

13TH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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'04 JUN 30 P10 58

RECEIVED BY: 

SENATE


S. No. 788

INTRODUCED BY HON. MANUEL B. VILLAR JR.

EXPLANATORY NOTE

There is no law prescribing manufacturing standards for bicycle helmets. This is necessary considering that the practice of wearing bicycle helmets is rare in the country and the promotion of its use could prevent bicycle-related head injuries.

This bill mandates government offices authorized to prescribe uniform standards in the manufacture of bicycle helmets. The Department of Transportation and Communications is authorized to establish grants for programs that require or encourage individuals to wear approved bicycle helmets.


MANUEL B. VILLAR, JR.

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**AN ACT TO PROTECT CONSUMERS BY PROMULGATING
UNIFORM MANUFACTURING STANDARDS FOR BICYCLE HELMETS
AND PROMOTING ITS USE**

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

SECTION 1. Title. This Act shall be known as "The Bicycle Helmet Safety Act."

SECTION 2. Declaration of Policy. It is a policy of the State to recognize the promulgate standards for the manufacture of products that protect consumers and the promotion of the use of these products which have passed uniform government standards.

SECTION 3. Definition of Terms.

- a) "Approved Bicycle Helmet" – means a bicycle helmet that meets:
 - 1. Any interim standard described under Section 6(b), pending establishment of a final standard under Section 6(c); and
 - 2. The final standard, once it is established under Section 6 (c).
- b) "Individuals" – includes children and adults.

SECTION 4. Establishment Program. The Secretary of the Department of Transportation and Communications (DOTC) may, in accordance with section 4, make grants to provinces, cities and municipalities, and non-profit organizations for programs that require or encourage individuals to wear approved bicycle helmets. In making those grants, the Secretary shall allow grantees to use wide discretion in designing programs that effectively promote increased bicycle helmet use.

SECTION 5. Purposes for Grants. A grant made under Section 4 may be used by a grantee to:

- 1. Enforce a law that requires individuals to wear approved bicycle helmets on their heads while riding on bicycles;
- 2. Assist children to acquire approved bicycle helmets;
- 3. Develop and administer a program to educate individuals and their families on the importance of wearing such helmets in order to improve bicycle safety; or
- 4. Carry out any combination of the activities described in paragraphs (1), (2) and (3).

SECTION 6. Standards. (a) In general – Bicycle helmets manufactured 9 months or more after the date of the enactment of this Act shall conform to:

1. Any interim standard described under subsection 9(b), pending the establishment of a final standard pursuant to subsection (c); and
 2. The final standard, once it has been established under subsection (c); and
- (b) Interim Standards – The interim standards to be issued by the Bureau of Trade Regulation and Consumer Protection of the Department of Trade and Industry.
- (c) Final Standard – Not later than 60 days after the date of enactment of this Act, the Bureau of Trade Regulation and Consumer Protection shall conduct hearings to:
1. Review the requirements of the interim standards set forth in subsection (a) and establish a final standard based on such requirements;
 2. Include in the final standard a provision to protect against the risk of helmets coming off the heads of bicycle riders;
 3. Include in the final standard provisions that address the risk of injury to children; and
 4. Include additional provisions as appropriate.

The final standard shall take effect 1 year from the date it is issued.

- (d) Failure to Meet Standards – Until the final standard takes effect, a bicycle helmet that does not conform to an interim standard as required under subsection (a) (1) shall be considered in violation of a consumer product safety standard promulgated by the Bureau of Trade Regulation and Consumer Protection.

SECTION 7. Authorization of Appropriations. For the Department of Transportation and Communications and other related government offices in Metro Manila, the provinces, cities and municipalities, including the Metro Manila Development Authority, to carry out the grant program authorized by this Act, there are authorized to be appropriated TWO MILLION PESOS (P2,000,000.00), Philippine currency for every fiscal year.

SECTION 8. Repealing Clause. All laws, decrees, orders, letters of implementation, rules and regulations or part or parts thereof inconsistent with the provisions or any provisions of this Act, are hereby amended, modified, repealed or superseded insofar as they are inconsistent with the provisions or any provisions of this Act.

SECTION 9. Separability Clause. If any provision of this Act or the application of such provision to any person or circumstance is held invalid for any reason, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected.

SECTION 10. Effectivity. This Act shall take effect immediately upon its approval.

Approved,