

FOURTEENTH CONGRESS OF THE)
Republic of the Philippines)
Second Regular Session)

8 AUG 12 19:59

SENATE

RECEIVED BY: 

SENATE BILL NO. 2529

INTRODUCED BY SENATOR JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Road safety of drivers is the primary concern of this bill. As the proliferation of use of cellular phone continues, the citizens neglect the proper use of these communication gadgets. It is common to see drivers of different vehicles use their cellular phones while driving. Some are even using the short messages sending or text messaging, taking away their concentration while driving. Absence of concentration on the road can be fatal not only to the cellular phone user but also to other drivers using the road.

This bill prohibits the use of cellular phone while driving and provides penalty for violation thereof. However, drivers may make use of cellular phone accessories for making communication in order not to divert their attention while driving, and thus avoid unnecessary accidents.

The urgent passage of this bill is thus needed.


JINGGOY EJERCITO ESTRADA
Senator

FOURTEENTH CONGRESS OF THE)
Republic of the Philippines)
Second Regular Session)

8 AUG 12 A 9 59

SENATE

SENATE BILL NO. 2529

RECEIVED BY: 

INTRODUCED BY SENATOR JINGGOY EJERCITO ESTRADA

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

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

SECTION 1. This Act shall be known and may be cited as the "Anti-Cellular Phone Use While Driving Act of 2008."

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

While the State recognizes the vital role of communication and information in nation-building, the State puts premium on the life of its citizens by regulating the use of communication gadgets and by using said gadgets in their proper perspective.

SECTION 3. Definition of Terms. - As used in this Act, the term –

- a) "*Cellular Phone*" means a mobile hand-carried phone which can send messages through short messages sending or text messaging or through dial up system of communication like the telephone;
- b) "*Text Message Sending*" means the use of short message sending by pounding the keyboard of the cellular phone composing a message and sending it through the system of the cellular phone;

c) "*Accessories*" means the devise or apparatus that can be connected to the cellular phone such as, but not limited to, earphones, microphones, jacks, capable of sending, receiving, storing or otherwise processing messages from other gadgets of communication.

SECTION 4. *Use of Cellular Phone While Driving.* – To carry out the above-mentioned policy, it shall be prohibited to use the cellular phone while driving all types of vehicles, by text messaging and/or by dial up communication.

Owners of cellular phone may make use of different accessories to be connected therein before using the same while driving vehicles.

SECTION 5. *Penal Provisions.* — Any person who violates Section 4 of this Act shall be punished with imprisonment for not less one (1) year nor more than six (6) years or a fine of not more than Ten Thousand Pesos (P10,000), or both at the discretion of the court.

SECTION 6. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or modified accordingly.

SECTION 7. *Separability Clause.* – If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

SECTION 8. *Effectivity.* – This Act shall take effect after fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

Approved.