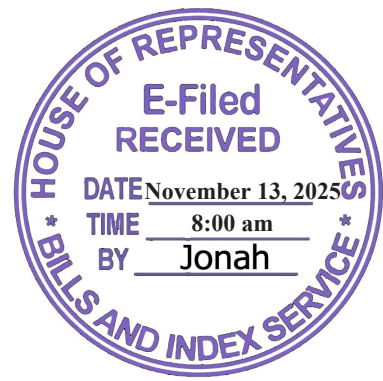


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3 Republic of the Philippines
4 **HOUSE OF REPRESENTATIVES**
5 Quezon City
6 **TWENTIETH CONGRESS**
7 First Regular Session

8 **HOUSE BILL NO. 5949**
9



10 **Introduced by Hon. Julianne “Jam” L. Baronda**
11

12
13 **EXPLANATORY NOTE**

14 For many Filipinos, motorcycles provide not only a quick and effective mode
15 of transportation but also a cheap alternative to the use of cars. In fact, the use of
16 motorcycles has become so prevalent in our society that road users see it as a solution
17 to the worsening traffic situation, while our government is still in the process of
18 improving our country’s mass transport system.

19 Unfortunately, while there is no doubt that motorcycles have become a very
20 useful alternative for convenient transport, criminals also saw the advantage of using
21 them in executing their evil deeds. We often see news sites reporting on ‘hits’
22 perpetuated by riding-in-tandem. Robbery and other heinous crimes are also
23 committed even in broad daylight with the use of motorcycles, where most of the time,
24 perpetrators are able to escape and remain unpunished.

25 Considering the foregoing, the use of motorcycles calls for a legislative
26 measure that would balance the benefits derived by innocent motorcycle users with
27 those who merely use it to successfully execute their horrific plans.

28 Relatedly, Republic Act No. 11235 was legislated in order to prevent crimes
29 with the use of motorcycles. However, the law seems to be discriminatory against
30 motorcycle riders as the fines and penalties are somewhat too excessive. In fact, the
31 penalties provided therein are not at par with fines imposed against car owners having
32 the same violation. As such, this bill aims to lower the penalties for violation of
33 Republic Act No. 11235.

34
35 Moreover, this bill intends to push forward the installation of Radio Frequency
36 Identification System (RFID) stickers, instead of front plates. This is seen as an
37 innovative approach and a solution to the complaints by those against the installation
38 of front plates. The RFID sticker shall be readable by a scanner and shall contain
39 basic information about the owner and the motorcycle.

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

41
42 
43 **HON. JULIENNE “JAM” L. BARONDA**
44 Representative
45 The Lone District of Iloilo City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
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HOUSE BILL NO. 5949

Introduced by Hon. Julianne “Jam” L. Baronda

AN ACT
AMENDING REPUBLIC ACT NO. 11235, OTHERWISE KNOWN AS THE
“MOTORCYCLE CRIME PREVENTION ACT”

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

Section 1. *Section 3 of Republic Act No. 11235 is hereby amended to read as follows:*

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

(a) xxx

(b)

(c)

(d)

(e) xxx xxx; AND

(F) RADIO FREQUENCY INDICATION SYSTEM (RFID) STICKER REFERS TO A STICKER THAT CONTAINS MACHINE-READABLE DATA THAT INCLUDES THE BASIC INFORMATION ABOUT THE MOTORCYCLE AND ITS OWNER AND OTHER RELEVANT DATA AS THE LTO MAY SEE FIT TO BE INCLUDED.”

Sec. 2. *Section 4 of Republic Act No. 11235 is hereby amended to read as follows:*

80 “Sec. 4. *Registration by the Owner.* — The owner of a motorcycle
81 shall register his or her motorcycle with the LTO within five (5) days from
82 such acquisition of ownership. The owner of a motorcycle shall also
83 immediately report any sale or disposition of his or her motorcycle to the
84 LTO. Failure of the owner to register within five (5) days from acquisition
85 of ownership, or to immediately report its sale or disposition, shall subject
86 the owner to [~~a penalty of imprisonment of *arresto mayor* to *prision*~~
87 ~~*correccional*, as defined under the Revised Penal Code, or a fine of not~~
88 ~~less than Twenty thousand pesos (P20,000.00) but not more than Fifty~~
89 ~~thousand pesos (P50,000.00), or both]~~ **A FINE OF NOT MORE THAN**
90 **FIVE THOUSAND PESOS (P5,000.00).**

