

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 3703



Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

Vehicular accidents, as we are all aware, is the number one cause of loss of lives, severe injuries and destruction of properties. Millions of motorists, those who own their own private vehicles and those who commute and use public transportation alike, are always exposed to traffic mishaps.

To reduce the likelihood of the happening of such vehicle-related tragedies, our Government has enacted numerous laws and regulations for the public to abide by. Sadly though, these laws proved to be insufficient or ineffective in preventing accidents as described above if we are to look at the statistics. Whether it is in the substantive content of the law itself, or the implementation of the same that is the problem, one thing remains to be true: there is a need for us to fortify and add to these laws in order to achieve the primary objective of the

state which is to provide a safe and secure transportation experience for the public.

This bill seeks to be the pilot step towards achieving such goal. This bill shall specifically delve into motorcycle-related accidents considering that motorcycles is the most common type of vehicle, among many others, that get involved in road accidents.

A motorcycle is very prone to hazards and perils. It can even be considered as the most dangerous vehicle to drive. In fact, motorcycles caused the highest fatality in traffic accidents, followed only by private cars. Gauging vis-a-vis other causes of deaths nationwide, motorcycle-related accidents register as the Top 4 Cause of Death in our country.

Unlike cars, buses or trucks, a motorcycle lacks exterior protection that can shield its driver and back riders from the impact of collision, whether with other vehicles or with structures built from strong materials. Based on survey, an average of 16,208 motorcycle accidents is recorded in the country every year. Needless to say, a motorcyclist and his passengers are the most vulnerable group when it comes to accidents as compared to other types of motorists driving vehicles on the same road or highway. Yet, more and more people patronize motorcycles. To date, there are 3.4 million motorcycle users in the Philippines and most of them are beginners. This is so because motorcycle is perceived to be the most economical, convenient and enjoyable - thrilling even - means of transportation.

People who own, drive and ride motorcycles is afforded safeguard by the different laws pertaining to motorcycles and motorcycle-related accidents. One of these is the Helmet Law of 2010, otherwise known as REPUBLIC ACT NO. 10054, which mandates all motorcycle riders to wear standard protective motorcycle helmets while driving. Yet, despite the enactment of said Act, accidents involving motorcycles still continue to rise in the country and casualties resulting therefrom consequently blow up in count as well.

Surprisingly, statistics show that ninety percent (90%) of Motorcycle riders in Metro Manila follow the Helmet Law while ninety percent (90%) of motorcycle riders outside of Metro Manila don't follow the same. It seems that the areas which are not manned by a lot of traffic authorities such as the MMDA and which are therefore less monitored are the ones that tend to disregard the said Helmet Act. People from the provinces take the essence of helmets for granted and would rather opt not to buy themselves the only thing that protects them when driving their motorcycles.

This bill addresses this key problem. By requiring the registration of helmets along with the motorcycle as prerequisite to obtaining a license to drive the same, motorcyclists are compelled to purchase at least one helmet lest the Land Transportation Office will not grant them their licences.

This in effect forces the motorcyclists to use their helmets more. How is this ensured, we ask? Well, the logical psyche or mindset is that since one has already paid for it, might as well use it. Unlike in the earlier scenario where riders decide NOT to purchase helmets, this time, motorcycle owners/drivers are guaranteed to wear this protective gear for it is contrary to human nature not to utilize or make the most out of something one has spent money on.

Finally, helmet registration could easily identify the rider who uses motorcycle because the helmet has an identification number/s that would correspond to the plate number of the motorcycle being used. This could likewise very well forestall the perpetrations of riding in tandem miscreants considering that the helmets to be used by motorcycles riders must correspond to the registration numbers of their vehicles.

It is with the foregoing reasons that the approval of this bill is highly being sought.


ERIC OLIVAREZ

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House Bill No. **3703**

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

**AN ACT REQUIRING MOTORCYCLE OWNERS/DRIVER TO
REGISTER AT LEAST ONE HELMET PER MOTORCYCLE
OWNED/DRIVEN AS PREREQUISITE FOR OBTAINING
LICENSE to DRIVE THE SAME**

SECTION 1. Title. This Act shall be known as the
Helmet Registration Act of 2014.

SECTION 2. Coverage. This Act shall apply to all
motorcycle owners/drivers nationwide who are about to
register their motorcycles and obtain license for the first time;
whose licenses have expired and are about to renew the same;
and whose licenses are yet to expire.

SECTION 3. Mandatory Helmet Registration for First Time License Applicants. Every motorcycle owner/driver shall own at least one standard protective motorcycle helmet in accordance with the specifications mentioned and/or prescribed in the Motorcycle Helmet Act (RA 10059), as a prerequisite to obtaining a license to drive the motorcycle.

The said helmet shall be presented to and registered with the Land Transportation Office (LTO) and shall be identified through a mark thereon bearing the plate number of the motorcycle registered. The plate number of the motorcycle must be indicated in bold letters and numbers in front and at the back of the helmet/s of the motorcycle owner/driver. Only the helmet/s with the plate number of the motorcycle shall be used by the owner/rider while on board or traveling using the motorcycle. For this purpose, the LTO shall issue stickers for the helmet bearing the official plate number of the motorcycle.

No license shall be granted by the LTO to any motorcycle license applicant who does not comply with the preceding paragraph.

SECTION 4. Mandatory Helmet Registration for Motorcycle Owners/Drivers Renewing Expired License. The provision in Section 3 of this Act shall also apply to all motorcycle owners/drivers whose licenses have expired and are about to renew the same.

The LTO shall not grant a renewal of license to any motorcycle owners/drivers unless he/she registers at least one helmet per motorcycle owned.

SECTION 5. *Mandatory Helmet Registration for Motorcycle Owners/Drivers whose Licenses are about to Expire.* All motorcycle owners/drivers whose licenses are yet to expire shall nevertheless register at least one helmet per motorcycle owned within three (3) months from the promulgation of this Act.

SECTION 6. *Motorcyclists with Unregistered Helmets Shall be Fined.* Failure to register the helmets as prescribed in Section 5 of this Act within the allowed period shall constitute a violation and shall be a ground for the imposition of a fine of P5,000 for first offense, P10,000 for second offense, and P15,000.00 for the succeeding offenses even if the motorcycle owner/driver was wearing a protective helmet while driving on the road.

SECTION 7. *Registration of two or more helmets.* A motorcycle owner/driver who registers two or more helmets per motorcycle shall be given an incentive by the LTO such as reduced license fees and charges or whatever incentive the said office deems more effective and proper.

SECTION 8. *Implementing Rules and Regulations.* Unless otherwise provided in this Act, the Land Transportation Office (LTO) shall promulgate the Implementing Rules and Regulations to carry out the provisions of this Act.

Such rules and regulations shall take effect upon their publication in three (3) newspapers of general circulation.

Section 9. *Repealing Clause.* – All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are inconsistent with this Act, are hereby repealed or amended as the case may be.

Section 10. *Separability Clause.* – In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

Section 11. *Effectivity Clause.* – This Act shall take effect after its complete publication in at least three (3) newspapers of general circulation.

APPROVED.