

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

First Regular Session
SIXTEENTH CONGRESS

HOUSE BILL No. 2950



Introduced by: REPRESENTATIVE EMI CALIXTO-RUBIANO

Explanatory Note

Republic Act No. 10054 otherwise known as the "Motorcycle Helmet Act of 2009" was passed with the safety of the motorists in mind. Under Section 2 of the said law on Declaration of Policy, the law aims to *"secure and safeguard its citizenry, particularly the operators or drivers of motorcycles and their passengers, from the ruinous and extremely injurious effects of fatal or life threatening accidents and crashes"*.

In recent events, it has been noted that the use of helmet by motorcycle riders, including drivers and back riders, unwittingly became an evil instrument for criminal elements to conceal their identity with the use of tinted face covers. *"Riding in tandem assassins"* lord it over in the streets and emboldened them knowing that the helmet they use are sufficient to hide their identities.

The escalation of crimes with *"riding in tandem assassins"*, robbers and the like are more than enough to justify a review of the law and make certain amendments to address the issues. It is time to revisit the law and address the issue on criminality.

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

EMI CALIXTO-RUBIANO
Representative
Lone District of Pasay City

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**AN ACT AMENDING REPUBLIC ACT NO. 10054
ENTITLED "AN ACT MANDATING ALL MOTORCYCLE RIDERS
TO WEAR STANDARD PROTECTIVE MOTORCYCLE HELMETS
WHILE DRIVING AND PROVIDING PENALTIES THEREFOR"
OTHERWISE KNOWN AS THE "MOTORCYCLE HELMET ACT OF 2009"**

Section 1. Section 3 is hereby amended to read as follows:

Section 3. *Mandatory Use of Motorcycle Helmets.* - All motorcycle riders, including drivers and back riders, shall at all times wear standard protective motorcycle helmets while driving, whether long or short drives, in any type of road and highway.

Standard protective motorcycle helmets are appropriate types of helmets for motorcycle riders that comply with the specifications issued by the Department of Trade and Industry (DTI).

The DTI shall issue guidelines, which should include the specifications regarding standard protective motorcycle helmets. **PROVIDED, THAT THE DTI SHALL INCLUDE IN THE SPECIFICATION THAT THE PROTECTIVE HELMET WILL USE AN UNTINTED OR TRANSPARENT FACE COVER THAT DEPICTS OR SHOWS THE FACE OF THE DRIVER AND BACK RIDER. PROVIDED, FURTHER, THAT, THE USE OF SKI-MASKS, AND OTHER PARAPHEARNALIAS OR ACCESSORIES ASIDE FROM THE STANDARD PROTECTIVE HELMET IS ABSOLUTELY PROHIBITED.**

Section 2. *Implementation.* - The Department of Trade and Industry (DTI), and the Department of Transportation and Communications (DOTC), with its attached agency, the Land Transportation Office (LTO), are mandated by this Act to issue guidelines necessary to implement the provisions of this Act.

Section 3. *Separability Clause.* - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 4. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 5. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,