

[REPUBLIC ACT NO. 10586, May 27, 2013]

AN ACT PENALIZING PERSONS DRIVING UNDER THE INFLUENCE OF ALCOHOL, DANGEROUS DRUGS, AND SIMILAR SUBSTANCES, AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Drunk and Drugged Driving Act of 2013”.

SEC. 2. *Declaration of Policy.* – Pursuant to the Constitutional principle that recognizes the protection of life and property and the promotion of the general welfare as essential for the enjoyment of the blessing of democracy, it is hereby declared the policy of the State to ensure road safety through the observance of the citizenry of responsible and ethical driving standards.

Towards this end, the State shall penalize the acts of driving under the influence of alcohol, dangerous drugs and other intoxicating substances and shall inculcate the standards of safe driving and the benefits that may be derived from it through institutional programs and appropriate public information strategies.

SEC. 3. *Definition of Terms.* – For purposes of this Act:

(a) *Alcohol* refers to alcoholic beverages classified into beer, wine and distilled spirits, the consumption of which produces intoxication.

(b) *Breath analyzer* refers to the equipment which can determine the blood alcohol concentration level of a person through testing of his breath.

(c) *Chemical tests* refer to breath, saliva, urine or blood tests to determine the blood alcohol concentration level and/or positive indication of dangerous drugs and similar substances in a person’s body.

(d) *Dangerous drugs and other similar substances* refer to drugs listed in the schedules annexed to the 1961 Single Convention on Narcotics Drugs, as amended by the 1972 Protocol, and in the schedules annexed to the 1971 Single Convention of Psychotropic Substances as enumerated in its attachment which is an integral part of Republic Act No. 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of 2002” and those that the Board may reclassify, add to or remove from the list of dangerous drugs.

(e) *Driving under the influence of alcohol* refers to the act of operating a motor vehicle while the driver’s blood alcohol concentration level has, after being subjected to a breath analyzer test, reached the level of intoxication, as established jointly by

the Department of Health (DOH), the National Police Commission (NAPOLCOM) and the Department of Transportation and Communications (DOTC).

(f) *Driving under the influence of dangerous drugs and other similar substances* refers to the act of operating a motor vehicle while the driver, after being subjected to a confirmatory test as mandated under Republic Act No. 9165, is found to be positive for use of any dangerous drug.

(g) *Field sobriety tests* refer to standardized tests to initially assess and determine intoxication, such as the horizontal gaze nystagmus, the walk-and-turn, the one-leg stand, and other similar tests as determined jointly by the DOH, the NAPOLCOM and the DOTC.

(h) *Motor vehicle* refers to any land transportation vehicle propelled by any power other than muscular power.

(i) *Motor vehicles designed to carry hazardous materials* refer to those designed to carry or transport materials which may endanger health and lives of the public.

(j) *Public utility vehicles* refer to motor vehicles for hire and used to carry or transport passengers or goods.

SEC. 4. *Driver's Education.* – Every applicant for a motor vehicle driver's license shall complete a course of instruction that provides information on safe driving including, but not limited to, the effects of the consumption of alcoholic beverages on the ability of a person to operate a motor vehicle, the hazards of driving under the influence of alcohol, dangerous drugs and/or other similar substances, and the penalties attached for violation thereof.

For professional drivers, every applicant for a driver's license or those applying for renewal thereof shall undergo the driver's education herein stated.

The driver's license written examination shall include questions concerning the effects of alcohol and drug intoxication on the ability of a person to operate a motor vehicle and the legal and pecuniary consequences resulting from violation of the provisions of this Act.

SEC. 5. *Punishable Act.* – It shall be unlawful for any person to drive a motor vehicle while under the influence of alcohol, dangerous drugs and/or other similar substances.

SEC. 6. *Conduct of Field Sobriety, Chemical and Confirmatory Tests.* – A law enforcement officer who has probable cause to believe that a person is driving under the influence of alcohol, dangerous drugs and/or other similar substances by apparent indications and manifestations, including overspeeding, weaving, lane straddling, sudden stops, swerving, poor coordination or the evident smell of alcohol in a person's breath or signs of use of dangerous drugs and other similar substances, shall conduct field sobriety tests.

If the driver fails in the sobriety tests, it shall be the duty of the law enforcement officer to implement the mandatory determination of the driver's blood alcohol concentration level through the use of a breath analyzer or similar measuring instrument.