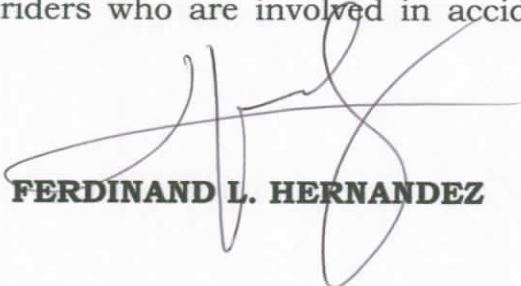


HOUSE BILL NO. 5714

AN ACT
PENALIZING AND PREVENTING THE USE OF MOTORCYCLES OR
SCOOTERS IN THE COMMISSION OF CRIMES THROUGH THE USE OF
BIGGER PLATE NUMBERS AND IDENTIFICATION MARKS, REGULATION
OF BACKRIDERS AND FOR OTHER PURPOSES

³ Philippine Daily Inquirer. Riding in Tandem motorcyclists committed over 3,000 crimes in Metro Manila in 2013. 28 January 2014. <Last accessed 24 August 2016.>

motorcycle plates to be able to read the plate numbers from a distance of between 12 to 15 meters, witnesses and law enforcement agencies are aided in the identification of motorcycle riders who are involved in accidents or criminal activities.



FERDINAND L. HERNANDEZ

HOUSE OF REPRESENTATIVES

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

1 Sec. 1. **Short Title.** – This Act shall be known as the “**Motorcycle**
2 **Crime Prevention Act of 2017.**”

3 Sec. 2. **State Policy.** – Article II, Section 5 of the 1987 Philippine
4 Constitution provides that the maintenance of peace and order, the protection
5 of life, liberty, and property, and the promotion of the general welfare are
6 essential for the enjoyment by all the people of the blessings of democracy. It
7 is hereby declared the policy of the State to secure and safeguard its citizenry
8 from the ruinous and extremely injurious effects of crimes and fatal accidents,
9 particularly those caused by motorcycles and scooters.

10 Sec. 3. **Definition.** – As used in this Act, the following terms are defined:

11 (a) "Plate number" refers to the regular motor vehicle license plate
12 issued by the Land Transportation Office (LTO) bearing the
13 standard alphanumeric characters in accordance with Batas
14 Pambansa Blg. 43 and 74.

1 (b) "Backrider" refers to any person seated at the back of the
2 motorcycle or scooter driver, or a passenger of his driver.

3 (c) "Riding-in-tandem" refers to the combination of a driver and his
4 backrider/s or passenger/s riding a motorcycle or scooter.

5 Sec. 4. **Bigger Plate Number.** – The Land Transportation Office (LTO)
6 shall issue bigger plate number sizes for every motorcycle and scooter which
7 must be placed both in the front and rear part of the motorcycle. It shall be
8 made of aluminum plate applied with reflectorized paint, and with
9 alphanumeric characters in large and readable font. There must be a plate
10 number both at the front and back parts of the motorcycle or scooter, the
11 dimensions of which should be big enough for the plate numbers to be
12 readable from a distance of between twelve (12) to fifteen (15) meters.

13 The LTO shall devise a color scheme of the plate numbers for every
14 region in the country to easily identify where such motorcycle was registered.
15 It shall also devise an alphanumeric system, with as few characters as
16 possible, for easier identification and recollection by the general public,
17 whether day or night.

18 In the foregoing, the LTO shall provide every region and all its local
19 government units a list of all the newly purchased and previously purchased
20 registered motorcycles or scooters in its jurisdiction which includes, but are
21 not limited to the following information: name of registered owner, his driver's
22 license number, his address and contact details, vehicle identification
23 number, plate number, body color, brand/maker. For these purposes, the
24 LTO shall maintain a computerized database of all the information collected
25 to facilitate information retrieval, as the case may arise.

1 Furthermore, the LTO in every region shall require the registration of
2 every motorcycle or scooter which shall undergo transfer of ownership within
3 two (2) days after such transfer, whether the motorcycle or scooter is newly
4 assembled, rebuilt, or acquired from a registered owner.

5 Sec. 5. ***Driving Without a Plate Number or a Bigger Plate Number.***

6 – Driving without a plate number or a bigger plate number, as provided in
7 Sec. 4, is prohibited. The motorcycle or scooter used without bigger plate
8 numbers shall be confiscated by the LTO until a bigger plate is issued.

9 Sec. 6. ***Penalty for Use of the Motorcycle or Scooter in the***

10 ***Commission of a Crime.*** – If the motorcycle or scooter is used in the
11 commission of a crime or to ensure a quick escape from the scene of the crime,
12 as witnessed by another person, and a victim dies as a result of this illegal
13 use of a motorcycle or scooter, the motorcycle driver, his backrider/s, if any,
14 and conspirators, shall be punished by *reclusion perpetua*. If the victim
15 suffers serious physical injury, or there was shooting or stabbing of the victim
16 committed by the driver or backrider/s of the motorcycle or scooter which did
17 not result in death, the penalty shall be *reclusion temporal* unless a higher
18 penalty is imposed due to the commission of some other crime, in which case,
19 the higher penalty shall be applied. In all other cases, the use of the
20 motorcycle or scooter in the commission of a crime shall increase the penalty
21 for the crime by one degree.

