Republic of the Philippines
HOUSE OF REPRESENTATIVES

Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 1393

HOUSE OF REPRESENTATIVES
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Introduced by Hon. Rene M. Velarde and Hon. Christian M. Señeres

EXPLANATORY NOTE

It is hereby declared the policy of the State to secure and safeguard its citizenry, particularly the passenger and drivers or operators of motorcycles, from the ruinous and extremely injurious effects of vehicular accidents.

Towards this end, the State shall pursue a more proactive and preventive, rather than merely remedial or reactionary, approach in order to secure the safety of the passenger and drivers or operators of motorcycles with the mandatory enforcement of a low cost method to reduce crashes and prevent daytime head-on and front-corner collisions by increasing motorcycle conspicuity and making it easier to detect approaching motorcycles from farther away all motorcycles to ride on all roads with their headlights on all hours of the day.

In view of the foregoing, early approval of this bill is requested.

HON. RENE M. VELARDE

HON. CHRISTIAN M. SEÑERES

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"AN ACT AMENDING SECTION 32 (h) OF REPUBLIC ACT NO. 4136 HEREBY REQUIRING THE MANDATORY COMPLIANCE BY ALL MOTORCYCLES TO AUTOMATICALLY TURN ON AND RIDE WITH THEIR HEADLIGHTS ON AT ALL HOURS OF THE DAY ON ALL ROADS."

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

Section 1. Short Title – This Act shall be known as the "Automatic Headlights on for Motorcycles Act of 2004."

Section 2. *Declaration of Policy* – It is hereby declared by the policy of the State to secure and safeguard its citizenry, particularly the passenger and drivers or operators of motorcycles, from the ruinous and extremely injurious effects of vehicular accidents. Towards this end, the State shall pursue a more proactive and preventive, rather that merely remedial or reactionary, approach in order to secure the safety of the passenger and drivers or operators of motorcycles with the mandatory enforcement of a low-cost method to reduce crashes and prevent daytime head-on and front-corner collisions by increasing motorcycle conspicuity and making it easier to detect approaching motorcycles from farther away by requiring all motorcycles to ride on all roads with their headlights on at all hours of the day.

Section 3. *Definition of Terms* – For the purpose of this Act, the term;

(a) "Motorist" Shall refer to the driver or operator of a motorcycle.

(b) "Motorcycle" Shall refer to any motor vehicle other that a tractor having a seat or saddle for the use of the rider and designed on not more than two wheels in contact with the ground and weighing not more than 3,300 kilograms.

For the purpose of this Act, however, this term shall exclude tricycles or any and all motorcycles equipped with a sidecar, whether or not intended for private use or a public utility vehicle or vehicle for hire, and bicycles.

(c) *"Roads"* shall refer to any road, street, expressway, highway or thoroughfare within the territorial jurisdiction of the Republic of

the Philippines, including those that have been determined as limited access facilities.

Sec. 4. *Mandatory Use of headlights During the Day.* – For the safety of all motorcycles and passengers thereon, and the commuting public in general, all motorcycles, without exception, are required to run or ride on all roads, as well as expressways, highways or limited access facilities, with their headlights on at all hours of the day.

Sec. 5. *Provisions for Automatic headlights On System, mechanism or device.* – This act further requires motorcycles manufacturers, assemblers and distributors to ensure that automatic headlights on system, mechanism or device are properly installed before the distribution and sale of the said motorcycles as determined by the IRR thereon.

Sec. 6 *Importation.* – It shall be unlawful for any person to import or cause the importation of any motorcycle without appropriate and operational automatic headlights on system, mechanism or device as required herein and in accordance with the IRR thereon.

Sec. 7 *Type of Headlights Required.* – Every motorcycles shall be equipped with at least one and not more than two working headlights. Furthermore, every motorcycle manufactured or imported into or within the territorial jurisdiction of the Republic of the Philippines after this Act takes effect must have headlights which automatically turn on when the engine of the motorcycle is started and which must remain lighted as long as the engine is running.

Whether the motorcycles is equipped with single beam or multiple beam headlights:

(a) The headlights must be of sufficient intensity to reveal a person or a vehicle of any distance of not less than 30.5 meters when the motorcycle is operated at any speed less than 40.225 kilometers per hour and at distance of not less than 61 meters when operated at a speed of 40.225 to 56.315 kilometers per hour and a distance of 91.5 meters when operated at a speed greater than 56.315 kilometers per hour.

