

FIFTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
*First Regular Session*

SENATE  
OFFICE OF THE SECRETARY

10 JUN -8 P2:31

**SENATE**

S. No. 1038

RECEIVED BY: \_\_\_\_\_

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Introduced by Senator Manuel "Lito" M. Lapid

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### **EXPLANATORY NOTE**

In a multi-sectoral study conducted on children's welfare in the Philippines, it has been revealed that child death rates caused by accidental injuries have tripled in the last 30 years, and was recorded to be the third leading cause of death for children ages 1 to 14. From this data, road accidents were recorded to be the second leading cause of death among children at 5.85 per 100,000 according to the 2003 Philippine National Injury Survey.

In a similar study data released by SAFE KIDS Philippines, a global non-governmental organization dedicated to the prevention of unintentional injuries to children also shows that at least 20 million children are at risk of dying or being injured in road accidents every year. It says 35,000 Filipino children get injured or die in road accidents each year or about 263 a day. It was estimated that around 3,000 children who had suffered injuries showed that 56 percent of them were hurt in road accidents primarily involving bicycles, motor vehicles, and pedicabs. The worst part is, children mostly belonging to poor families are the biggest victims.

It is evident that road condition in the Philippines are too much hazardous specially for thousands of kid pedestrians roaming the metropolis everyday. Such accidents can possibly be attributed to numbers of factors like vehicle over-speeding, undisciplined drivers, road works obstructions, lack of pedestrian lanes, sidewalks given to garbage and vendors, laxity in the enforcement of road safety rules, and lack of proper public education on road safety measures.

The government should not wait for these unnecessary and preventable accidents that happen in the roads to escalate further. Considering that road accident is one of the prevalent causes of serious injuries to children, the authorities should waste no time to put in place policy measures to address the safety issues of our young citizens.

This piece of legislation will put in place additional road safety regulations to be strictly enforced to all motorists, pedestrians and all concerned sectors in order to minimize, if not totally eliminate, accidents involving children. Aside from this, all local government units will be mandated to institute awareness programs on road and pedestrian traffic safety precautions to educate parents and children alike in every barangay.

This bill will also further the call of our President to encourage different sectors in the society to come-up with concerted efforts to ensure the success of this advocacy for our children by means of institutionalizing PROCLAMATION NO. 852 issued by President Gloria Macapagal Arroyo, DECLARING THE THIRD WEEK OF JUNE OF EVERY YEAR AS "SAFE KIDS'S WEEK".

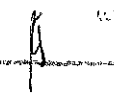
I urge my colleagues to help support the immediate passage of this measure to address the alarming concern on our children's welfare.

  
**MANUEL "LITO" M. LAPID**  
Senator

10 JUL -8 P2:32

**SENATE**

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Introduced by Senator Manuel "Lito" M. Lapid

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**AN ACT**  
**INSTITUTING A POLICY FOR NATIONAL ROAD ACCIDENT**  
**PREVENTION AND SAFETY AWARENESS SCHEME FOR CHILDREN,**  
**APPROPRIATING FUNDS THEREFORE, 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 "**Road Safety for Children Act of 2010.**"

**Section 2. Policy.** - It is the policy of the State to protect the general welfare and well being of children. It is also the policy of the State, consistent with the Constitutional provisions to protect and safeguard the children from accidental road injuries and promote awareness and instill consciousness among motorists the importance of child pedestrian safety. For these purposes, the government shall institute a policy whereby all concerned shall be encouraged to strictly follow regulations and cooperate in programs to help prevent accidental road injuries and death to children.

**Section 3. Purpose.** - It is the main purpose of this Act to:

- a. Promote a road safety environment for children;
- b. Implement a school and community based educational program on the proper pedestrian safeguards on accidental road injuries of children;
- c. Impose extra regulations for pedestrian and traffic practice;
- d. Institutionalize the declaration of a "Kids Road Safety Awareness Month" to encourage all concerned from the private and government sectors to come up with programs and actions for the advancement of measures on road safety ; and
- e. Create an Inter-Agency Committee on Road Safety for Kids to oversee the implementation of the provisions of this Act.

