

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

First Regular Session
FIFTEENTH CONGRESS

House Bill No. **3360**

Introduced by Hon. Christopher S. Co, Rodel M. Batocabe and Alfredo A. Garbin, Jr.

EXPLANATORY NOTE

This bill seeks to prohibit overloading in motorcycles and limiting allowed motorcycle passengers to those who are not minors aged 12 and below.

With the rising prices of petroleum and traffic congestion comes the increase in the purchase of motorcycles, a convenient, efficient vehicle designed to evade traffic and save fuel. The Congress has responded timely to this demand by enacting Republic Act no. 10054, entitled the "Motorcycle Helmet Act of 2009," which mandated the use of quality helmets for both drivers and passengers.

However, the Metropolitan Manila Development Authority (MMDA) reported last June 2010 that there was a substantial increase of motorcycle accidents in 2009. One reason for this is the uncontrolled overloading of motorcycles, and the more dangerous habit of the riding of infants and toddlers with their parents. The Bureau of Product Standards (BPS) at this time does not prescribe motorcycle helmets for toddlers and infants. They ride motorcycles unprotected, usually snuggled in between their parents, or with the mother passenger tucking her baby in the arm. This habit of motorcycle riding presents a very dangerous situation that endangers the lives of the children and other passengers.

Moreover, motorcycles are made to accommodate only two persons, the driver and one passenger. However, it has become a custom, albeit a dangerous one, for drivers to accommodate their whole families, or even utilize their motorcycles for public transportation, such as in the case of the *habal-habal*, which accommodates around six (6) passengers.

The passage of this bill will significantly lessen the dangers imposed by motorcycle overloading, and protect the interests of children through the proper state intervention. Passage of this bill is immediately sought.



Hon. RODEL M. BATOCABE

Hon. CHRISTOPHER S. CO



Hon. ALFREDO A. GARBIN, Jr.

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Introduced by Hon. Christopher S. Co, Rodel M. Batocabe and Alfredo A. Garbin,
Jr.

AN ACT
PROHIBITING OVERLOADING AND THE RIDING OR TRANSPORTING OF
CHILDREN TWELVE YEARS OLD AND BELOW ON MOTORCYCLES
ALONG PUBLIC ROADS AND HIGHWAYS

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

SECTION 1. *Title.* This Act shall be known as the "Motorcycle Anti-Overloading Act of 2010."

SEC. 2. *Overloading.* It shall be unlawful for any person to ride or drive an overloaded motorcycle, whether long or short drives, in any type of road or highway. Overloading shall be defined as the act of having three (3) or more riders riding any motorcycle along public roads or highways. Riders shall include the driver and his/her passengers.

SEC. 3. *Minors.* It shall be unlawful for any person to transport a child twelve (12) years old and below on a motorcycle along all public roads and highways.

SEC. 4. *Penalties.*

- (a) Any person caught riding or driving an overloaded motorcycle, whether long or short drives, in any type of road or highway shall be punished with a fine of Five Thousand Pesos (Php 5,000.00) for the first offense, Ten Thousand Pesos (Php 10,000.00) for the second offense and Fifteen Thousand Pesos (Php 15,000.00) plus confiscation of the driver's license for the third and succeeding offenses;
- (b) Any person caught transporting a minor twelve (12) years old and below on a motorcycle, whether long or short drives, in any type of road or highway shall be punished with a fine of Five Thousand Pesos (Php 5,000.00) for the first offense, Ten Thousand Pesos (Php 10,000.00) for the second offense and Fifteen Thousand Pesos (Php 15,000.00) plus confiscation of the driver's license for the third and succeeding offenses;

SEC. 5. *Nationwide Public Information Campaign.* The LTO, in coordination with the Philippine Information Agency (PIA), the Department of Education (DepEd) and private agencies and organizations, shall undertake a nationwide information, education and communication (IEC) campaign for a period of six (6) months for the attainment of the objectives of this Act.

SEC. 6. *Separability Clause.* If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 7. *Repealing Clause.* All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 8. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in two newspapers of general circulation. Penalties stated in Section 4 of this Act shall take effect one (1) day after the deadline of the first period of registration and renewal of registration after the effectivity of this Act.

Approved,