

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

HOUSE of REPRESENTATIVES
House Bill No. 5258

Introduced by: MA. THERESA B. BONOAN-DAVID
4th District, City of Manila

EXPLANATORY NOTE

During these times of rising oil prices and worsening traffic problems, many of our countrymen and women are now using motorcycles and bikes as a means of transportation. These vehicles are easier to maneuver during heavy traffic and are more fuel-efficient than cars. However, said vehicles particularly the motorcycles are considered high-risk vehicles, both with respect to drivers thereof and other motorists especially in national roads and highways.

Aside from wearing a protective helmet for the rider himself, it is also important that the other motorists, especially those driving cars and during night time, that riders of motorcycles and bikes wear a reflective vest in order that their presence along the road can be immediately and clearly seen by those motorists driving cars, trucks and other kinds of vehicles, particularly during night time.

In the Philippines, helmet use by motorcycles is already mandatory for the protection of the rider of the motorcycle and bike itself. However, there is still no legislation promoting or making mandatory the use of reflective vest by the riders of the motorcycles and bikes, which is not only for their own protection, but also for the protection of other motorists, particularly during night time, to avoid any accident by reason of failure to immediately notice the presence of motorcycles or bikes along the road or highways.

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


MA. THERESA BONOAN-DAVID
4th District, City of Manila

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**AN ACT TO PROMOTE MANDATORY USE OF REFLECTIVE VEST WHEN
RIDING MOTORCYCLES and BICYCLES**

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

SECTION 1. Short Title. - This Act shall be known as the "*Safe Riders Act of 2011.*"

SECTION 2. Declaration of Policy. - It is hereby declared the policy of the State to promote the general welfare not only of the rider of motorcycles and bicycles itself, but also to other motorists traveling or transporting together with motorcycles and bicycles along the streets, roads and highways especially during night time, by providing means to ensure people's safety.

SECTION 3. Application. - This Act will apply -

- 1) at all times while a motorcycle and bicycle is being operated on any street, road, parks, or other property open to the public or used by the public for pedestrian or vehicular traffic and places of recreation; and
- 2) to a person who is riding on a motorcycle and bicycle including a person who is a passenger on a motorcycle and bicycle:
 - a. in a restraining seat attached to the bicycle; or
 - b. in a trailer or side car being towed by the bicycle. However, this Act shall not apply to passengers of commercial pedicabs unless the local government units involve provides otherwise.

SECTION 4. Restrictions. - A person to whom this Act applies may not operate or ride as a passenger on a motorcycle and bicycle unless the person is wearing a reflective vest that is properly worn and meets or exceeds the necessary standards for

protection, set by the appropriate government agency or by any applicable international standards.

SECTION 5. *Penalties.* - Any violation of this Act shall be punished as follows:

The first time offender shall be fined with an amount not exceeding P2,000.00; P5,000.00 for the second offense and P8,000.00 for the third and succeeding offenses.

SECTION 6. 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 7. *Repealing Clause.* - All laws, presidential decrees, executive orders, proclamations, rules and regulations, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 8. *Separability Clause.* - If any provision of this Act is declared unconstitutional, the other provisions not affected thereby shall remain valid.

SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general.

Approved.