

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUL 29 P4:47

SENATE
S. No. 1556

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

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 that 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 Communication is authorized to establish grants for programs that require or encourage individuals to wear approved bicycle helmets.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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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 the 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 need to promulgate standards for the manufacture of products that protect consumers and for the promotion of the use of these products which have passed uniform government standards.

SECTION 3. *Definition of Terms.* -

(1) "Approved Bicycle Helmet" — means a bicycle helmet that meets:

(a) any interim standard described under Section 6(2); pending establishment of a final standard under Section 6 (3); and

(b) the final standard, once it is established under Section 6 (3).

(2) "Individuals" — includes children and adults.

SECTION 4. *Establishment of 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. *Purpose of 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.* -

(1) In general—Bicycle helmet manufactured nine (9) months or more after the date of the enactment of this Act shall conform to an interim standard as required under subsection (1)(a) of Section 3 shall be considered in violation of a consumer product safety 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 Metropolitan Manila Development Authority, to carryout 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. *Separability Clause.* - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 9. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 10. *Effectivity Clause.* - This Act shall take effect fifteen days (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.

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