


THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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'04 JUN 30 P10:43

SENATE

RECEIVED BY: 

S. No. 778

INTRODUCED BY HON. MANUEL B. VILLAR, JR.

EXPLANATORY NOTE

Driving under the influence of liquor and/or prohibited drugs is the cause of a great percentage of road accidents. Yet, there is no national law defining and punishing as a crime the act of driving while under the influence of liquor and/or prohibited drugs. Only cities and some first class municipalities have individual ordinances penalizing drunken driving but their penalties are only minimal.

With the modern highways and expressways we have in our country today and laxity of the Land Transportation Commission in granting licenses to drive motor vehicles it is necessary that there must be a national law punishing the act of driving under the influence of liquor and/or prohibited drugs to protect other law-abiding motorists and user of public passages.


MANUEL B. VILLAR, JR.

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**AN ACT DEFINING AS A CRIME THE ACT OF DRIVING A MOTOR VEHICLE
WHILE UNDER THE INFLUENCE OF LIQUOR AND/OR PROHIBITED DRUGS AND
PROVIDING GRADUATED PENALTIES THEREFOR**

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

Section 1. State Policy. It shall be unlawful for any person to operate and drive any motor vehicle while the influence of liquor and/prohibited drugs.

Section 2. Penalties. Any person found guilty of violating the provisions of this Act shall be sentenced to suffer any of the following penalties:

- (a) For the first offense a fine of One thousand Pesos and suspension of his license to drive for one year;
- (b) For the second offense and all subsequent offenses, a fine of Five Thousand Pesos and the revocation of his license to drive for five years; provided, that if during the period that the offender's license to drive was suspended or revoked, then in addition to the penalty specified in this paragraph, he/she will be sentenced to one to five years imprisonment.

Section 3. Promulgation of Rules And Regulations. The Department of Transportation and Communication (DOTC) in cooperation with the Metropolitan Manila Development Authority (MMDA) and the Department of Health (DOH), shall promulgate rules and regulations to implement the provisions of this Act, which shall include out shall not be confined to the following: (a) the level of alcohol and /or drug content on a person's blood or breath to be

considered as intoxicating : (b) procedures for apprehension: (c) the necessary gadgets or test instruments to be used; and (d) the procedures for testing.

Section 4. Separability Clause. If any provisions, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 5. Repealing Clause. Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule and regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

Section 6. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspaper of general circulation.

Approved,