Republic of the Philippines
DEPARTMENT OF TRANSPORTATION

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Administrative Rules and Regulations
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DEPARTMENT ORDER NO. 2025-008

SUBJECT: **MANDATORY ALCOHOL AND DRUG TESTING FOR DRIVERS OF PUBLIC UTILITY VEHICLES**

DATE: 05 **May 2025**

WHEREAS, Section 2, Book IV, Title XV, Chapter 1 of Executive Order (EO) No. 292, otherwise known as the "Administrative Code of 1987" states that: "The Department of Transportation and Communications (now the Department of Transportation) shall be the primary policy, planning, programming, coordinating, implementing, regulating and administrative entity of the Executive Branch of the Government in the promotion, development and regulation of dependable and coordinated networks of transportation and communication systems as well as in the fast, safe, efficient and reliable postal, transportation and communication services."

WHEREAS, Executive Order (EO) No. 125, paragraph 5 (o), as amended provides the power of the Department of Transportation and Communications (DOTC) (now Department of Transportation [DOTr]) to *"Establish and prescribe the corresponding rules and regulations for enforcement of laws governing land transportation, air transportation and postal services, including the penalties for violations thereof x x x*

WHEREAS, Section 2 of Republic Act (RA) No. 10586, otherwise known as the "*Anti-Drunk and Drugged Driving Act of 2013"* states that: "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."

WHEREAS, Section 5 of the Republic Act No. 10586 states that: "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."

WHEREAS, Section 5 (b) of EO No. 202 provides that, among others, it shall be the power and function of the Land Transportation Franchising and Regulatory Board (LTFRB) "to issue, amend, revise, suspend or cancel Certificate of Public Convenience or permits authorizing the operation of public land transportation services provided by motorized vehicles, and to prescribe the terms and conditions therefore."

WHEREAS, Item No. IV of Memorandum Circular No. 2018-010 provides that: "Notwithstanding Item III, the DOTr and the LTFRB shall impose such additional terms, restrictions, or limitations as may be deemed necessary to implement the policies and purposes of the Omnibus Franchising Guidelines (OFG)."

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MA. ROSARIO Q. MANGALINO
RECORDS OFFICER

NOW THEREFORE, I, VIVENCIO B. DIZON, Secretary of the Department of Transportation, by virtue of the powers vested in me by law, hereby order the following rules and procedures on ensuring a drug, alcohol, and other intoxicating substances - free environment in the operation of public utility vehicles.

Section 1. Coverage

This Department Order shall apply to operators, owners, and drivers of the following:

a.) Public Utility Vehicles (whether holders of Certificate of Public Convenience - CPCs, Provisional Authority, or Special Permit)
b.) Motorcycle Taxis;

Section 2. Drug, Alcohol, and other similar substance-free environment operation.

The person/s or entity covered by this Department Order shall ensure that all their drivers are free from the use of drugs, alcohol, or other similar substances before employment, dispatch, deployment, or before drivers are allowed to operate the vehicles mentioned in Section 1 hereof.

They shall also undertake automatic post-accident testing within eight (8) hours following a major traffic citation, absent the administration of a BAC and/or standard drug screening test of a Law Enforcement Officer (LEO) upon issuance of the citation.

Section 3. Obligation of the Operator or Owner

It shall be the duty of the Operator or Owner covered by this Department Order to:

a.) Test the driver's alcohol concentration level using a breath analyzer or similar measuring instrument before employment, dispatch, deployment, or allowing the driver to operate their motor vehicle or motorcycle mentioned in Section 1 hereof.

b.) Require their drivers to undergo a regular drug screening test every six (6) months starting from the date of employment, as well as periodic random testing and testing whenever there is reasonable suspicion of drug use.

c.) Ensure that the driver carries a copy of the test results at all times while operating the vehicles covered under Section 1.

d.) It shall ensure that the tests should not be fraudulent or false through the use of accredited testing equipment and/or accredited clinics.

A Blood Alcohol Concentration (BAC) of more than 0.0% shall be conclusive proof that the driver is under the influence of alcohol (Section 3 (g) of RA No. 10586, Implementing Rules and Regulations), hence he/she shall not be dispatched, deployed, or allowed to operate a PUV.

In case a driver tests positive for a dangerous drug or other similar substance, the owner or operator shall:

a.) Hold the dispatch or deployment of the subject driver;
b.) Subject the driver for a confirmatory test;

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c.) Report to LTO the name and driver's license number of the subject driver together with the drug test result.

The owner or operators shall bear the cost of the breath analyzer or a similar measuring instrument and drug testing, and this cost shall in no way be deducted from the salary of the covered driver/drivers.

Section 4. Obligation of the Driver

It shall be the responsibility of the drivers of vehicles covered by this Department Order to:

a.) Submit to BAC test and drug screening test as required in Section 3 (a) and (b).
b.) Carry the results of the tests mentioned above at all times while operating the vehicles covered under Section 1.
c.) Submit the test results mentioned above either directly to the LTO or to the Owner/Operator, when required to do so.
d.) Shall not use false or fraudulent test results.

Section 5. Duty of LTO

The LTO shall have the right to demand the submission of the test results required above during apprehension or road site inspection.

If the driver fails to submit any of the required test results, his/her driver's license will be confiscated, and the vehicle will be impounded.

The MV/MC shall only be released if the owner or operator sends a driver with the required test results to claim the same without prejudice to its liability provided by this Department Order and other existing rules and regulations of LTO and LTFRB.

Submission of the test results above shall be without prejudice to the exercise of LTO's functions under Sections 6,7,8, and 15 of RA No. 10586.

The LTO shall coordinate with and submit every positive result of the dangerous drug tests to the Philippine Drug Enforcement Agency (PDEA) and LTFRB.

Section 6. Duty of LTFRB

Pursuant to its functions under EO No. 202 and Memorandum Circular No. 2018-010, the LTFRB shall, within 15 days from the effectivity of this Department Order, issue appropriate guidelines, requiring the conduct and submission of periodic drug test reports as a precondition to the grant or renewal of franchises, *i.e., CPCs, provisional authority, or special permit.*

The LTFRB shall, in the same issuance, set the rules and regulations on the cancellation of existing franchises and the denial of applications for such grant in connection with the submitted drug test reports either by the owner/operator or by other relevant government agencies, *e.g., LTO and PDEA.*

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Section 7. Penalties

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Failure of the owner or operator to do any of its obligations under Section 3 hereof shall be:

a.) A ground to cancel its CPC, PA or Special Permit by LTFRB;
b.) A ground to suspend the Certificate of Registration of the private vehicle covered by this Department Order for a period of 90 days.

Failure of the driver to fulfill any of his/her obligations under Section 4 hereof shall be grounds to revoke his/her driver's license by LTO.

The penalty hereof shall be without prejudice to any criminal or civil liability, fines and penalties as may be imposed per existing laws, rules, and regulations and the issuance of DOTr, LTO, and LTFRB.

Section 7. Separability Clause.

If any provision of this Department Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

Section 8. Repealing Clause.

All orders, rules, and regulations and other issuances or parts thereof, which are inconsistent herewith, are hereby repealed, amended, or modified accordingly.

Section 9. Effectivity.

This Department Order shall take effect after ten (10) days following the completion of its publication in a newspaper of general circulation or the Official Gazette, and upon registration with the Office of the National Administrative Register at the University of the Philippines Law Center, U.P. Diliman, Quezon City.

Done in the City of _____, this MAY 0 5 2025.

VIVENCIO B. DIZON
Secretary

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