91 [~~If a motorcycle that is not yet registered with the LTO is used in~~
92 ~~connection with an offense punishable under the Revised Penal Code or~~
93 ~~special penal laws, the maximum penalty of the relevant offense shall be~~
94 ~~imposed on the offenders.]”~~

95
96 *Sec. 3. Section 5 of Republic Act No. 11235 is hereby amended to read as follows:*

97 “Section 5. *Bigger, Readable and Color-Coded Number Plate*
98 **AND INSTALLATION OF RFID STICKER.** —The LTO shall issue a
99 readable number plate **AND RFID STICKER** for every motorcycle. The
100 LTO shall, in the implementing rules and regulations (IRR) of this Act,
101 determine the font style and size of the bigger, readable and color-coded
102 number plate **AND A SMALL SCANNER-READABLE RFID**
103 **STICKER:** *Provided,* That the contents of the number plate shall be
104 readable from the [~~front, the back, and the side~~] **BACK** of the motorcycle
105 from a distance of at least fifteen (15) meters from the motorcycle; **AND**
106 **THE DATA CONTAINED IN THE RFID STICKER INSTALLED IN**
107 **THE FRONT OF THE MOTORCYCLE SHALL BE READABLE BY**
108 **RFID SCANNERS.**

109 xxx xxx xxx

110 The readable number plates must be displayed in [~~both the front~~
111 ~~and back sides~~] **THE BACK SIDE** of a motorcycle and shall be made of
112 suitable and durable material as determined by the LTO.

113 xxx xxx xxx.”

114 *Sec. 4. Section 7 of Republic Act No. 11235 is hereby amended to read as follows:*

115 “Section 7. *Driving Without a Number Plate or Readable Number*
116 *Plate* **OR WITHOUT AN RFID STICKER.** —Driving without a number
117 plate or a readable number plate **OR WITHOUT AN RFID STICKER,**
118 as provided in this Act, is prohibited. The driver of a motorcycle without a
119 number plate or readable number plate, **OR WITHOUT AN RFID**
120 **STICKER,** as provided in this act shall be punished by [~~*prison*~~
121 ~~*correctional*~~ as provided in the Revised Penal Code, or a fine not less than
122 Fifty thousand pesos (P50,000.00) but not more than One hundred
123 thousand pesos (P100,000.00), or both] **A FINE OF NOT MORE THAN**
124 **FIVE THOUSAND PESOS (P5,000.00).**

125 A motorcycle driven without a number plate or a readable number
126 plate **OR WITHOUT AN RFID STICKER** shall be stopped, and such
127 motorcycle shall be seized by law enforcers and immediately surrendered
128 to the Philippine National Police (PNP): **PROVIDED, THAT NO**
129 **SEIZURE SHALL BE MADE UPON SHOWING PROOF OF**
130 **OWNERSHIP AND REGISTRATION: PROVIDED, FURTHER,**
131 **THAT THE OWNER IS NOT AT FAULT FOR THE NON-**
132 **INSTALLATION OF NUMBER PLATE OR A READABLE PLATE**
133 **AND RFID STICKER.** Any apprehension must be reported immediately
134 to the LTO, PNP and the Department of Information and Communications
135 Technology (DICT) through the Joint LTO and PNP Operations and
136 Control Center. The owner of such motorcycle may redeem his seized
137 motorcycle from the LTO upon proof of ownership, payment of the costs
138 of seizure, and compliance with a number plate or readable number plate.”

