



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress
First Regular Session

HOUSE BILL NO. 32

Introduced by Representative Lord Allan Jay Q. Velasco

EXPLANATORY NOTE

This bill seeks to require a mandatory riders' club or association membership for motorcycle owners and drivers, which will inculcate safety and regulation through a motorcycle safety riding program.

The motorcycle safety riding program requires motorcycle owners and drivers, not only to be a certified member of an accredited or recognized motorcycle riders club, but also to attend motorcycle safety and road courtesy training to be conducted by the motorcycle riders' club or organization. The training courses must be in accordance with the guidelines of the Land Transportation Office (LTO).

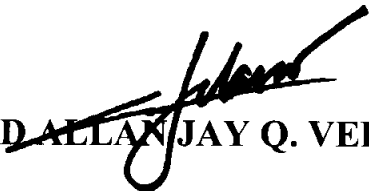
Motorcycle accidents remain to be the leading cause of road accidents in recent years. Based on the Metro Manila Accident Reporting and Analysis System (MMARAS) annual report prepared by the Metro Manila Development Authority, 154 drivers, 36 passengers, and 22 pedestrians were killed in motorcycle crashes in 2019. The number of motorcycle crash incidents, both fatal and non-fatal, ballooned to 31,279 in 2019 from 26,652 in 2018 and 22,063 in 2017.

Moreover, there is a significant increase in the volume of registered motor vehicles nationwide. Data from the LTO reveal that a total of 12,725,305 vehicles registered with the LTO for 2019, 8,000,484 of which are motorcycles. Thus, there is a necessity to look into the proliferation of motorcycles in the country, more so, that motorcycles are widely used in the commission of crimes.

While various efforts were exerted from both the public and private sectors to curtail these accidents, it is still undeniable that the root cause of the problem is the lack of proper education by most motorcycle owners and drivers, especially on the importance of road safety and proper road courtesy. A network of the numerous motorcycle owners and riders will also prevent the commission of crimes, such riding-in-tandems.

This proposed measure will significantly resolve the road safety concerns and will help prevent the use of motorcycles in the commission of crimes. Further, this bill will also highlight motorcycles as a secure, viable, and dependable mode of transportation in the country.

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


LORD ALLAN JAY Q. VELASCO



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**AN ACT
REQUIRING MANDATORY SAFETY TRAINING AS A PRE-
REQUISITE FOR MOTORCYCLE REGISTRATION AND APPROVAL
OF DRIVER'S LICENSES AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF**

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 “*Motorcycle Safety Riding Act.*”

SEC. 2. **Declaration of Policy.** – It is the declared policy of the State to safeguard the life, health, property, and the general welfare of the people. The State acknowledges the value of promoting awareness among its citizens, particularly the motorcycle owners and drivers, of traffic laws, road safety, and road courtesy. In order to guarantee a road network free from undesirable risks and hazards, the State shall pursue a proactive approach to secure motorists and

pedestrians' safety and prevent the commission of crimes by regulating the registration and operation of motorcycles. Furthermore, the State recognizes the importance of community-based organizations and non-profit groups, such as motorcycle riding clubs in crime prevention and nation building.

Towards these ends, the State shall implement a motorcycle safety riding program, which includes membership in motorcycle riders' club and training on road safety standards, proper road courtesy, and pertinent traffic laws, rules, and regulations to promote safety and welfare of motorists and pedestrians, mitigate motorcycle accidents on roads and highways, and prevent crimes committed with the use of motorcycles.

SEC. 3. *Motorcycle Riders Club Membership.* – All motorcycle owners and drivers are mandated to join any motorcycle riders club, duly recognized and accredited by the Land Transportation Office (LTO). The LTO shall devise a system of accreditation and recognition of motorcycle riders club in every region or locality. The LTO shall also require motorcycle owners and drivers to submit a certificate of membership in an accredited and recognized motorcycle riders club as a pre-requisite for the motorcycle registration and approval of a new driver's license or its renewal.

If the motorcycle owner is a juridical entity, any of its director, officer or authorized employee, aside from the actual motorcycle user or driver or the one who has actual control and possession of a private or public utility motorcycle,

will be required to submit the said certificate of membership in an accredited and recognized motorcycle riders club.

For purposes of this Act, *motorcycle owner* refers to a person who owns or is the registered owner, or who has actual control and possession of a private or public utility motorcycle, whether it is registered or not.

SEC. 4. *Motorcycle Riders Club Responsibilities.* – The accredited or recognized motorcycle riders club has the following responsibilities:

- a) Ensure proper recognition and accreditation with the LTO;
- b) Conduct a mandatory motorcycle safety and road courtesy training for all its members as provided under Section 5 of this Act;
- c) Maintain a registry of its *bona fide* members, including pertinent information such as name and address, driver's license number, and plate number, but shall observe at all times RA No. 10173 or the "*Data Privacy Act of 2012*;"
- d) Assist law enforcement agencies during investigations for crimes committed with the use of a motorcycle; and
- e) Assist its members in ensuring faithful compliance with the objectives of this Act.

