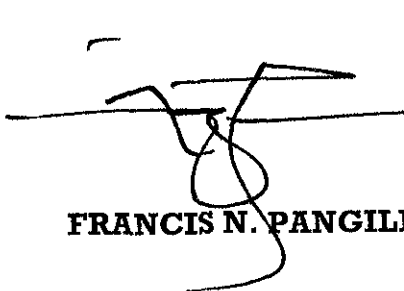
PANFIDO "Ping" M. LACSON



FRANCIS G. ESCUDERO



with Interpellations
ALAN PETER "Compañero" S. CAYETANO

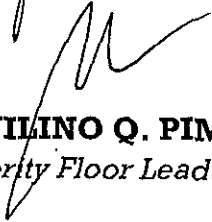


May Amend
FRANCIS N. PANGILINAN

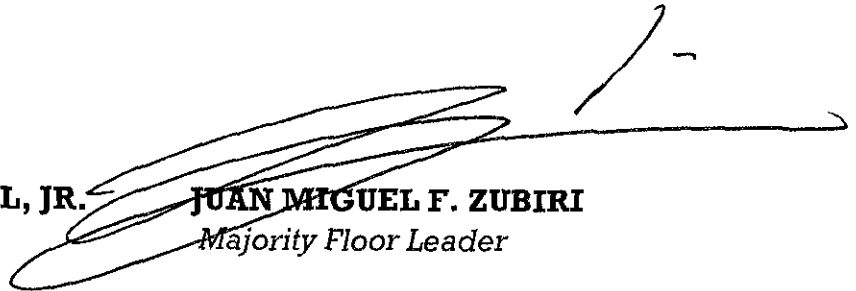
JOKER P. ARROYO

EX- OFFICIO MEMBERS:


JINGGOY P. EJERCITO ESTRADA
President Pro-Tempore

May amend;


AQUILINO Q. PIMENTEL, JR.
Minority Floor Leader



JUAN MIGUEL F. ZUBIRI
Majority Floor Leader

JUAN PONCE ENRILE
Senate President
Pasay City

9 APR 28 A9:50

SENATE
S.B. No. 3188

RECEIVED BY: 

*Prepared by the Committee on Public Services in substitution of S. B. Nos.
96, 2529 and 3013*

**AN ACT
REGULATING THE USE OF MOBILE PHONE WHILE DRIVING,
PROVIDING PENALTIES IN VIOLATION THEREOF AND FOR OTHER
PURPOSES**

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

1 **Section 1. Declaration of Policy.** – It is the policy of the State to
2 maintain peace and order, protect life, liberty and property, and promote the
3 general welfare of the people.

4 While the State recognizes the vital role of communication and
5 information in nation-building, the State puts premium on the life and safety of
6 its citizens by regulating the use of communication gadgets.

7 **Sec. 2. Definition of Terms.** – As used in this Act, the following terms
8 shall mean:

9 a) **Cellular Phone** - is a portable electronic device
10 used for mobile voice or data communication over
11 a network of specialized base stations known as
12 cell sites. In addition to the standard voice
13 function of a cellular phone, current mobile
14 phones may support many additional services and
15 accessories, such as SMS for text messaging,
16 email, packet switching for access to the internet,
17 gaming, bluetooths, infrared, camera with video
18 recorder and MMS for sending and receiving
19 photos and videos.

20 b) **Text Messages** – Means the use of message
21 sending by pressing the keypad of the cellular

1 phone in composing a message and sending it
2 through the phone;

- 3 c) **Accessories** - means the devise or apparatus that
4 can be connected to the cellular phone such as,
5 but not limited to earphones, microphones, jacks,
6 which are capable of sending, receiving, storing
7 or otherwise processing messages from other
8 modes of communication.

9 **Sec. 3. Use of Cellular Phone While Driving.** – To carry out the above-
10 mentioned policy, the use of mobile phones for text messaging and/or for
11 dial-up communication shall be allowed while driving all types of vehicles,
12 provided, that, different hands-free accessories shall be connected therein”;

13 “This section does not apply to a person using a wireless telephone for
14 emergency purposes, including but not limited to, an emergency call to a law
15 enforcement agency, health care provider, fire department, or other
16 emergency services agency or entity.

17 “This section does not also apply to emergency services professional
18 using a wireless telephone while operating an authorized emergency vehicle,
19 in the course and scope of his/her duties”.

20 **Sec. 4. Penal Provision** – Violation of this Act shall be punishable by:

- 21 (a) First Offence – fine of Three Thousand Pesos (P 3,000.00)
22 (b) Second Offense – fine of Five Thousand Pesos (P 5,000.00)
23 (c) Third and succeeding Offenses – a fine of not less than Five
24 Thousand Pesos (P 5,000.00) but not more than Ten Thousand
25 Pesos (P 10,000.00) and/or imprisonment of not more than one
26 (1) year at the discretion of the Court.

27 **Sec. 5. Separability Clause.** - If any part, section, or provision of this
28 Act shall be held invalid or unconstitutional, the other provisions shall not be
29 affected thereby.

30 **Sec. 6. Repealing Clause.** - All laws, decrees, orders, issuances, rules
31 and regulations or parts thereof inconsistent with the provisions of this Act are
32 hereby repealed, amended, or modified accordingly.

33 **Sec. 7. Effectivity.** - This Act shall take effect (15) days after its
34 complete publication in at least two (2) newspapers of national circulation.

35 *Approved,*