


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

SENATE
OFFICE OF THE SECRETARY

10 AUG -2 11:42

SENATE
S. No. 2215

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

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 drunk driving but their penalties are only minimal.

With the modern highways and expressways we have in our country today and the laxity of the Land Transportation Office 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 users of public passages.*

acs

MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Drunk Driving Act.”

6 SECTION 2. *Prohibited Act.* – It shall be unlawful for any person to operate and drive
7 any motor vehicle while under the influence of liquor and/or prohibited drugs.

8 SECTION 3. *Penalties.* – Any person found guilty of violating the provisions of this Act
9 shall be sentenced to suffer any of the following penalties:

10 (A) For the first offense, a fine of One Thousand Pesos (P1,000.00) and suspension of his
11 license to drive for one (1) year.

12 (B) For the second offense and all subsequent offenses, a fine of Five Thousand Pesos
13 (P5,000.00) and the revocation of his license to drive for five (5) years; Provided, that if during
14 the period that the offender’s license to drive was suspended or revoked, he commits the same
15 offense again, and, in addition to the penalty specified in this paragraph, he/she will be sentenced
16 to one (1) to five (5) years imprisonment.

17 SECTION 4. *Promulgation of Rules and Regulations.* – The Department of
18 Transportation and Communication (DOTC) in cooperation with the Metropolitan Manila
19 Development Authority (MMDA) and the Department of Health (DOH), shall promulgate rules
20 and regulations to implement the provisions of this Act, which shall include but shall not be
21 confined to the following:

- 1 (A) The level of alcohol and/or drug content on a person's blood or breath to be
2 considered as intoxicating;
- 3 (B) The procedures for apprehension;
- 4 (C) The necessary gadgets or test instruments to be used; and
- 5 (D) The procedures for testing.

6 SECTION 5. *Separability Clause.* – If any provision or part hereof is held invalid or
7 unconstitutional, the remainder of the law of the provision not otherwise affected shall remain
8 valid and subsisting.

9 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive
10 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
11 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

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

Approved,