22 If the motorcycle or scooter used in the commission of a crime was
23 stolen, or the licensed plate used is mismatched from the vehicle registration
24 of the *motorcycle* or scooter, and the crime results in the death of the victim,
25 the penalty is *life imprisonment*.

1 The motorcycle or scooter used in the commission of a crime shall be
2 confiscated and forfeited in favor of the Government, unless it be the property
3 of a third person not liable for the offense.

4 The vehicle shall be impounded pending investigation and shall be in
5 *custodia legis*, and no bond shall be admitted for the release of the same until
6 the final decision of acquittal is promulgated by the trial court which hears
7 the criminal case involving the use of the impounded motorcycle or scooter.
8 The motorcycle or scooter shall be confiscated and forfeited after conviction
9 in the trial court where the appropriate criminal case was filed. If there is an
10 acquittal, the vehicle shall be returned to its registered owner.

11 Sec. 7. ***Penalizing Commission of a Crime Through or With a***
12 ***Backrider/s on Motorcycles or Scooters.*** – Persons committing a crime
13 through or with a backrider/s shall be punished with the penalty of *life*
14 *imprisonment*.

15 City or municipal ordinances prohibiting or regulating backriders in
16 motorcycles or scooters shall apply in the city or municipality or local
17 government unit where the same is prohibited or regulated, provided these
18 are not inconsistent with this law.

19 Sec. 8. ***Loss of Bigger Plate Number.*** – If for some reason, the bigger
20 plate number of a motorcycle or scooter is lost or stolen, the registered owner
21 of such motorcycle, or his authorized representative, must immediately report
22 to the LTO the incident within three (3) calendar days from the date of loss,
23 and shall apply for a new license plate.

24 The motorcycle with a lost or stolen plate whose owner has not formally
25 reported the loss thereof to the LTO within the time provided in the previous

1 paragraph shall be impounded inside the designated impounding areas of the
2 LTO until a new plate is issued. The LTO may charge a reasonable daily fee
3 against the registered owner of the motorcycle or scooter which has been
4 impounded under this section.

5 Sec. 9. **Implementation.** – The Department of Transportation (DOTr)
6 and LTO are mandated to issue pertinent guidelines to implement the
7 provisions of this Act.

8 Sec. 10. **Other Penalties.** –

9 (a) Non-compliance with the use of the bigger plate numbers shall result
10 to the revocation of the registration of the motorcycle or scooter for
11 a period of at least one (1) year, and confiscation of the driver's
12 license of the driver thereof, or in the absence of the driver, the
13 registered owner thereof for a period of at least one (1) year, and a
14 fine of not less than Ten Thousand Pesos (P10,000.00) but not more
15 than Twenty Thousand Pesos (P20,000.00).

16 (b) Tampering, alteration, forgery or imitation of the bigger plate
17 number shall be punished with a fine of not less than Twenty
18 Thousand Pesos (P20,000.00) but not more than Fifty Thousand
19 Pesos (P50,000.00).

20 (c) If the registered owner of the motorcycle or scooter fails to timely
21 report to the LTO the loss of his bigger license plate, he or she shall
22 be punished with a fine of not less than Ten Thousand Pesos
23 (P10,000.00) but not more than Twenty Thousand Pesos
24 (P20,000.00).

1 Sec. 11. **LTO Operations Center.** – Within six (6) months from the
2 implementation of this Act, the LTO shall create and establish an Operations
3 Center (Center) which shall be operational twenty-four (24) hours and seven
4 (7) days a week for a faster and focused process in reporting vehicle-related
5 accidents and any other incidents.

6 Sec. 12. **Appropriation.** – The amount needed for the initial
7 implementation of this Act shall be taken from the current fiscal year's
8 appropriation of the Department of Transportation. Thereafter, the amount
9 needed for the operation and maintenance shall be included in the General
10 Appropriations Act.

11 Sec. 13. **Repealing Clause.** – All laws, decrees, orders, rules and
12 regulations or other issuances or parts thereof inconsistent with the
13 provisions of this Act are hereby repealed or modified accordingly.

14 Sec. 14. **Separability Clause.** – If any portion or provision of this Act
15 is declared unconstitutional, the remainder of this Act or any provision not
16 affected thereby shall remain in force and effect.

17 Sec. 15. **Effectivity.** – This Act shall take effect after fifteen (15) days
18 following the completion of its publication either in the Official Gazette or in
19 a newspaper of general circulation in the Philippines.

20 Adopted.