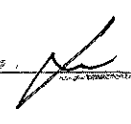


FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

RECEIVED
19 JUN 19 11 57 AM '07

SENATE

Senate Bill No. 45

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INTRODUCED BY SENATOR VICENTE C. SOTTO III


EXPLANATORY NOTE

Cases of vehicular accidents causing injuries and deaths have staggeringly increased as cases of drug abuse rise. Substance abuse triggers hallucinations, anxiety and paranoia, drowsiness and loss of consciousness. This results in the inability to aptly respond to consequences and events in the environment, making a person unfit to drive a motor vehicle.

Therefore this bill proposes to subject drivers who have been involved in traffic accidents to mandatory drug testing, amending Section 36 of RA 9165. This bill intends to remove the categories of individuals under such section, who are obliged to undergo drug testing. This practice has not in any way curb cases of drug abuse, putting to waste appropriated money and resources.

The State's mandate is to safeguard the integrity of the State's territory and the well-being of its citizenry from the ill effects of dangerous drugs on their physical and mental well-being, and to defend the same against acts or omissions detrimental to their development and preservation. Pursuant to this, the mandatory drug testing of drivers who were involved in traffic accidents would prevent substance abuse and traffic accidents caused by the same.

The approval of this proposed bill, is therefore, recommended.

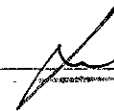

VICENTE C. SOTTO III
Senator

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SENATE

Senate Bill No. 45

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**AN ACT
PROVIDING FOR MANDATORY DRUG TESTING FOR DRIVERS PREVIOUSLY
INVOLVED IN TRAFFIC ACCIDENTS, AMENDING FOR THE PURPOSE SECTION 36
OF RA 9165 OR THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002.**

SECTION 1. This Act shall be known as, "MANDATORY DRUG TESTING FOR DRIVERS PREVIOUSLY INVOLVED IN TRAFFIC ACCIDENTS ACT OF 2010."

SECTION 2. Section 10 of Republic Act No. 9165 is hereby amended to read as follows:

"Section 36. Drug Testing.

- (a) Authorized drug testing shall be done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results.
- (b) The DOH shall take steps in setting the price of the drug test with DOH accredited drug testing centers to further reduce the cost of such drug test.
- (c) The drug testing shall employ, among others, two (2) testing methods, the screening test which will determine the positive result as well as the type of the drug used and the confirmatory test which will confirm a positive screening test.
- (d) Drug test certificates issued by accredited drug testing centers shall be valid for a one-year period from the date of issue which may be used for other purposes.
- (e) There shall be a post-accident testing for the use of prohibited or regulated drug.
- (f) Persons to be subjected to undergo drug testing:
 - 1. Drivers of motor vehicles previously involved in accidents due to major traffic violations such as but not limited to: driving beyond the normal speed and reckless driving.

SECTION 3. Repealing Clause. - All laws, rules, regulations and other issuance or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 4. Effectivity. - This Act shall take effect immediately upon its approval.