SEC. 5. *Motorcycle Safety and Road Courtesy Training.* – The accredited or recognized motorcycle riders club shall, in partnership with accredited motorcycle safety driving schools and training centers, conduct a mandatory motorcycle safety and road courtesy training for all its members. The training courses must be in accordance with the guidelines issued by the LTO. Upon

completion of the training, a certificate shall be issued in the name of the motorcycle owner and driver.

If the member of the motorcycle riders' club is a juridical entity, any of its director, officer, or authorized employee shall be required to attend the mandatory motorcycle safety and road courtesy training.

A mandatory motorcycle safety and road courtesy training is also required for the approval of a new application for a driver's license under LTO Restriction Code 1 or under authority to ride motorcycles and tricycles of any engine displacement. In the case of existing holders of a driver's license under LTO Restriction Code 1 or under authority to ride motorcycles and tricycles of any engine displacement, who have not attended any motorcycle safety and road courtesy training, the mandatory training will be required for its renewal.

SEC. 6. *Motorcycle Registration.* – The LTO shall require motorcycle owners to submit the certificate of completion in the motorcycle safety and road courtesy training under Section 5 of this Act as a pre-requisite in the registration of motorcycles. The LTO shall maintain a record of the submitted certificates and ensure that no motorcycle will be registered, unless the owner duly submits the required certificate.

SEC. 7. *Motorcycle Safety and Road Courtesy Training Manual.* – The Secretary of Transportation and the Chief of the LTO shall, in consultation with recognized motorcycle riders' club and other road safety advocates and organizations, initiate the formulation of a comprehensive motorcycle safety

training manual to ensure consistency in the presentation of its training program and provide motorcycle owners and drivers a better understanding with respect to all matters related to road safety practices and procedures on avoiding and mitigating the occurrence of road accidents.

The motorcycle safety training manual shall include basic road rules and regulations, road safety, road signs and hazards, driving courtesy, vehicle safety features, driver's license classification and vehicle categories, and land transportation-related special laws such as Republic Act (RA) No. 10054, otherwise known as the "*Motorcycle Helmet Act of 2009*;" RA No. 10666, otherwise known as the "*Children's Safety on Motorcycles Act of 2015*;" RA No. 11235, otherwise known as the "*Motorcycle Crime Prevention Act*," and RA No. 10913, otherwise known as the "*Anti-Distracted Driving Act*," among others.

SEC. 8. ***Prohibited Acts.*** – The following are prohibited acts:

- a) Owning or driving a motorcycle, without securing the required motorcycle riders club membership's certificate and motorcycle safety and road courtesy training certificate, mentioned under Sections 3 and 5 of this Act, respectively;
- b) Allowing registration of motorcycle, or approving of a new application of driver's license or its renewal without the necessary motorcycle riders club membership's certification and training certification; and

c) Obtaining motorcycle registration or a new driver's license or its renewal by falsifying a certificate of membership in accredited and recognized motorcycle riders' club, as well as the certificate of training completion.

SEC. 9. *Penalties.* – a) Any person who owns or drives a motorcycle without securing the required motorcycle safety and road courtesy training certificate and motorcycle riders club membership's certificate, shall, upon final judgment or conviction, be punished by fine of not less than Ten thousand pesos (P10,000.00), but not more than Thirty thousand pesos (P30,000.00);

b) Any person who allows the registration of a motorcycle or the approval of a new application for driver's license under LTO Restriction Code 1 or under authority to ride motorcycles and tricycles of any engine displacement, or its renewal, without the necessary training certification and motorcycle riders club membership's certification, shall, upon final judgment or conviction, be punished by imprisonment of not less than six (6) months but not more than two (2) years, or a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Fifty thousand pesos (P50,000.00), or both, at the discretion of the court; and

c) Any person who obtains a motorcycle registration or a new driver's license under LTO Restriction Code 1 or under authority to ride motorcycles and tricycles of any engine displacement, or its renewal, by falsifying a certificate of training completion and membership certificate in accredited and recognized motorcycle riders club, shall, upon final judgment or conviction, be punished by imprisonment of not less than six (6) months but not more than two (2) years, or

a fine of not less than Fifty thousand pesos (P50,000.00) but not more One hundred thousand pesos (P100,000.00), or both, at the discretion of the court;

The penalties enumerated herein shall be without prejudice to the liability that may be incurred under the Revised Penal Code and other existing laws.

SEC. 10. **Funding.** – The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the Department of Transportation. Thereafter, such sum as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 11. **Implementing Rules and Regulations.** – Within sixty (60) days from the effectivity of this Act, the Secretary of Transportation shall, in coordination with the Chief of the Land Transportation Office and motorcycle riders' club or road safety advocates and organizations, promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 12. **Repealing Clause.** – All laws, decrees, orders, or rules and regulations or other issuances inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 13. **Separability Clause.** – If any provision of this Act is declared unconstitutional or invalid, the provisions not affected thereby, shall continue to be in force and effect.

SEC. 14. **Effectivity.** – This Act shall take effect fifteen days (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,