

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

House Bill No. 3375

Introduced by Representatives Mariano Michael M. Velarde Jr. and William Irwin Tieng
(BUHAY Party List)

EXPLANATORY NOTE

It is a declared policy of the State to secure and safeguard the life and limbs of its citizenry. Notably, among the vehicles running in our roads and highways which have lately been figuring in serious and fatal road mishaps is the motorcycle. Deaths of and injuries to drivers and passengers of motorcycles are now the usual features in primetime news almost on a daily basis.

For purposes of ensuring the safety of motorcycle drivers, operators and passengers as well as the other road users who may have figured in accidents and mishaps involving motorcycles, the State shall pursue a more proactive and preventive, rather than merely remedial or reactionary, approach with the mandatory enforcement of a low-cost method to reduce crashes and fatal accidents, more specifically those involving daytime or nighttime head-on and front-corner collisions by increasing motorcycle conspicuity and visibility and making it easier to detect approaching motorcycles by requiring all motorcycle drivers and operators to automatically turn their headlights on as soon as they start their motorcycle engines and to maintain their headlights on while their motorcycles are running on all roads at all hours of the day or night.

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


MARIANO MICHAEL M. VELARDE JR.

WILLIAM IRWIN TIENG

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3375

House Bill No. ____

Introduced by Representatives Michael M. Velarde and William Irwin Tieng
(BUHAY Party List)

**"AN ACT REQUIRING THE MANDATORY COMPLIANCE BY ALL
MOTORCYCLE DRIVERS AND OPERATORS TO AUTOMATICALLY
TURN ON AND RIDE WITH THEIR HEADLIGHTS ON AT ALL HOURS OF
THE DAY AND NIGHT 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 "*Mandatory Automatic Headlights On for Motorcycles Act of 2010.*"

Section 2. Declaration of Policy - It is hereby declared the policy of the State to secure and safeguard its citizenry, particularly the drivers and operators of motorcycles as well as their passengers, 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 drivers and operators of motorcycles as well as their passengers, with the mandatory enforcement of a low-cost method to reduce crashes and prevent daytime and nighttime head-on, front-corner and other forms of collisions by increasing motorcycle conspicuity and visibility as well as making it easier to detect approaching motorcycles by requiring all motorcycles to ride on all roads with their headlights turned on at all hours of the day and night.

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 than a tractor having a seat or saddle for the use of the rider and designed with 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 bicycles, 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.

- (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 and Night. – 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 turned on at all hours of the day and night.

Sec. 5. Provisions for Automatic Headlights On System, Mechanism or Device. – This Act further requires motorcycle manufacturers, assemblers and distributors to ensure that the Automatic Headlights On System, mechanism or device are properly installed before the distribution and sale of the said motorcycles as determined and prescribed by the Implementing Rules and Regulations that shall be issued pursuant to this Act.

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 Implementing Rules and Regulations which shall be issued pursuant to this Act.

Sec. 7 Type of Headlights Required. – Every motorcycle shall be equipped with at least one (1) and not more than two (2) 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 turns on when the engine of the motorcycle is started and which must remain lighted as long as the engine is running.

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

- (a) The headlights must be of sufficient intensity to reveal a person or a vehicle at 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 any 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 forth 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 the required Automatic Headlights On System, mechanism or device shall not be allowed one (1) year after the passage of the Implementing Rules and Regulations of this Act as specified in the next succeeding Section of the Act. For this purpose the Land Transportation Office (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 Land Transportation Office (LTO) shall be the agency primarily responsible in the enforcement and implementation of this Act. Within sixty (60) days from the effectivity of this Act, the LTO shall formulate and issue the necessary Implementing Rules and 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 night 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, their manufacturers, assemblers, importers and/or distributors for any violation of this Act. The following shall be the basis in defining the provisions on fines and penalties of the IRR to be promulgated pursuant to Section 6 hereof: *Provided*, That a grace period of six (6) months from the effectivity date of the IRR shall be granted to afford the LTO and the other government agencies concerned the opportunity 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 or night, 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 distributor for every unit found without a working headlight and/or an Automatic Headlight On System, mechanism or device, a minimum fine of five thousand pesos (P5,000.00) but not to exceed ten thousand pesos (10,000.00) 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

the motorcycle on all roads at all times of the day and night 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 and compliance with this Act.

(c) The fines that will be collected for the enforcement of this Act 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 provision or part hereof is held invalid or unconstitutional, the remainder of this Act or any other provisions not otherwise affected thereby 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 to 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.



MARIANO MICHAEL M. VELARDE Jr.

WILLIAM IRWIN TIENG