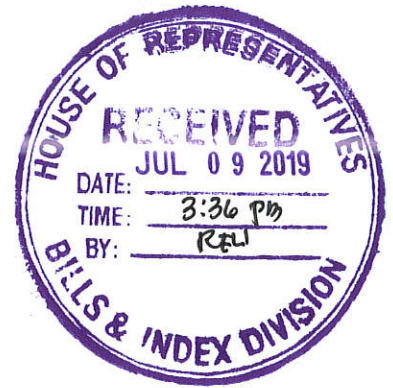


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1768



Introduced by HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

EXPLANATORY NOTE

One factor of road accidents is driver fatigue—more specifically, drowsiness. Long drives can be especially dangerous as drivers are prone to doze off and lose concentration, mostly during night. The American Academy of Sleep Medicine even likened drowsy driving to driving under influence, saying that it "is similar to alcohol in how it compromises driving ability by reducing alertness"¹. Studies have shown that at least a quarter of road accidents that happen are due to driver fatigue².

This bill intends to prevent future road accidents caused by such and hopes to serve as an encouragement for self-discipline among our citizens by proposing to penalize continuous driving for more than 12 hours in a 24-hour period. Passenger buses are especially prone to committing this as they cater to popular tourist destinations that are 6 to 13 hours away by land transportation. The bill also aims to penalize companies or institutions that allow their drivers to drive on duty without rest and driving shifts.

The approval of this bill is earnestly sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR

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HOUSE BILL NO. 1768

Introduced by HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

AN ACT
PENALIZING CONTINUOUS DRIVING DUTY EXCEEDING TWELVE (12)
HOURS IN ANY TWENTY-FOUR (24) HOUR PERIOD

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

SECTION 1. Declaration of Policy. — It is hereby declared the policy of the State to secure and safeguard its motorists from the possibility of fatal accidents caused by unregulated driving. Article II, Section 5 of the 1987 Philippine Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

SECTION 2. Definition of Terms. For the purposes of this Act, the following terms are defined as below:

- a) Motor Vehicle — shall mean any land vehicle transportation used to carry persons or goods, including passenger vehicles such as public utility vehicles and commercial buses or coaches, and trailers and trucks having any number of wheels;
- b) Driver — shall mean every person operating a motor vehicle and issued a license by the Land Transportation Office, whether non-professional or professional;

- b) Driver — shall mean every person operating a motor vehicle and issued a license by the Land Transportation Office, whether non-professional or professional;
- c) Owner— shall mean the actual legal owner of a motor vehicle, in whose name such vehicle is duly registered with the Land Transportation Office.

SECTION 3. Allowed number of continuous hours to operate a motor vehicle. — The actual number of hours allowed to operate a motor vehicle shall not exceed twelve

(12) continuous hours by a single driver on duty in any twenty-four (24) hour period. Travel by a person or persons and transport of goods for trips exceeding twelve (12) hours from the point of origin to end of destinations shall be allowed granted that the motor vehicle is operated by drivers in shifting schedules during duty.

SECTION 4. Penalty for continuous driving exceeding twelve (12) hours. — A driver or owner in violation of the above act shall be imposed the following penalties:

A) Driver operating the motor vehicle —

- a. First Offense — suspension of the driver's license for up to one (1) year;
- b. Second Offense — suspension of the driver's license for one (1) to two (2) years and fine in the amount of fifty thousand pesos (Php 50,000);
- c. Third Offense — suspension of the driver's license for two (2) to three (3) years and prohibition from applying for a new driver's license for two (2) years.

B) Owner of the motor vehicle used —

- a. First Offense — shall be fined the amount of twenty thousand (Php 20,000) to fifty thousand pesos (Php 50,000) and suspension of the franchise or permit thereof for public utility vehicles and commercial transport vehicles for one (1) to two (2) years;

- b. Second Offense — shall be fined the amount of fifty-five thousand (Php 55,000) to seventy-five thousand pesos (Php 75,000) and suspension of the franchise or permit thereof for public utility vehicles and commercial transport vehicles for two (2) to three (3) years;
- c. Third Offense — shall be fined the amount of eighty thousand (Php 80,000) to one hundred thousand pesos (Php 10,000), suspension of the franchise or permit thereof for public utility vehicles and commercial

transport vehicles for two (2) to three (3) years, and prohibition from applying for a new franchise or permit for two (2) years.

SECTION 5. Implementing Rules and Regulations. — The Department of Transportation, in consultation with the Land Transportation Office, Land Transportation Franchising and Regulatory Board, Department of Trade and Industry, private sectors, and Local Government Units, shall promulgate the corresponding implementing rules and regulations (IRR) within three (3) months after the effectivity of this Act.

SECTION 6. Repealing Clause. — All laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 7. Separability Clause. — If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 8. Effectivity. — This Act shall take effect after fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,