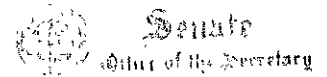
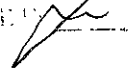


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



11 OCT 24 P3:51

SENATE
S. No. 3005

REGISTERED 

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The protection of public health is the primary duty of the State. It is the mandate of the State to protect and promote the well being of its citizens. It is the duty of the State to establish enabling laws and policies that will ensure safe, viable and dependable road safety standards and systems in the country.

The motorcycle is fast becoming one of the preferred means of transportation in the country, primarily because of the advantages that it has over the conventional car and other types of vehicle. First, its affordability and accessibility are attracting low-income families to opt for the cheaper choice. Data indicate that the number of motorcycle production in the country is increasing even more rapidly than the number of other vehicles comprising the general vehicle population. Asian Development Bank reports that the number of motorcycles has been growing by forty (40) percent per year from 2005 to 2007. As of 2011, booming sales in the country show an average of 7,000 motorcycle units a week, as recorded by the Philippine National Police Highway Patrol Group. Apart from the motorcycle users from low income families, motorcycles are also attracting affluent families and their teenage children, who emphasize their stature in society and respective social circles by buying expensive motorcycles.

Road accidents are common in the Philippines. Studies indicate that an average of 1,000 deaths occur per year in the Philippines due to road accidents. Last September 28, 2007, the representative of the World Health Organization (WHO) released a report which stated that road traffic crashes are the second leading causes of injury and death for all ages in the Philippines. The WHO added that since road traffic crashes are avoidable accidents, the number of deaths, injuries and disabilities caused by road accidents can be reduced through proactive and preventive policies and regulations.

With the increase in motorcycle sales, there is also the proportional increase in the documented number of accidents involving motorcycles.

Records of the Metropolitan Manila Development Authority Traffic Operations Center show an alarming increase in motorcycle traffic accidents, with 8,898 cases in 2005, 9,742 cases in 2006, 11,158 cases in 2007, 12,669 cases in 2008, 13,561 cases in 2009 and finally, with 4,145 cases in the first quarter of 2010.

The danger that motorcycles impose on its users is twice as high compared to the other motorists on cars and other vehicles, due to the reason that motorcycles do not have the same safety features that cars and other vehicles can offer. In effect, motorcyclists are more vulnerable to serious injuries, or even death in some cases, when involved in traffic collisions. In the Philippines, especially in the provinces, motorcycle-related road traffic accidents can be attributed partly to untrained motorcycle riders who are not fit to ride motorcycles.

Given the surge in the number of road accidents that either kill or injure passengers, drivers and pedestrians on the road, there is an urgent need on the part of government to implement a nationwide information, education and communication (IEC) campaign that will educate the motorcycle riders on the pertinent road safety standards, policies and regulations.

In view of the foregoing, early passage of this bill is earnestly sought.

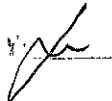

MANUEL "LITO" M. LAPID
Senator 

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'11 OCT 24 P3:51

SENATE
S. No. 3005

RECEIVED BY: 

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
AMENDING REPUBLIC ACT NO. 8794, OTHERWISE KNOWN AS "AN ACT
IMPOSING A MOTOR VEHICLE USER'S CHARGE ON OWNERS OF ALL TYPES OF
MOTOR VEHICLES AND FOR OTHER PURPOSES" AND ALLOCATING FUNDS
FOR NATIONWIDE ROAD SAFETY INFORMATION, EDUCATION AND
COMMUNICATION (IEC) CAMPAIGN FOR MOTORCYCLE DRIVERS TO IMPROVE
COMPLIANCE OF ROAD SAFETY RULES, STANDARDS AND REGULATIONS

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

SECTION 1. Section 7 of Republic Act No. 8794, otherwise known as "*An Act Imposing a Motor Vehicle User's Charge on Owners of All Types of Motor Vehicles and For Other Purposes*" is hereby amended to read as follows:

"Sec. 7. *Disposition of Monies Collected.* - All monies collected under this Act shall be earmarked solely and used exclusively (1) for road maintenance and the improvement of road drainage, (2) for the installation of adequate and efficient traffic lights and road safety devices, [and] (3) for air pollution control[.] **AND (4) FOR NATIONWIDE INFORMATION, EDUCATION AND COMMUNICATION (IEC) CAMPAIGN FOR MOTORCYCLE ROAD SAFETY STANDARDS.**"

