

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

HOUSE of REPRESENTATIVES
House Bill No. 5345



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 as their primary means of transport. These vehicles are easier to maneuver during heavy traffic and are more fuel-efficient than cars. However, motorcycles are considered high-risk vehicles, both with respect to drivers thereof and other motorists.

In invoking its power of *parens patriae*, the State may exercise its authority to usurp the rights of the natural parent or guardian and to act as parent of any child or individual, or an incapacitated and dependent person who is in need of protection against danger, risk of their lives and limbs.

Recent incidents have occurred where children were severely injured while riding on a motorcycle. These children lack the development skills to pay attention and properly secure themselves while riding.

This bill seeks to prohibit any person to transport a child three (3) years old and below on motorcycle along the national highway or highway. This is consistent with our advocacy to provide safety measures to all riders and passengers and avoid injury or fatality especially for children on motorcycles.

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

A handwritten signature in black ink, appearing to be "T. Bonoan-David".

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

HOUSE of REPRESENTATIVES
House Bill No. 5345

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

**AN ACT PROHIBITING THE RIDING OR TRANSPORTING
OF CHILDREN TEN (10) YEARS OLD AND BELOW
ON MOTORCYCLES ALONG HIGHWAYS**

*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 "*Motorcycle Safety Act for
Children*"

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* -For any person to transport a child three (3) years old and
below on motorcycle along the national highway or highway.

SECTION 5. *Exception* - 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 P5,000.00; P8,000.00 for the second offense and P10,000.00 for the third and succeeding offenses.

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

SECTION 10. *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.