

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2445

Introduced by **HONORABLE LANI MERCADO-REVILLA**

EXPLANATORY NOTE

The State, exercising its power of *parens patriae*, may step into the shoes of natural parents to safeguard any child or incapacitated and dependent person or a physically challenged individual in need of protection against danger, risk of their lives and limbs.

Taking a child for a motorcycle ride can be a scary proposition. Recent incidents have occurred where children were severely injured while riding on a motorcycle. This is because, unlike adults, children lack the development skills to pay attention and properly secure themselves while riding a motorcycle.

It's a known fact that kids are more excitable and have the tendency to move more than an adult passenger. They may even play games by sticking their hands out in the wind while riding a motorcycle. Moreover, they generally want to talk and move more than an adult passenger.

Likewise, the steady rumble of the motor can have a tendency to lull passengers to sleep. With adults, this usually does not present much of a problem since it would be harder for them to fall off. But with children, it is a completely different situation. Because of their size, there is generally more room for them between the rider and the sissy bar and if they fall asleep, there is a greater chance for them to flop over to one side or another. When this happens, there is an increased chance for children to fall off the motorcycle.

This bill seeks to supplement Republic Act 10054, which was enacted last March 23, 2010, which mandates all motorcycles riders to wear standard quality helmet while driving. This bill is consistent with the policy to provide safety measures to all riders and passengers, particularly the children passengers aboard motorcycles.

Hence, passage of this bill is earnestly sought.


REP. LANI MERCADO-REVILLA
2nd District, Cavite

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2445

Introduced by HONORABLE LANI MERCADO-REVILLA

AN ACT
PROHIBITING THE RIDING OR TRANSPORTING OF CHILDREN SEVEN YEARS
OLD AND BELOW ON MOTORCYCLES ALONG HIGHWAYS

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

SECTION 1. *Short Title.* - This Act shall be known as "*Motorcycle Safety Act for Children of 2010*".

SECTION 2. *Declaration of Policy.* - The State recognizes its role to maintain at all times the safety and protection of children.

SECTION 3. *Definitions.* - For purposes of this Act, the following terms shall mean:

- (A) **Motorcycle** – any two-wheeled vehicle such as motorcycles, scooters and the like
- (B) **Highways and National Highways** – roads designated by the government or local government units as highways or national highways

SECTION 4. *Prohibition* – Any person is prohibited to transport a child seven (7) years old and below on a motorcycle along the national highway or highway.

SECTION 5. *Exception* – However, exceptions may be made in provinces wherein there is no considerable vehicular traffic and where motorcycles are the only means of transportation.

SECTION 6. *Penalties.* – Any violation of this Act shall be punished as follows:

The first time offender shall be fined with an amount not exceeding P3,000.00; for second time offenders the fine shall be P5,000.00 and for the third and succeeding offenses, the fine shall be P10,000.00.

SECTION 7. *Implementing Rules and Regulations* – As the lead agency, the Land Transportation Office (LTO) shall formulate the Implementing Rules and Regulations (IRR) of this Act within ninety (90) days after its effectivity.

SECTION 8. *Separability Clause* – If for any reason any section or provision of this Act is declared unconstitutional, other provisions hereof which are not effected thereby shall continue to be in full force and effect.

SECTION 9. *Repealing Clause*. – Any laws, decrees, or rules and regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed.

SECTION 10. *Effectivity Clause*. – This Act shall take effect upon its publication in at least two (2) national newspapers of general circulation.

Approved.