

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Zuezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6226



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

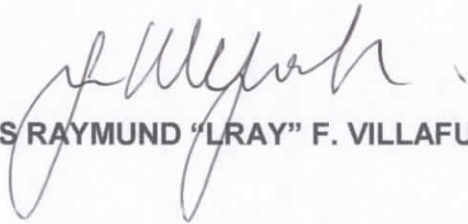
Crime incidents involving the use of motorcycles, or those riding in tandems, have doubled from 3,000 in 2013 to 6,219 in 2014¹ in Metro Manila alone. This has resulted to homicides², with cyclists in these motorcycle-aided crimes carrying loose firearms, as news reports would confer³ and Philippine National Police Data would confirm.

The data involving motorcycle in crimes such as shooting incidents, robbery, car napping, and the like, is just cause to push for the prevention of these incidents to ever happen again.

This bill proposes to set a new standard of license plates for motorcycle to be bigger and more readable, incorporating a color-coding scheme for the regions to which the motorcycle was registered in. The bill also specifies details for license plates issued such as material to be used (aluminum plate), and should be placed at the front and back parts of the vehicle.

In mandating these specifications to the license plates, the bill hopes to aid law enforcement agencies in the identification of the motorcycle riders involved in criminal activities. This bill further proposes to penalize the use of motorcycles in a crime or those who commit a crime through or with backriders on motorcycles.

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


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

¹ http://www.senate.gov.ph/press_release/2017/0725_prib2.asp

² <https://www.gov.ph/data/dataset/recapitulation-incidents-involving-motorcycle-riding-criminals-2011-2013>

³ <http://www.philstar.com/nation/2015/02/06/1420842/riding-tandem-kills-anew-qc>

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6226

Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

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

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

SECTION 1. Short Title. – This Act shall be known as the "Motorcycle Crime Prevention Act of 2017"

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

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

- a) "Plate number" refers to the regular motor vehicle license plate issued by the Land Transportation Office (LTO) bearing the standard alphanumeric characters in accordance with Batas Pambansa Blg. 43 and 74.
- b) "Backrider" refers to any person seated at the back of the motorcycle or scooter driver, or a passenger of his driver.
- c) "Riding-in-tandem" refers to the combination of a driver and his backrider/s or passenger/s riding a motorcycle or scooter.

SECTION 4. Bigger Plate Number. – The Land Transportation Office (LTO) shall issue bigger plate number sizes for every motorcycle and scooter which must be

placed both in the front and rear part of the motorcycle. It shall be made of aluminum plate applied with reflectorized paint, and with alphanumeric characters in large and readable font. There must be a plate number both at the front and back parts of the motorcycle or scooter, the dimensions of which should be big enough for the plate numbers to be readable from a distance of between twelve (12) to fifteen (15) meters.

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

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

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

SECTION 5. *Driving Without a Plate Number or a Bigger Plate Number.* – Driving without a plate number or a bigger plate number, as provided in Sec. 4, is prohibited. The motorcycle or scooter used without bigger plate numbers shall be confiscated by the LTO until a bigger plate is issued.

SECTION 6. *Penalty for Use of the Motorcycle or Scooter in the Commission of a Crime.* – If the motorcycle or scooter is used in the commission of a crime or to ensure a quick escape from the scene of the crime, as witnessed by another person, and a victim dies as a result of this illegal use of a motorcycle or scooter, the motorcycle driver, his backyard/s, if any, and conspirators, shall be punished by *reclusion perpetua*. If the victim suffers serious physical injury, or there was shooting or stabbing of the victim committed by the driver or backrider/s of the motorcycle or scooter which did not result in death, the penalty shall be *reclusion temporal* unless a higher penalty is imposed due to the commission of some other crime, in which case, the higher penalty shall be applied. In all other cases, the use of the motorcycle or scooter in the commission of a crime shall increase the penalty for the crime by one degree.

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

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

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

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

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

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

The motorcycle with a lost or stolen plate whose owner has not formally reported the loss thereof to the LTO within the time provided in the previous paragraph shall be impounded inside the designated impounding areas of the LTO until a new plate is issued. The LTO may charge a reasonable daily fee against the registered owner of the motorcycle or scooter which has been impounded under this section.

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

SECTION 10. Other Penalties. –

- a) Non-compliance with the use of the bigger plate numbers shall result to the revocation of the registration of the motorcycle or scooter for a period of at

least one (1) year, and confiscation of the driver's license of the driver thereof, or in the absence of the driver, the registered owner thereof for a period of at least one (1) year, and a fine of not less than Ten Thousand Pesos (P10,000.00) but not more than Twenty Thousand Pesos (P20,000.00).

- b) Tampering, alteration, forgery or imitation of the bigger plate number shall be punished with a fine of not less than Twenty Thousand Pesos (P20,000.00) but not more than Fifty Thousand Pesos (P50,000.00).
- c) If the registered owner of the motorcycle or scooter fails to timely report to the LTO the loss of his bigger license plate, he or she shall be punished with a fine of not less than Ten Thousand Pesos (P10,000.00) but more than Twenty Thousand Pesos (P20,000.00).

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

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

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

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

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

Approved,