(b) If the motorcycle has a multi-beam headlight, the upper beam must meet the minimum requirement set above.

(c) If there is a single beam headlight, it must be aimed so that when the motorcycle is loaded, none of the high intensity portion of the light, at a distance of 7.625 meters ahead, will project higher than the level of the center of the lamp from which it comes.

Sec. 8. *Registration.* – No new motorcycle shall be allowed initial registration and succeeding renewal of registration unless it is equipped with the necessary automatic headlights on system, mechanism or device. Renewal of registration of in-use motorcycles without necessary automatic headlights on system, mechanism or device shall not be allowed one (1) year after the passage of the IRR as specified in the next succeeding Section of the Act. For this purpose the LTO shall include in the implementing guidelines a system of vehicle registration where compliance with Section 4 hereof is required.

Sec. 9. *Period of Implementation.* – The LTO shall be the agency primarily responsible in the enforcement and implementation of this Act. Within sixty (60) days from the affectivity of this Act, the LTO shall formulate and issue the necessary implementing rules, regulations (IRR) and guidelines and shall mobilize available resources to assure the effective implementation of this Act.

Sec. 10. *Penalties and Fines.* – It is hereby declared unlawful to run, ride or operate a motorcycle without a headlight on at any time of the day and/or an automatic headlights on system, mechanism or device that automatically turns on when the engine of the motorcycle is started and which must remain lighted as long as the engine is running.

In the enforcement of this Act, the LTO shall impose fines against drivers, operators, owners of motorcycles, manufacturers, assemblers, importers and/or distributors for violation of this Act. The following shall be the basis in defining fine and penalty provisions of the IRR to be promulgated pursuant to Section 6 hereof, provided that six 96) months grace period shall be allowed to lapse to conduct a nationwide information campaign:

(1) On the motorist, driver, owner or operator:

(a) For failure to ride with headlights on at anytime of the day, a minimum fine of one thousand pesos (P1,000.00) but not to exceed two thousand pesos (P2,000.00 for the first violation; a minimum fine of two thousand five hundred pesos (P2,500.00) but not to exceed three thousand pesos (P3,000.00) for the second violation; and a minimum fine of three thousand five hundred pesos (P3,500.00) but not to exceed five thousand pesos (P5,000.00) and suspension of driver's license for a period of one (1) month for the third and succeeding violations;

(2) On any manufacturer, assembler, importer and dsitributor for every unit found without a working headlight and/or an automatic headlight on system, mechanism or device, a minimum fine five thousand pesos (P5,000.00) but not to exceed ten thousand pesos and suspension of the license to manufacture, assemble, import or distribute for a period of one (1) year for the first violation; a minimum fine of ten thousand pesos (P10,000.00) but not to exceed twenty thousand pesos (P20,000.00) and suspension of the license to manufacture, assemble, import or distribute for a period of two (2) years for the second violation; and fine of fifty thousand pesos (P50,000.00) and suspension of the license to manufacture, assemble, import or distribute for a period of five 95) years for the third violation.

Sec. 11 *Nationwide Public Information.* – (a) The LTO, in coordination with the Philippine Information Agency (PIA), the Department of Education, Culture and Sports (DECS) and private agencies and organizations, shall undertake a regular nationwide, education and Communication (IEC) campaign for the attainment of the objectives of this Act. The campaign shall stress the safety and health value of riding with headlights on all roads at all times of the day to support the most effective enforcement of this Act.

(b) The LTO, in coordination with the local government units, shall likewise utilize the services of citizen groups and community

organizations for the promotion of public safety awareness in observance of this Act.

(c) The fines that will be collected for the enforcement of this shall be used exclusively for the implementation of the provisions of this Act, including the necessary promotion campaigns for the compliance with Section 4 hereof.

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

Sec. 13. *Repealing Clause.* – Section 34 (h), Article IV of Republic Act No. 4136 is hereby amended and, furthermore, any law, executive order, decree, issuance, ordinance, rule and regulation or any part thereof contrary or inconsistent with the provisions of this Act is also hereby repealed, modified or amended accordingly.

Sec. 14 *Effectivity Clause.* – This Act shall take fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.

HON. RENE M. VELARDE

HON. CHRISTIAN M. SEÑERES