

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

5 FEB -9 P2 08

SENATE
S.B. No. 1909

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The government of Turkey requires certain driver groups to be tested in "psycho-technical" laboratories. The psycho-technical driver test involves assessment of both a driver's cognitive and motor skills as well as psychiatric fitness to drive. Similar psycho-technical assessment systems are used mainly in countries with many traffic accidents such as Italy and Spain.

Turkey seems to see psycho-technical and psychiatric driver assessment as a way to improve traffic safety. Certain special driver groups benefited from such assessment. Professional drivers in general, and drivers of dangerous vehicles in particular, have been assessed to ensure that they are fit for their demanding profession. In addition to professional drivers, psychological tests helped the Turkish government to assess the driving ability of certain patient groups like patients with early forms of the Alzheimer's disease, trauma and stroke patients, patients with visual impairment, and elderly drivers in general.

In the Philippines, the Metro Manila Development Authority (MMDA) has identified temper and speed as the topmost reasons of road accidents. Temper is said to contribute in causing the statistics of road accidents to mount since most drivers are without patience and easily flare up leading to cases of road rages. Such was the latest case of Chak Man Ching, 42 years old Chinese businessman, who, in 18 November 2004, was shot and wounded in the body by two unidentified motorcycle-riding men following a traffic spat in Binondo, Manila. Another one was in January 2003 in the case of Jose Luis Ramon Llamas, an Ateneo law graduate who died after being shot three times by an unknown motorcycle-riding man, again because of a minor traffic dispute.

The problem on the road is not traffic snarls alone but lack of discipline, civility, and mutual respect. Motoring mayhem has killed in the past and will continue to snuff out lives in the future. This carnage must stop.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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AN ACT
PROVIDING FOR COMPULSORY PSYCHO-TECHNICAL DRIVER ASSESSMENT
TESTS AMENDING SECTION 22 OF REPUBLIC ACT NO. 4136 OTHERWISE KNOWN
AS THE LAND TRANSPORTATION AND TRAFFIC CODE

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

SECTION 1. Section 22 of Republic Act No. 4136 shall be amended to read as follows:

“SECTION 22. *Driver’s license, fees, examination.* — Every person who desires to operate any motor vehicle shall file an application to the Director or his deputies for a license to drive motor vehicles; provided however, that no person shall be issued a professional driver’s license who is suffering from contagious diseases such as tuberculosis, sexually transmitted disease and epilepsy or who is an alcohol or drug addict or dependent, AND WHO HAS NOT PASSED THE PSYCHO-TECHNICAL DRIVER ASSESSMENT TESTS ADMINISTERED BY OFFICIAL PSYCHOLOGISTS AND/OR PSYCHOMETRICIANS OF THE LAND TRANSPORTATION OFFICE.”

SECTION 2. *Psycho-technical Driver Assessment Tests* — The psycho-technical driver assessment tests shall comprise of three (3) series of psychological exams that will measure a driver’s — (a) cognitive and motor skills, (b) psychiatric fitness to drive, and (c) temperamental quotient.

SECTION 3. *Guidelines.* — Not later than 60 days after the date of the enactment of this Act, the Land Transportation Office (LTO) shall promulgate and issue such guidelines as are necessary to carry out the provisions of this Act

SECTION 4. *Appropriations.* — To carry out the provisions of this Act, such amount as may be necessary is hereby authorized to be appropriated from the National Treasury.

SECTION 5. *Separability Clause.* — If any provision, 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 6. *Repealing Clause.* — Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 7. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,

/alp, jpa