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SENATE  
S. No. 1569

RECEIVED BY: *ji*

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Constitution, Article 2, Section 5, provides:

The maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential for the enjoyment by all people of the blessings of democracy.

Hundreds of children are killed and injured in motor vehicle crashes every year. Unfortunately, the government neither requires the use nor establishes certain standards and testing procedures for child restraints in motor vehicles. In order to reduce the number of children killed or injured in automobile accidents, the government should require the use of child restraints and establish motor vehicle safety standards that will adequately protect children.

Hence, this bill seeks to provide for the creation of safety standards for child restraints and to require child passengers to use such restraints, subject to the following considerations:

- (a) The modern designs of motor vehicles in use as of the date of enactment of this Act;
- (b) The effects of a side-impact crash, a rear-impact crash, or a rollover crash; and
- (c) The use of anthropomorphic devices that accurately reflect the heights and masses of children at ages other than newborn, nine months, three years, and six years.\*

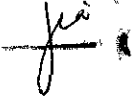
*ass.*  
*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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\* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT  
2 PROVIDING FOR THE CREATION OF SAFETY STANDARDS FOR CHILD RESTRAINTS  
3 IN MOTOR VEHICLES AND REQUIRING THE USE OF SUCH RESTRAINTS BY CHILD  
4 PASSENGERS

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “Child Passenger Protection  
6 Act.”

7 SECTION 2. *Testing of Child Restraints.* –

8 (A) *In General.* – Not later than sixty (60) days after the passage of this Act, the  
9 Secretary of Transportation and Communication (here called “Secretary”) shall promulgate crash  
10 test standards and conditions for child restraints.

11 (B) *Elements for Consideration.* – In carrying out paragraph (A), the Secretary shall  
12 consider –

13 (1) Whether to conduct more comprehensive and dynamic testing of child  
14 restraints than is typically conducted as of the date of passage of this Act,  
15 including the use of test platforms designed –

16 (a) To simulate an array of accident conditions, such as side-impact  
17 crashes, rear-impact crashes, and rollover crashes; and

18 (b) To reflect the designs of passenger motor vehicles in use as of the date  
19 of passage of this Act;

20 (2) Whether to use an increased number of anthropomorphic devices in a greater  
21 variety of heights and masses; and

22 (3) Whether to provide improved protection in motor vehicle accidents for  
23 children up to 59.2 inches tall who weigh more than fifty (50) pounds.

1 (C) *Required Elements.* – In carrying out paragraph (A), the Secretary shall –

2 (1) Require that manufacturers design child restraints to minimize head injuries  
3 during side-impact and rollover crashes, including requiring that child  
4 restraints have side-impact protection;

5 (2) Include a child restraint, as a requirement, in each vehicle applying for  
6 registration;

7 (C) Prescribe readily understandable text for any labels that are required to be  
8 placed on child restraints.

9 (D) *Funding.* – There are appropriated such sums as may be necessary to carry out the  
10 provisions of this Act.

11 SECTION 3. *Child Restraint Safety Training Program.* – Not later than sixty (60) days  
12 after the passage of this Act, the Secretary shall develop and implement a safety rating program  
13 for child restraints to provide practicable, readily understandable, and timely information to  
14 parents and caretakers for use in making informed decisions in the purchase of child restraints.

15 SECTION 4. *Implementing Rules and Regulations.* – Not later than ninety (90) days after  
16 the passage of this Act, the Secretary shall promulgate the rules and regulations to implement  
17 this Act, including providing for penalties, such as fines, for adults found driving motor vehicles  
18 wherein children twelve (12) years old and below are riding without appropriate child safety  
19 restraints.

20 SECTION 5. *Separability Clause.* – If any provision or part thereof is held invalid or  
21 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
22 valid and subsisting.

23 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
24 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent  
25 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

1           SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
2 publication in at least two (2) newspapers of general circulation.

Approved,