

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4438

Introduced by Honorable Celso L. Lobregat

EXPLANATORY NOTE

This bill seeks to allow local government units (LGUs) to suspend the mandatory wearing of motorcycle helmets, amending for the purpose Republic Act (RA) No. 10054, otherwise known as the "*Motorcycle Helmet Act of 2009*."

Incidents of crimes committed by motorcycle riders are increasing and reaching an alarming level. In 2013, according to records from the Philippine National Police, more than 3,000 crimes committed by motorcycle riders were reported in Metro Manila alone. Law enforcers are having difficulty solving crimes perpetrated by motorcycle riders since the perpetrators are wearing helmets which cover their faces. Under RA 10054, only tricycle drivers are exempted from complying with the mandatory wearing of motorcycle helmets.

This measure aims to provide the circumstance wherein the implementation of RA 10054 can be temporarily suspended by LGUs in their area of jurisdiction. It is proposed that LGUs with high incidence of crimes committed by motorcycle riders may, upon recommendation by the local peace and order council, and a duly enacted ordinance, temporarily suspend the implementation of the provisions of RA 10054 for a period of one year which may be extended for another year upon the determination of the necessity for the extension by the local peace and order council.

While this amendatory bill recognizes the importance of protective gears like helmets to safeguard motorcycle riders from injury during road accidents,

this proposed bill also considers the security and well-being of the public since criminal elements are now taking advantage of the mobility provided them by motorcycles and the convenience and ease at which they can conceal their identities by wearing helmets while committing crimes.

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


CELSO L. LOBREGAT
Representative
Zamboanga City, 1st District

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AN ACT
ALLOWING LOCAL GOVERNMENT UNITS TO SUSPEND THE
MANDATORY WEARING OF MOTORCYCLE HELMETS,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10054,
OTHERWISE KNOWN AS THE “MOTORCYCLE HELMET ACT OF
2009”

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

SECTION 1. A new section to be denominated as Section 4-A is hereby
inserted after Section 4 of Republic Act No. 10054 to read as follows:

“SEC. 4. *Exemption.* – Drivers of tricycles shall be
exempted from complying with the mandatory wearing of
motorcycle helmets as provided in this Act.

SEC. 4-A. *TEMPORARY SUSPENSION.* – LOCAL
GOVERNMENT UNITS WITH HIGH INCIDENCE OF CRIMES
COMMITTED BY MOTORCYCLE RIDERS MAY, UPON THE
RECOMMENDATION OF THE LOCAL PEACE AND ORDER

1 COUNCIL, AND A DULY ENACTED ORDINANCE,
2 TEMPORARILY SUSPEND FOR A PERIOD OF ONE (1) YEAR
3 THE IMPLEMENTATION OF THIS ACT IN THEIR AREA OF
4 JURISDICTION. THE SUSPENSION OF THE
5 IMPLEMENTATION OF THIS ACT MAY BE EXTENDED FOR
6 ANOTHER PERIOD NOT EXCEEDING ONE (1) YEAR
7 SHOULD THE NEED ARISE AS DETERMINED BY THE
8 LOCAL PEACE AND ORDER COUNCIL.”

9 SEC. 2. All laws, decrees, orders, rules and regulations and other
10 issuances or parts thereof which are inconsistent with the provisions of this Act
11 are hereby repealed, amended or modified accordingly.

12 SEC. 3. This Act shall take effect fifteen (15) days after its publication in
13 the *Official Gazette* or in a newspaper of general circulation.

14 Approved,