


FOURTEENTH CONGRESS OF THE }  
Republic of the Philippines }  
First Regular Session }

8 FEB 13 2013

SENATE

RECEIVED BY: 

Senate Bill No. 2076

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**INTRODUCED BY HONORABLE SEN. JINGGOY EJERCITO ESTRADA**

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**EXPLANATORY NOTE**

Motorcycle accidents are regular occurrence. The motorcycle as a means of transportation, being cheap, as compared to owning a four-wheeled vehicle and fast, has proliferated in main thoroughfares in different cities and municipalities. Because of unregulated use of roads by motorcycle drivers and coupled with their lack of road discipline, this resulted in accidents and even death.

In 2006, as per MMDA record, there were 116 injuries and death only in Metro Manila. This is 26.6% increase in road accidents as compared to 2005 within the said area. Accidents and injuries are definitely greater if provincial data are to be gathered. Congress passed a law requiring motorcycle drivers to wear helmets as additional road protection but this is not enough to minimize accidents and deaths.

With designated motorcycle lanes and adequate education on road discipline, motorcycle accidents in major thoroughfare will be minimized if not eradicated.

Hence, the passage of this bill is fervently sought.

  
JINGGOY EJERCITO ESTRADA

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**AN ACT ESTABLISHING MOTORCYCLE LANES ALONG NATIONAL, PROVINCIAL, CITY AND MUNICIPAL ROADS AND PROVIDING FUNDS THEREFOR**

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

Section 1. *Title.* – This Act shall be known at the **"MOTORCYCLE LANE ACT OF 2008."**

Section 2. *Declaration of Policy.* – It is the policy of the state to maintain order, protect life and property and promote the general welfare for the enjoyment by all the people.

Section 3. *Designation of Motorcycle Lanes.* – In order to carry out the above policy, the Department of Public Works and Highways (DPWH), in coordination with all the local government units, shall designate a one half (½) meter motorcycle lane on both sides of the road from the gutter or easement of the said road.

All local government units which have already designated biking lanes in their respective jurisdiction may use such lanes as motorcycle lanes. However, this does not prevent such local government units from further designating motorcycle lanes within their localities.

Section 4. *Penalties.* – Upon the effectivity of this Act and after the designation of motorcycle lanes, motorcycle riders who do not use the designated motorcycle lane and violate this Act shall be imposed the penalty of not more than six (6) years of imprisonment or a fine of not less than Five thousand pesos (P5,000) but not more than Twenty Thousand Pesos (P20,000), or both, at the discretion of the court.

The DPWH and any local government unit which violate any provision of this Act shall be imposed a penalty of fine of not less than Ten Thousand Pesos (P10,000) but not more than Twenty Thousand Pesos (P20,000), at the discretion of the court. This does not preclude any motorcycle driver to file damages against the local government unit for non-designation of motorcycle lane.

Section 6. *Appropriation.* – To carry out the purposes of this Act, the amount of TEN MILLION PESOS (P10,000,000.00) is hereby appropriated for the designation of motorcycle lanes.

Section 7. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or modified accordingly.

Section 8. *Separability Clause.* – If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

Section 9. *Effectivity.* – This Act shall take effect after fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

*Approved.*