

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

7 11-4 95

SENATE
S. B. NO. 2630

RECEIVED

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE


In an article published by the *Philippine Daily Inquirer* on 21 April 2007, it was reported that the World Health Organization (WHO) is considering deaths and injuries from motorcycle accidents as a "public health epidemic" in many countries in Asia, including in the Philippines. In its report, the WHO said nearly 1.2 million persons die of road traffic accidents every year, 40 percent of which are under the age of 25. Between 20 million and 50 million are injured every year. Young motorcyclists make up a significant percentage of injuries and fatalities among road users in many Asian countries. The report also identified overspeeding, non-use of helmets, risk-taking behavior, and drunk-driving as factors which contribute to the rising trend.

An Asian Development Bank (ADB) report on road safety in the Philippines said that pedestrians were most at risk of being killed or injured in a road accident. Motorcyclists were a far second, but the report said they were a "growing concern" as the number of motorcycles has been growing by 40 percent per year in the last three years.

According to the Metro Manila Development Authority (MMDA), the Metropolitan Road Safety Unit of their Traffic Operations Center made a report on the distribution of vehicles involved in accidents from January to December 2006. The report showed that motorcycles have the highest fatality accident rate with 122 motorcycles involved or 23.60 per cent of the total fatal accidents, followed by cars with

113 total or 21.86 per cent respectively. For non-fatal accidents, cars have the highest rate with 30.22 per cent share followed by motorcycles with 29.59 per cent.


It is imperative that a law be passed to establish guidelines that will prevent road accidents, particularly those involving motorcycles.


MIRIAM DEFENSOR SANTIAGO
of the

THIRTEENTH CONGRESS OF THE REPUBLIC)
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AN ACT
BANNING MOTORCYCLES FROM USING
MAIN ROADS, HIGHWAYS, AND NATIONAL HIGHWAYS
THROUGHOUT THE COUNTRY

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

SECTION 1. *Short Title.* - This Act shall be known as the "Motorcycle and Pedestrian Safety Act of 2007".

SECTION 2. *Declaration of Policy.* It is hereby declared the policy of the State to: (1) protect the safety of pedestrians, (2) promote the safety of motorcycle drivers and passengers, and (3) formulate legislation that will promote traffic decongestion. The state shall provide specific and adequate guidelines to prevent road accidents involving motorcycles.

SECTION 3. *Definition of Terms.*

1. Motorcycles - any two-wheeled vehicle such as motorcycles and bicycles
2. Highways and national highways - roads designated by the government or local government units as highways or national highways
3. Main roads - roads designated by local government units as main roads
4. Sidewalks - paved walkways at the side of the street intended for the use of pedestrians
5. Helmets - protective head cover used by motorcycle drivers and passengers

SECTION 4. *Where motorcycles prohibited.* - Motorcycles and other two-wheeled vehicles such as bicycles shall be prohibited from using main roads, highways, and national highways as designated by the government or by the various local government units throughout the country.

SECTION 5. *When motorcycles prohibited.* - Motorcycles and other two-wheeled vehicles such as bicycles shall be prohibited daily along all main roads, highways and national highways throughout the country during the hours from 8:00 a.m. to 5:00 p.m. and from 8:00 p.m. to 6:00 a.m., except during Saturdays, Sundays and holidays.

SECTION 6. *Exceptions.* Exceptions may be made in provinces wherein there is no considerable vehicular traffic and where bicycles, tricycles, and motorcycle are the primary means of transportation. Exceptions can also be made in far flung places in the provinces where motorcycles are the only means of transportation.

SECTION 7. *Use of helmets.* It shall be mandatory for all motorcycle drivers and passengers to wear appropriate helmet. Children shall also be required to wear the appropriately-sized helmet while riding motorcycles.

SECTION 8. *Use of sidewalks.* It shall be prohibited for motorcycles to use the sidewalk intended for the use of pedestrians.

SECTION 9. *Compulsory use of daytime running lights* - It shall be compulsory for motorcycles to use daylight running lights and motorcycle headlights during daytime to allow riders to clearly see the road and other vehicles.

SECTION 10. *Implementing Agency.* The overall implementing agency for this Act shall be the Land Transportation office (LTO). In the Metropolitan Manila area, the

LTO shall be assisted by the local traffic enforcers. In the provinces, the respective local government units shall implement the provisions of this Act.

SECTION 11. *Implementing Rules and Regulations.* The LTO shall formulate the implementing rules and regulation for this Act not later than 120 days after its passage into law.

SECTION 12. *Separability Clause.* – If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 13. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 14. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.