**Section 4. Definition of Terms.** - Whenever used in this Act:

- a. "Children" - refer to persons below 18;
- b. "Vehicles" – refer to any motorized vehicles, karitelas, bicycles and pedicabs;
- c. "four-wheeler motor vehicles" – refer to automobiles, jeepneys, trucks, and trailers
- d. "Local Government Units" – refer to Provincial, City, Municipality, and Barangay Sanggunian
- e. "PUV Stops" – refer to Public Utility Vehicles loading and unloading areas
- f. "Schools" – refer to public and private elementary educational institutions
- g. "Streets" – all forms of roads that can accommodate non-pedestrian traffic not otherwise considered as avenues, local and national highways
- h. "Roads" – refer to streets, avenues, local and national highways

## **CHILDREN'S ROAD SAFETY REGULATIONS**

**Section 5. 30 kph Speed Limit Zones.** – All vehicles traversing any local street and road shall be restricted to drive not beyond thirty kilometers per hour in areas to be designated as "30 kph zones". For this purpose, the Local Government Units are authorized to identify "30 kph zones" after going through a study and plan on traffic schemes in their respective localities taking into consideration the road safety benefits of children. Provided, however, that in the case of Avenues and Provincial Highways, the City and the Provincial Government concerned may determine and set speed limit restrictions.

**Section 6. Designation of Bicycle and Motorcycle Lanes.** – There shall be a designated Bicycle and Motorcycle Lanes herein referred to as BIMO Lanes in selected roads as exclusive access use for riders of bicycles and motorcycles. The BIMO lanes will be separated by a physical barrier from four-wheeler motor vehicles and clearly identified with signs and/or pavement markings. Provided, however that every person riding along BIMO Lanes shall be granted all of the rights and shall be subjected to all applicable laws and traffic regulations of the National Government and the concerned Local Government Units. Provided, further, that every bicycle and motorcycle in BIMO Lanes shall be operated under the following conditions:

- a.) equipped with a braking system to enable the operator to bring the bicycle to a smooth safe stop;
- b.) whenever in use during the period from six p.m. to five a.m., bicycles and motorcycles shall be equipped with a lamp on the front which shall emit a white light visible from a distance to the front and a red lamp or a red reflector at the rear and shall display either on each pedal, in case of a bicycle, a reflectorized material which is visible from all angles;
- c.) shall give an audible warning whenever necessary to insure the safe operation of the bicycle;
- d.) shall not carry any package, bundle or article except in a basket, rack, trailer or other device designated for such purpose. The rider shall at all times keep both hands on the handle bars; and
- e.) child riding a bicycle or being carried as a passenger on a bicycle shall wear a helmet.

**Section 7. School Children Crossing Patrol, Designated Pedestrian Crossing Lane, Loading & Unloading Area.** – Every school shall be assigned with their respective "School Children Crossing Patrol" which shall have the exclusive duty of assisting school children in crossing a designated Pedestrian Crossing Lane leading

to a designated Loading & Unloading Area, to be appointed by the concerned Sangguniang Barangay. All school crossing patrol shall undergo basic training to be administered by the Children Road Safety Committee which will be created herein.

The CHIROSA Committee shall, in close coordination with the Sangguniang Barangay, identify and designate pedestrian crossing lane and Loading and Unloading Areas for PUVs to be placed at least within one (1) kilometer radius in all schools. The pedestrian crossing lane and the loading and unloading area shall at all times be visible with a signage at any portion of the roadway clearly indicated for pedestrian crossing by lines on the road surface or by other markings or signs.

**Section 8. Sidewalk Clearing.** – Sidewalks shall be for exclusive use of pedestrians. For this purpose, sidewalks shall at all times be clear from any form of obstructions that can cause injury to or unduly interfere with any person using the sidewalk. Local Government Units shall clear or remove or cause to be cleared or removed erected structures whether permanent or temporary from any existing sidewalks.

### **ROAD SAFETY INFORMATION CAMPAIGN**

**Section 9. Community Based Child Pedestrian Trainings.** – A practical roadside child pedestrian training scheme shall be implemented in all barangays to be conducted every year during the month-long celebration of the Kids Road Safety Awareness Month as provided for in this Act. For this purpose, a Child Pedestrian Training Coordinator shall be assigned in every barangay to train and disseminate information on, but not limited to, basic practice on pedestrian crossing, road safety precautions, danger awareness, identification of safer pedestrian path and routes to develop in children the understanding, attitudes and skills of a responsible pedestrian.

Educational road safety leaflets shall be produced and distributed during the conduct of the training as training materials.

**Section 10. School Based Road Safety Education.** – A national educational guidelines on road safety for schoolchildren shall be integrated in the syllabus of primary education from pre-school to grade 3. The road safety lesson plan to be used by teachers shall be designed and developed in close coordination with the CHIROSA Committee.

