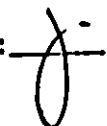


SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )



'15 NOV -9 P4:48

SENATE  
S. No. 3007

RECEIVED BY: 

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Introduced by Senator 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

EXPLANATORY NOTE

This proposal aims to provide a compulsory psycho-technical driver test. The 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.

Primarily, the psycho-technical assessment test would ensure the improvement of traffic safety. Indeed, professional drivers, and those drivers dealing with dangerous vehicles must be assessed to guarantee the public that they possess the necessary knowledge demanded by the job. In addition, the test will help assess the driving ability of some patients with early forms of Alzheimer's disease, with trauma, with visual impairment, stroke patients, and even elderly drivers.

According to some reports on the prevention of road-traffic injuries, more than 4,000 people die each year at a cost of at least \$894 million, or 1.2% of the Philippines' Gross Domestic Product. In addition, it is acknowledged that road accidents are growing to be the leading cause of mortality among Filipinos.

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. The carnage must stop. In view of the foregoing, immediate passage of this bill is hereby sought.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
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<sup>1</sup> This bill was originally filed in the Thirteenth Congress, First Regular Session and currently has a counterpart measure in the House of Representatives filed by Rep. Marcelino R. Teodoro as House Bill No. 2118 (Sixteenth Congress, First Regular Session).

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

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

3 Section 22. *Driver's license, fees, examination.* - Every person who  
4 desires personally to operate any motor vehicle shall file an application to  
5 the Commissioner or his deputies for a license to drive motor vehicles:  
6 Provided, however, That no person shall be issued a professional driver's  
7 license who is suffering from contagious diseases, such as, tuberculosis,  
8 sexually transmitted diseases and epilepsy or who is an alcohol or drug  
9 addict or dependent, **AND WHO HAS NOT PASSED THE PSYCHO-**  
10 **TECHNICAL DRIVER ASSESSMENT TESTS ADMINISTERED BY**  
11 **OFFICIAL PSYCHOLOGISTS AND/OR PSYCHOMETRICIANS OF**  
12 **THE LAND TRANSPORTATION OFFICE.**

13 Each such application, except in the case of enlisted men operating  
14 government-owned vehicles, shall be accomplished by a fee of five pesos,  
15 and shall contain such information respecting the applicant and his ability  
16 to operate motor vehicles, as may be required by the Bureau.

1           The Director or his deputies shall also ascertain that the applicant's  
2 health, sight and hearing are sound and normal, and is physically and  
3 mentally fit to operate motor vehicles. To this end, the Director or his  
4 deputies shall require a certificate to that effect, signed by a reputable  
5 accredited physician.

6           An examination, theoretical and practical, to determine every  
7 applicant's ability and fitness to operate motor vehicles. To this end, the  
8 Director or his deputies shall require a certificate to that effect, signed by a  
9 reputable accredited physician.

10          An examination, theoretical and practical, to determine every  
11 applicant's ability and fitness to operate motor vehicles to be conducted by  
12 the Director in such form and manner as he shall prescribe shall also be  
13 required. A manual containing the general scope of the examinations and  
14 such information as may be necessary for the guidance of the applicants  
15 and for the purpose of effectivity and implementation of this Act may be  
16 published in an official language and distributed at no cost to the  
17 applicants.

18          No application for a driver's license shall be received, unless the  
19 applicant:

- 20          (1) For a professional driver's license, is at least eighteen years of  
21 age, possesses a valid student-driver's permit **AND A**  
22 **MEDICAL CERTIFICATE STATING IN CLEAR**  
23 **TERMS APPLICANT'S ELIGIBILITY**, and has  
24 undergone instruction in the operation of motor vehicles  
25 for at least five months under a qualified instructor:  
26 Provided, however, That the period of time the applicant

1 has operated a motor vehicle with a non-professional  
2 driver's license shall be credited against the period of  
3 instruction required herein; and

4 (2) (2) For a non-professional driver's license, is at least  
5 seventeen years of age, possesses a valid student-driver's  
6 permit and has undergone instruction in the operation of  
7 motor vehicles for at least a month.

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

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

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

18 SECTION 5. *Separability Clause.* – If any provision or part hereof is held invalid  
19 or unconstitutional, the same shall not affect the validity and effectivity of the other  
20 provisions hereof.

21 SECTION 6. *Repealing Clause.* – All laws, decrees, orders, and issuances, or  
22 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
23 repealed, amended or modified accordingly.

1           SECTION 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
2 publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/rapt9October2015