139
140 *Sec. 5. Section 11 of Republic Act No. 11235 is hereby amended to read as follows:*

141 “Section 11. *Loss of Number Plate or Readable Number Plate* **OR**
142 **LOSS OF RFID STICKER.** —If the number plate or readable number
143 plate **OR RFID STICKER** of a motorcycle is lost, damaged or stolen, the
144 owner of such motorcycle shall immediately report the same to the LTO
145 and the PNP through the Joint PNP and LTO Operations and Control
146 Center, and request a replacement number plate. Failure of the owner to

report the same shall subject the owner to ~~a fine not less than Twenty thousand pesos (P20,000.00) but not more than Fifty thousand pesos (P50,000.00), or both~~ **A FINE OF NOT MORE THAN FIVE THOUSAND PESOS (P5,000.00).**

If the lost, damaged, or stolen number plate or readable number plate and **OR RFID STICKER** is used in connection with an offense penalized under the Revised Penal Code or special penal laws, the failure of the owner to report within three (3) days that the motorcycle is lost, damaged, or stolen, shall subject the owner to a ~~[penalty of imprisonment of arresto mayor to prision correccional]~~ **FINE OF NOT MORE THAN FIVE THOUSAND PESOS (P5,000.00)."**

Sec. 5. Section 12 of Republic Act No. 11235 is hereby amended to read as follows:

*"SEC. 12. Erasing, Tampering, Forging, Imitating, Covering or Concealing a Number Plate or Readable Number Plate and Intentional Use Thereof. - Erasing, tampering, altering, forging, imitating, covering, concealing a number plate or readable number plate, or the intentional use of such erased, tampered, altered, forged, imitated, covered or concealed number plate or readable number plate, under this Act shall be punished by [prision mayor as provided under the Revised Penal Code, or a fine of not less than Fifty thousand pesos (P50,000.00) but not more than One hundred thousand pesos (P100,000.00), or both] **A FINE OF NOT MORE THAN TEN THOUSAND PESOS (P10,000.00).***

If a person knowingly sells or buys an erased, tampered, altered, forged or imitated number plate or readable number plate, both such buyer and seller shall be punished by ~~[prision mayor]~~ **ARRESTO MENOR** as provided under the Revised Penal Code. However, if a person who sells or buys the number plate proves that he or she has no knowledge that it was erased, tampered, altered, forged or imitated, he or she shall be punished by ~~[arresto mayor]~~ **A FINE OF NOT MORE THAN TEN THOUSAND PESOS (P10,000.00).**

Sec. 6. Section 13 of Republic Act No. 11235 is hereby amended to read as follows:

"SEC. 13. Use of a Stolen Number Plate or Readable Number

181 *Plate. – WITHOUT PREJUDICE TO CRIMINAL PROSECUTION*
182 **FOR VIOLATION OF OTHER LAWS, [The] THE** use of a stolen
183 number plate or readable number plate in a motorcycle shall be punished
184 by ~~[prison mayor as provided under the Revised Penal Code, or a fine of~~
185 ~~not less than Fifty Thousand Pesos (P50,000.00) but not more than One~~
186 ~~hundred thousand pesos (P100,000.00), or both at the discretion of the~~
187 ~~court.]~~ **A FINE OF NOT MORE THAN TEN THOUSAND PESOS**
188 **(P10,000.00).”**
189

190 *Sec. 7. Section 19 of Republic Act No. 11235 is hereby amended to read as follows:*

191 “SEC. 19. *Transitory Provision.* – Motorcycle owners with number
192 plates not in conformity with the provisions of this Act shall renew their
193 registration and apply for the required readable number plate not later than
194 ~~[June 30, 2019]~~ **JUNE 30, 2023**. The LTO is given until ~~[December 31,~~
195 ~~2019]~~ **DECEMBER 31, 2022** to produce, release, and issue the number
196 plates as required by this Act. After ~~[December 31, 2019]~~ **DECEMBER**
197 **31, 2022**, the penal provisions regarding the use of bigger, readable and
198 color-coded number plates as required under this Act shall take effect.”
199

200 *Sec. 7. Separability Clause.* – If any provision of this Act is held invalid or
201 unconstitutional, the same shall not affect the validity and effectivity of the other
202 provisions hereof.
203

204 *Sec. 8. Repealing Clause.* – All laws, decrees, executive orders, rules and
205 regulations, which are inconsistent with the provisions of this Act are hereby repealed,
206 amended or modified accordingly.
207

208 *Sec. 9. Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
209 publication in the Official Gazette or in a newspaper of general circulation.
210

211 Approved,