**Section 11. Declaration.** – The month of June of every year is hereby declared the “Kids Road Safety Awareness Month”. The CHIROSA Committee shall take the lead role in the conduct of month long observance from the national down to the barangay level.

Anytime during the month long celebration, the CHIROSA Committee shall carry out festive activities to be participated by children and parents alike in all barangays to promote children’s road safety awareness and road accident prevention.

All Local Government Units and educational institutions throughout the country are hereby enjoined to give their support to the observance by providing assistance and participation in the conduct of activities.

### **IMPLEMENTING AGENCY AND PENALTIES FOR NON-COMPLIANCE**

**Section 12. Creation of Inter-Agency CHILDREN ROAD SAFETY COMMITTEE.** - An inter-agency committee to be known as Child Road Safety Committee (CHIROSA Committee) is hereby created to have the power and function to

administer and implement the provisions of this Act. The CHIROSA Committee shall be composed of the following:

- a. Secretary of the Department of Transportation and Communications (DOTC) - Chairman
- b. Secretary of the Department of the Interior and Local Government (DILG) - Vice Chairman
- c. Secretary of the Department of Education (DEPED) - Member
- d. President of the League of Provinces - Member
- e. President of the League of Cities - Member
- f. President of the League of Municipalities - Member
- g. President of the Liga ng mga Barangays - Member
- h. A representative from a non-government organization (NGO) with a national membership or international affiliations involved in the advocacy of children's welfare - Member

**Section 13. Penalties.** - The following penalties shall apply:

a. Operators of Vehicles in Violation of Section 5. - On the first offense, a fine of not less than One Thousand Pesos (Php1,000.00) but not more than One Thousand Five Hundred (Php1,500.00) shall be imposed.

On the second offense, a fine of not less than One Thousand Five Hundred Pesos (Php1,500.00) but not more than Five Thousand Pesos (Php5,000.00) shall be imposed.

On the third offense, in addition to a fine of not less than Five Thousand Pesos (P5,000.00) but not more than Ten Thousand pesos (Php10,000.00), the driver's license issued by the Land Transportation Office shall be cancelled or revoked.

b. Bicycle and motorcycle in BIMO Lanes operating in violation of the conditions set forth in Sec. 6.- On the first offense, a fine of One Hundred Pesos (Php100.00) in the case of bicycle and Two hundred Hundred Pesos (Php 200.00) in the case of motorcycle shall be imposed.

On the second offense, a fine of Two Hundred Pesos (Php200.00) in the case of bicycle and Three Hundred Pesos (Php 300.00) in the case of motorcycle shall be imposed.

On the third offense, a fine of Three Hundred Pesos (Php300.00) in the case of bicycle and Five Hundred Pesos (Php 500.00) and cancellation of the driver's licenses issued by the Land Transportation Office in the case of motorcycle shall be imposed.

*Provided, however,* That the aforementioned penalties shall not be applicable if the violations are committed by a child bicycle rider, but will instead be brought to the Sangguniang barangay where the child violator is a registered resident. It shall be the duty of the Sangguniang Barangay concerned to immediately require the child together with his or her parents or guardian to undergo counseling.

c. Vendors Operating on Sidewalks in Violation of Section 8 - Any person or any business entity or establishment vending or performing promotional operations on sidewalks shall be fined the amount of not less than Five Thousand Pesos (Php5,000.00) or an imprisonment of not more than thirty (30) days. Provided, however, if the violation is by an establishment or business entity, the owner, president, or the board of directors thereof shall be liable for the offense.

#### **MISCELLANEOUS PROVISION**

**Section 14. *Implementing Rules and Regulations (IRR).*** - The CHIROSA Committee shall promulgate such rules and regulations necessary for effective implementation of this Act within six (6) months from the date of its publication.

**Section 15. *Appropriations.*** - The amount necessary to implement the provisions of this Act shall be charged against the current year's appropriations of all the national government agencies which are part of the CHIROSA Committee. Thereafter, such funds as may be necessary for the continued implementation of this Act shall be included in the budgets of the concerned national government agencies under the annual General Appropriations Act.

**Section 16. *Repealing Clause.*** - Proclamation No. 852 s. 1995 is hereby repealed. All other laws, Presidential Decree, Issuance, Executive Order, Letter of Instruction, rules or regulations or portions thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**Section 17. *Separability Clause.*** - Should any provision of this Act be subsequently declared unconstitutional, the other provisions not so declared shall remain in full force and effect.

**Section 18. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation.

***Approved,***