



HOUSE OF REPRESENTATIVES

H. No. 5648

BY REPRESENTATIVES SARMIENTO (C.), VELARDE, PIMENTEL, SANTOS-RECTO, TAN (A.), PINEDA, ROMERO, ACOP, FERRIOL-PASCUAL SUANSING (E.), SUANSING (H.), ANDAYA, REVILLA, SARMIENTO (E.M.), ROBES, ERICE, UNICO, ONG (H.), VIOLAGO, BAGATSING, LOPEZ (C.), VARGAS, OLIVAREZ, ABU, SAMBAR, PANCHO, MANALO, VILLAFUERTE, CASTELO, AUMENTADO, ONG (E.), ARENAS, GONZALES (A.D.), RODRIGUEZ (M.), SY-ALVARADO, BOLILIA, TAMBUNTING, PRIMICIAS-AGABAS, CUEVA, ABAYON, GARCIA (G.), NIETO AND LOYOLA, PER COMMITTEE REPORT NO. 238

AN ACT RATIONALIZING AND STRENGTHENING THE POLICY REGARDING DRIVER'S LICENSE, PROVIDING FOR A FIVE (5)-YEAR VALIDITY AND PENALIZING ACTS IN VIOLATION OF ITS ISSUANCE AND APPLICATION

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

1 SECTION 1. *Declaration of Policy.* – It shall be the policy of the State
2 to establish a system that promotes the ease of access to government services
3 and efficient transportation regulation favorable to the people.

4 SEC. 2. *Validity of Driver's License.* – Following the effectivity of
5 this Act, the validity of professional and non-professional driver's license shall
6 be up to a period of five (5) years, subject to such restrictions as may be
7 imposed by the Land Transportation Office (LTO).

8 SEC. 3. *Establishment of Stricter Rules Before the Issuance of Driver's*
9 *License.* – The LTO shall promulgate prerequisites and guidelines before the

1 grant of driver's licenses to ensure that these are issued only to deserving
2 applicants with sufficient driving skills and knowledge on road safety and
3 proper road courtesy.

4 Toward this end, the conduct of theoretical and practical examinations,
5 among others, must sufficiently measure the competency of drivers and must
6 be designed to the type of license applied for and its corresponding
7 restrictions: *Provided,* That for professional drivers, the tests must be
8 appropriate to the vehicle and type of service the applicant intends to operate.

9 SEC. 4. *Penalties.* – Without prejudice to the penalties provided under
10 Republic Act No. 4136 or the "Land Transportation and Traffic Code", the
11 Revised Penal Code and other applicable laws, the penalties corresponding to
12 the following acts shall be imposed by the LTO:

13 (a) Any officer who, in any manner, issues a driver's license without
14 the necessary examinations, connives with the applicant for the irregular
15 issuance of a license, or who negligently issues a driver's license to an
16 unqualified applicant shall suffer a penalty of removal from the service with
17 all the accessory penalties attached thereto;

18 (b) A fine in the amount of two hundred thousand pesos
19 (Php200,000.00) shall be imposed upon an applicant for a driver's license
20 found to have committed any of the following acts:

21 (1) Willful misrepresentation with respect to material information in
22 one's application;

23 (2) Connivance with the officer in the irregular conduct of examination
24 or issuance of license;

25 (3) Falsification of documents; or

26 (4) Cheating during examinations.

27 Any or all of the acts abovementioned shall be punished whether or
28 not a license was granted by reason of such misrepresentation, connivance,
29 falsification or cheating.

1 In addition to the abovementioned fine, the driver's license of an
 2 erring applicant, if one is granted by reason of such misrepresentation,
 3 connivance, falsification or cheating, shall be revoked, and the applicant shall
 4 be prohibited from applying for a period of two (2) years. The repetition of
 5 such offense shall warrant the perpetual disqualification from being granted a
 6 driver's license in addition to the fine above stated; and

7 (c) A holder of a driver's license who acts in violation of the
 8 provisions of Republic Act No. 4136 and other existing traffic laws shall
 9 suffer corresponding penalties as may be provided by law and other issuances.

10 In case of death or physical injuries resulting to the loss of any part of
 11 the victim's body or the use thereof, insanity, imbecility, impotence or
 12 blindness, or incapacity to work for more than ninety (90) days, the license of
 13 the offending driver shall be revoked and he shall be perpetually disqualified
 14 from holding a driver's license, after a finding by the court that such driver
 15 was negligent or at fault.

16 The Department of Transportation (DOTr), through the LTO, shall
 17 adopt and publish a graduated schedule of violations and penalties in a
 18 newspaper of general circulation or in their official website. In addition, the
 19 LTO shall publish on its official website a list showing the names and
 20 circumstances of persons who are perpetually disqualified from being issued a
 21 driver's license.

22 The DOTr and the LTO shall, in coordination with the Land
 23 Transportation Franchising and Regulatory Board (LTFRB) and other
 24 concerned agencies and private stakeholders, aggressively and regularly
 25 conduct a nationwide information, education and communication (IEC)
 26 campaign on road safety, including the list of measures implemented pursuant
 27 to and violations punishable under this Act.

28 SEC. 5. *Review of Penalties.* – The Secretary of the DOTr, upon the
 29 recommendation of the LTO, after due hearing and publication, shall have the

1 power to increase or adjust the fines herein imposed once every five (5) years:
 2 *Provided,* That in no case shall the increase be more than five percent (5%) of
 3 the fine sought to be increased.

4 SEC. 6. *Research and Development.* – The LTO shall conduct
 5 continuing research and development to ensure the efficient administration of
 6 the drivers' licensing system.

7 SEC. 7. *Implementing Rules and Regulations.* – Within sixty (60) days
 8 from the effectivity of this Act, the Secretary of the DOTr, with the assistance
 9 of the LTO and the LTFRB, shall promulgate the implementing rules and
 10 regulations necessary to ensure the effective implementation of this Act.

11 SEC. 8. *Separability Clause.* – If any provision or part hereof is held
 12 invalid or unconstitutional, the remainder of the law or provision not otherwise
 13 affected shall remain valid and subsisting.

14 SEC. 9. *Repealing Clause.* – All laws, decrees, executive orders, rules
 15 and regulations, issuances or parts thereof inconsistent with this Act are hereby
 16 repealed or amended accordingly.

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

Approved,

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