

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4734

Introduced by REP. CESAR V. SARMIENTO

EXPLANATORY NOTE

Motorcycle accidents are the leading cause of accidents in the road these days according to a report made by the Department of Health. Furthermore, based from the Metro Manila Accident Reporting and Analysis System Annual Report prepared by the Metropolitan Road Safety Unit, motorcycles have the highest fatality rate in Metro Manila.

From years 2006 to 2010, motorcycle related mishaps have alarmingly increased. In 2006, it has the highest percentage share of road accidents at 29.59%. In 2007, it increased to 32.4%. The following years reflect a growing trend from 34.96% to 36.78% to 37.63% in 2008, 2009 and 2010 respectively.

These facts are dauntingly alarming. Despite various efforts both of public and private agencies to curtail these accidents, it is still indubitable that at the heart of this problem is the lack of education of most motorcycle drivers as to the proper road safety measures that will make their lives on the road safer.

Due to the rising use of motor vehicles as a mode of transportation both in the cities and the countryside, it is but necessary that owners of these motor vehicles be properly trained of the fundamental skills needed in order to safely operate and drive a motorcycle. This bill shall encourage motorcycle riders to strictly obey traffic rules and road safety precautions.

In the light of the foregoing, the passage of this bill is earnestly sought.



CESAR V. SARMIENTO

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**AN ACT REQUIRING MOTORCYCLE DEALERS TO CONDUCT A SEMINAR ON MOTORCYCLE
SAFETY TO MOTORCYCLE OWNERS, PROVIDING PENALTIES THEREFOR, AND FOR OTHER
PURPOSES**

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

SECTION 1. Title.—This Act shall be known as the “Motorcycle Safety Riding Program of 2011”.

SEC. 2. Policy of the State.—It is the policy of the State to help lessen, if not totally eradicate, the frequency of motorcycle-related accidents.

SEC. 3. Definition of Terms.—For the purposes of this Act, the following terms shall have the following respective meanings:

1. Motorcycle means every motor vehicle, other than a tractor, having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as “tricycle,” “motor-driven cycle,” “motor scooter,” “motorcycle,” or “habal-habal” without regard to weight or brake horsepower.

2. **Motorcycle Owner** means a person who holds the legal title of a motorcycle or in the event a motorcycle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor or of a motorcycle is entitled to possession then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this title.
3. **Motorcycle Dealer** means a person, both natural and juridical, who sells motorcycles including but not limited to agents and outlets. If the dealer is an individual, the outlet where such individual is affiliated shall be deemed the motorcycle dealer for the purpose of this Act.

SEC. 4. Motorcycle Safety Riding Program.

1. All motorcycle owners in the Philippines are required to undergo a Motorcycle Safety Riding Seminar (MSRS).
2. The MSRS shall be conducted by the motorcycle dealer from whom the motorcycle owner bought the motorcycle.
3. The motorcycle dealer may charge a maximum of Three Hundred Pesos (P300.00) as registration fee per person for MSRS which shall cover the expenses incurred by the motorcycle dealer in conducting the seminar.
4. Motorcycle owners who bought their motorcycles prior to the effectivity of this Act shall undergo the MSRS before their motorcycle's annual registration the year following such effectivity.
5. Transferees and mortgagors of a motorcycle title as defined in Sec. 3 (2) shall also undergo MSRS from any motorcycle dealer nearest his place of residence.
6. Drivers of motorcycles used as common carriers, such as but not limited to tricycles and habal-habal, shall undergo MSRS even if they do not have the legal title to the motorcycles they are driving.
7. No motorcycle shall be registered except when the owner of such had undergone the required MSRS as certified by the motorcycle dealer who conducted the seminar. Provided, that no chattel mortgage of motorcycle shall be entered in the registration book for chattel mortgages if the mortgagor did not undergo the required MSRS as certified by the motorcycle dealer.

SEC. 5. Penalty— Any person found violating any of the provisions of this Act shall be penalized in the following manner:

a) A fine of Ten Thousand Pesos (P10,000.00) shall be imposed upon any motorcycle dealer who shall not conduct the required MSRS within one year from the effectivity of this Act. An additional fine of One Thousand Pesos (P1,000.00) shall be imposed for every year of non-compliance;

b) A fine of Ten Thousand Pesos (P10,000.00) shall be imposed upon any public officer who shall register a motorcycle without the proper certification of MSRS compliance without prejudice to any civil, administrative and criminal liabilities;

c) A fine of Ten Thousand Pesos (P10,000.00) shall be imposed upon any public officer who shall enter the chattel mortgage of a motorcycle in the registration book for chattel mortgages without the proper certification of MSRS compliance without prejudice to any civil, administrative and criminal liabilities;

d) A fine of One Thousand Pesos (P1,000.00) shall be imposed upon any motorcycle owner and/or motorcycle driver under Sec. 4 (6) who shall drive a motorcycle without going through MSRS. An additional fine of Five Hundred Pesos (P500.00) shall be imposed for every year of non-compliance.

SEC. 6. Implementing Agency—The Department of Transportation and Communications, through the Land Transportation Office and the Philippine National Police shall issue the necessary implementing rules, regulations, orders and circulars. Furthermore, the aforementioned agencies are hereby tasked to implement the provisions of this Act

SEC. 7. Repealing Clause.—Any laws, decrees, ordinances or rules and regulations which are inconsistent with or contrary to the provision of this Act is hereby amended or repealed.

SEC. 8. Separability Clause— If any clause, sentence, paragraph or part of this Act is subsequently declared unconstitutional, the validity of the remaining provisions hereof shall remain in full force and effect.

SEC. 8. Effectivity.—This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,