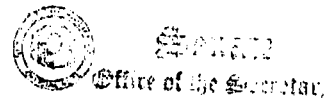


SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'18 MAY 23 A11 :5

SENATE
S.B. NO. 1818


RECEIVED

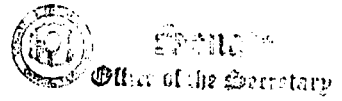
Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
ENSURING THE SAFETY MEASURES FOR CHILDREN RIDING IN MOTOR
VEHICLES

EXPLANATORY NOTE

The proposed bill seeks to protect and minimize death and injury of children through vehicular accidents by imposing safety standards in the transportation of children in motor vehicles, particularly with the use of child restraint devices.


MARIA LOURDES NANCY S. BINAY
Senator



'18 MAY 23 A11 :52

SENATE
S.B. NO. 1818

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Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
ENSURING THE SAFETY MEASURES FOR CHILDREN RIDING IN MOTOR VEHICLES

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

1 Section 1. *Short Title.* – This Act shall be known as the “Children in Motor Vehicle Safety
2 Act of 2017”.

3
4 Sec. 2. *Declaration of Policy.* – The State recognizes the vital role of the youth in
5 nation-building and shall promote and protect their physical, moral, spiritual, intellectual
6 and social well-being. Towards this end, the State shall pursue a proactive and
7 preventive approach in order to secure the safety of children riding in motor vehicles at
8 all times with the enforcement of safety measures.

9
10 Sec. 3. *Definition of Terms.* As used in this Act, the term:

- 11
- 12 (a) “Children” refers to any person fifteen (15) years and below;
- 13
- 14 (b) “Motor vehicle” refers to private vehicles and school buses for pre-school and
15 primary school operated or driven upon a public highway which are propelled
16 by any power other than muscular power and is being used in any way to
17 carry any person from one place to another. It shall likewise include public
18 motor vehicle as defined in Republic Act No. 4136, otherwise known as the
19 “Land Transportation and Traffic Code”; Republic Act No. 8750, otherwise
20 known as the “Seat Belt Use Act of 1999”; and LTO Administrative Order No.
21 BGC-AO-99004, Implementing Rules and Regulations Governing the
22 Installation and Use of Seat Belt Devices and Seat Belt Anchorage;
- 23
- 24 (c) “Seat belt device” refers to any strap, webbing or similar device in the form of
25 pelvic restraint or lap belt, upper torso restraint or shoulder strap or a
26 combination thereof designed to secure a person in a motor vehicle in order
27 to mitigate the results of any accident including all necessary buckles and

1 other fasteners, and all hardware/anchorage designed for installing such seat
2 belt in a motor vehicle; and
3

- 4 (d) "Child restraint system" refers to beds for babies, seats for infants and seats
5 for school children that are manufactured and crafted in accordance with the
6 internationally accepted standards pending adoption of a national standard by
7 the Bureau of Product Standards (BPS) of the Department of Trade and
8 Industry (DTI). Provided, however, that pending the adoption of a national
9 standard by the BPS, the same agency shall issue a list of acceptable child
10 restraint systems which are readily available in the Philippines.
11

12 *Sec. 4. Coverage.* – This Act shall apply to drivers and children passengers of private
13 motor vehicles and school buses for preschool and primary school.
14

15 *Sec. 5. Prohibited Acts.* – It shall be unlawful for any driver of a motor vehicle to travel
16 with children on board without ensuring or exercising the following safety measures:
17

- 18 (a) Infants and/or children ages fifteen (15) years old and below shall be
19 prohibited to sit in the front seat of any running motor vehicle;
20
21 (b) Children shall not be allowed to travel on board any motor vehicle without seat
22 belt devices and/or child restraint systems at the back row seats;
23
24 (c) Children shall not be allowed to ride motorcycles, scooters, motorized bicycles,
25 tricycles, pedicabs or other motor vehicles which are not enclosed and which
26 would expose a child to significant risk of serious injury in the event of a
27 vehicular accident; and
28
29 (d) Children shall not be left unattended inside the motor vehicle without
30 supervision by a person who is eighteen (18) years of age or older under one
31 or more of the following circumstances:
32
33 (1) Under conditions presenting a significant risk to the child's health or
34 safety;
35
36 (2) The engine of the motor vehicle is running; or
37
38 (3) The keys to the motor vehicle are within the motor vehicle.
39

40 *Sec. 6. Exceptions.* – The provisions of this Act shall not apply to public utility vehicles
41 which are not school buses for preschool and primary school. As such, jeepneys and
42 buses, as well as emergency vehicles, shall be exempt from the provisions of this Act. It
43 shall likewise not apply to medical emergencies or when, because of circumstances of

1 the situation, riding in a motor vehicle without a safety device removes such child from
2 an even greater or more imminent danger.

3
4 *Sec. 7. Penalties and Fines.* – Any person found guilty of violating the provisions of this
5 Act shall be punished with a fine of not less than Five Thousand Pesos (P5,000.00) or
6 imprisonment of not more than thirty (30) days, or both, at the discretion of the court,
7 taking into consideration all attending circumstances. Subsequent violations shall be
8 punishable by a fine of not less than Ten Thousand Pesos (P10,000.00) or a penalty of
9 imprisonment of *arresto mayor*, or both, at the discretion of the court. The driver's
10 license shall be revoked upon conviction of three (3) violations of this provision. Such
11 revocation shall prohibit the grant of a new driver's license for (12) months from the
12 date of the conviction.

13
14 *Sec. 8. Implementing Agency.* – The Land Transportation Office (LTO) and the
15 Philippine National Police (PNP) shall be the primary implementing agencies in enforcing
16 the provisions of this Act. Within (60) days from the effectivity of this Act, the LTO, the
17 PNP and the BPS of the DTI shall formulate and issue the necessary implementing rules
18 and regulations and guidelines and shall mobilize available resources to assure the
19 effective implementation of this Act.

20
21 The BPS, in coordination with the LTO, shall likewise formulate the procedure and
22 standards for the approval of safety devices for use by children in motor vehicles and to
23 publish the same with a list of such approved devices not more than ninety (90) days
24 after the approval of the Act.

25
26 *Sec. 9. Separability Clause.* – If any provision or part hereof is held invalid or
27 unconstitutional, the remainder of this Act or the provisions not otherwise affected
28 thereby shall remain valid and subsisting.

29
30 *Sec. 10. Repealing Clause.* – Any law, presidential decree or issuance, executive order,
31 letter of instruction, administrative order, rule or regulation contrary to or inconsistent
32 with the provisions of this Act hereby repealed, modified or amended accordingly.

33
34 *Sec. 11. Effectivity Clause.* – This Act shall take effect fifteen (15) days after its full and
35 complete publication in at least two (2) newspapers of general circulation.

Approved,