Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 821

Submitted by the Committee on Transportation on MAR 06 2021

Re : House Bill No. 8916

Recommending its approval in substitution of House Bill No. 3391

Sponsors: Reps. Edgar Mary S. Sarmiento and Precious Hipolito Castelo

Mr. Speaker:

The Committee on Transportation to which was referred House Bill No. 3391, introduced by Rep. Precious Hipolito Castelo, entitled:

"AN ACT
PROHIBITING DRAG RACING IN PUBLIC ROADS AND
PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND FOR
OTHER PURPOSES"

has considered the same and recommends that the attached House Bill No. 8916, entitled:

"AN ACT
DEFINING ILLEGAL DRAG RACING AND PRESCRIBING
PENALTIES THEREFOR"


Respectfully submitted,

REP. EDGAR MARY S. SARMIENTO
Chairperson
Committee on Transportation

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY
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HOUSE BILL NO. 8916

Introduced by Reps. Castelo, Sarmiento, Babasa, Florida, Lim, Paduano, Dagooc, Pimentel, Marcoleta, Bautista, Baronda, Zubiri, Guico, Momo, Bascug, Barba, Marquez, Deloso-Montalla, Gato, Gaite, Saulog, Lusotan, Violago, Crisologo, Canama, Revilla, Haresco and Escudero

AN ACT
DEFINING ILLEGAL DRAG RACING AND PRESCRIBING PENALTIES THEREFOR

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

SECTION 1. Short Title. – This Act shall be known as the “Illegal Drag Racing Ban Act.”

SEC. 2. Declaration of Policy. – The State shall promote the general welfare and safety of both pedestrians and motorists and, hence, shall outlaw the practice of illegal drag racing that jeopardizes road safety.

SEC. 3. Definition of Terms. – As used in this Act,

(a) Drag racing refers to a road race involving two (2) or more road vehicles driven side by side within a specified distance at accelerating speeds with the objective to outdo each other, or the employment of vehicles not necessarily driven side by side over a common course for the purpose of determining the relative speeds or power of acceleration of the vehicles;

(b) Illegal drag racing refers to a drag racing not sanctioned or permitted by government authorities. The term also includes a race between public utility vehicles randomly overtaking each other for the purpose of getting to the passengers ahead of another or the mere purpose of outdistancing another at speeds beyond the legal speed limit of a certain road;

(c) Road vehicle refers to any type of motorized or electric vehicle, which uses a road, street or highway for conveyance of people or goods. The term includes four-
wheeled, three-wheeled and two-wheeled vehicles but shall not include vehicles
classified as heavy equipment or agricultural equipment.

SEC. 4. Ban on Illegal Drag Racing. – Upon the effectivity of this Act, no drag
racing of any kind shall be conducted or held on any public road, street or highway
unless sanctioned by the government and approved by the local government unit (LGU)
having jurisdiction over the venue. Drag racing on a private road or property shall also
be deemed illegal unless permitted by the LGU concerned.

SEC. 5. Penalties. – Any person guilty of illegal drag racing, including the
promoter or organizer thereof, upon conviction, shall be penalized with a fine of not
less than Three hundred thousand pesos (P300,000.00) nor more than Five hundred
thousand pesos (P500,000.00) or imprisonment of one (1) year, or both, at the discretion
of the court. The penalties herein provided shall be without prejudice to the imposition
of additional penalties resulting from the commission of other crimes or offenses
occasioned by the same act.

The driver’s license of a person who participated in illegal drag racing shall be
immediately confiscated and suspended for a period of six (6) months. The driver’s
license may only be redeemed upon undergoing a seminar for proper driving and such
other requirements under the existing policies of the Land Transportation Office (LTO).
The commission of the offense for the second time shall result in the perpetual
disqualification of the offender from being issued a driver’s license.

SEC. 6. Impounding of Vehicles Involved in Illegal Drag Racing. – Any
vehicle involved in illegal drag racing shall be immediately impounded. The LTO,
subject to the approval of the Secretary of the Department of Transportation (DOTr)
shall provide a reasonable schedule of fees for the storage of impounded vehicles.

SEC. 7. Assistance of Relevant Government Agencies. – To ensure the
effective implementation of this Act, the DOTr shall work hand in hand with the
Department of Interior and Local Government (DILG), the Philippine National Police
(PNP), the Metropolitan Manila Development Authority (MMDA), and the LGUs in
the area of enforcement.

SEC. 7. Implementing Rules and Regulations (IRR). – The DOTr shall, within
ninety (90) days following the effectivity of this Act, promulgate the necessary rules
and regulations for its effective implementation. The rules and regulations shall be
crafted in consultation with the DILG, the PNP, the LTO, the LTFRB, the MMDA and
the relevant government agencies and private stakeholders.

SEC. 8. Separability Clause. – If any provision of this Act is declared invalid
or unconstitutional, the other provisions not affected thereby shall remain in full force
and effect.
SEC. 9. Repealing Clause. – All laws, decrees, executive orders, presidential
issuances and other administrative rules and regulation or parts thereof which are
inconsistent with the provisions of this Act are hereby repealed, amended or modified
accordingly.

SEC. 10. Effectivity. – This Act shall take effect fifteen (15) days after its
publication in the Official Gazette or in a newspaper of general circulation.

Approved,
Objective:

- To promote public order and safety by banning illegal drag racing in public and private roads, streets and highways that endangers the lives of pedestrians, passengers and drivers, and disturbs peace and tranquility in the communities.

Key Provisions:

- Declares as illegal drag racing, whether conducted or held in public or private roads, streets or highways, when not sanctioned or without the authority of the concerned agencies or the local government unit (LGU) having jurisdiction of the place where the drag racing was held;

- Imposes the following penalties upon the participants of illegal drag racing:
  1. A fine of not less than Three Hundred Thousand Pesos (P300,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00) and/or imprisonment of one (1) year upon the participants and the promoters or organizers at the discretion of the court;
  2. Confiscation and suspension of driver’s license of the participants for a period of six (6) months and requiring them to undergo a seminar prescribed by the Land Transportation Officer (LTO) before they can redeem their licenses;
  3. Perpetual disqualification to hold a driver’s license for participants who commit the offense for the second time; and
  4. Impounding of vehicles used in illegal drag racing subject to payment of reasonable storage fees according to the reasonable schedule of fees imposed by the LTO as approved by the Secretary of the Department of Transportation (DOTr)

- Requires the DOTr to work hand in hand with the with the Department of Interior and Local Government (DILG), the Philippine National Police (PNP), the
Metropolitan Manila Development Authority (MMDA), and the local government units (LGUs) to ensure the effective implementation of the law.

RELATED LAWS:

- Republic Act No. 4136 (Land Transportation and Traffic Code)
- Batas Pambansa Blg. 33 (s. 06 June 1979)
- Presidential Decree No. 1865