"All such monies collected shall be deposited in four [(4)] **(5)** special trust accounts in the National Treasury, namely: (1) Special Road Support Fund; (2) Special Local Road Fund; (3) Special Road Safety Fund; [and] (4) Special Vehicle Pollution Control Fund[.] and **(5) MOTORCYCLE ROAD SAFETY FUND.** The distribution of collections under this Act shall be as follows:"

"(1) [Eighty percent (80%)] **SEVENTY FIVE PERCENT (78%)** shall be allotted to and placed in the Special Road Support Fund;"

"(2) Five percent (5%) shall be allotted to and placed in the Special Local Road Fund;"

"(3) Seven and one-half percent (7.5%) shall be allotted to and placed in the Special Road Safety Fund; [and]"

"(4) Seven and one-half percent (7.5%) shall be allotted to and placed in the Special Vehicle Pollution Control Fund[.]; **AND**"

"(5) TWO PERCENT (2%) SHALL BE ALLOTTED TO AND PLACED IN THE SPECIAL MOTORCYCLE ROAD SAFETY FUND."

"The Special Road Support Fund, the Special Local Road Fund and the Special Road Safety Fund shall be under the DPWH, whereas the Special Vehicle Pollution Control Fund **AND THE SPECIAL MOTORCYCLE ROAD SAFETY FUND** shall be under the DOTC."

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"The Special Local Road Fund shall be apportioned to provincial and city governments in accordance with the vehicle population and size of the road network under their respective jurisdictions, and shall be used exclusively for maintenance of local roads, traffic management and road safety devices."

"THE SPECIAL MOTORCYCLE ROAD SAFETY FUND SHALL BE USED EXCLUSIVELY FOR THE NATIONWIDE INFORMATION, EDUCATION AND COMMUNICATION (IEC) CAMPAIGN FOR MOTORCYCLE ROAD SAFETY, USING MULTIMEDIA APPROACH, THAT WILL BE IMPLEMENTED BY THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATION (DOTC) IN ORDER TO EDUCATE THE MOTORCYCLE RIDERS ON PERTINENT ROAD SAFETY REGULATIONS AND STANDARDS AND REDUCE THE INCIDENCE OF MOTORCYCLE RELATED ACCIDENTS IN THE COUNTRY."

SEC. 2. Section 8 of Republic Act No. 8794, otherwise known as "*An Act Imposing a Motor Vehicle User's Charge on Owners of All Types of Motor Vehicles and For Other Purposes*" is hereby amended to read as follows:

"Sec. 8. *Status of the Special Funds.* - The [four (4)] **FIVE (5)** special funds established' under this Act shall be distinct and separate from and in addition to any appropriation authorized and granted yearly to the DPWH and the DOTC to cover expenditures for the identified objects of expenditures under this Act. Congress shall continue to appropriate an amount in the General Appropriations Act for road maintenance of the DPWH: *Provided, however,* That any savings for each year out of such appropriation shall revert to the General Fund. Any savings from the special funds created herein shall accrue to these respective special funds."

SEC. 3. Section 9 of Republic Act No. 8794, otherwise known as "*An Act Imposing a Motor Vehicle User's Charge on Owners of All Types of Motor Vehicles and For Other Purposes*" is hereby amended to read as follows:

"Sec. 9. *Implementing Rules and Regulations.* - The Secretaries of the DPWH and the DOTC shall jointly within thirty (30) days from the effectivity of this Act, promulgate the rules and regulations to implement and carry out the intent, objectives, purposes and provisions of this Act, including such structural and procedural improvements in the systems and agencies concerned as may be necessary to ensure the prudent, wise, effective and efficient utilization of the special funds established under this Act: *Provided,* That the Secretary of the DPWH shall prepare the portion of the implementing rules and regulations pertaining to the Special Road Support Fund, the Special Local Road Fund, and the Special Road Safety Fund, and the Secretary of the DOTC shall prepare the portion of the implementing rules and regulations pertaining to the collection of the MVUC stated under Section 3 of this Act and on the disposition of the monies accruing to the Special Vehicle Pollution Control Fund[,] **AND SPECIAL MOTORCYCLE ROAD SAFETY FUND.**"

SEC. 4. 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.

SEC. 5. *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.

SEC. 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,