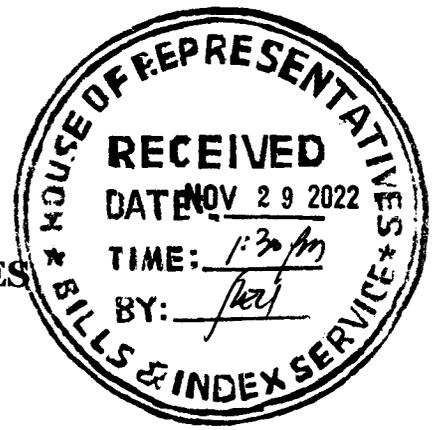




Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila



**NINETEENTH CONGRESS**  
**First Regular Session**

**House Bill No. 6445**

---

Introduced by **1-RIDER Party-list Representative Hon. Ramon Rodrigo**  
**“Rodge” L. Gutierrez**

---

### **EXPLANATORY NOTE**

This measure seeks to require retailers of aftermarket motorcycle parts and accessories to reimburse their buyers should the items sold be found to be non-compliant with Land Transportation Office (LTO) regulations on motorcycle modification.

The LTO has released several issuances specifying the required standards of aftermarket parts and accessories before the installation of the same in a motorcycle. However, buyers of these aftermarket parts and accessories are sometimes met with apprehensions by traffic enforcers or confiscation of the parts or accessories during the annual inspection for motor vehicle registration, with the inspectors claiming that these are not compliant with LTO regulation, at the loss of the buyer.

If the aftermarket parts and accessories are not compliant with LTO regulation, why then are retailers offering these for sale? Potential buyers are given the impression that since retailers are selling certain aftermarket parts and accessories, then these are permitted by law. However, such is not always the case and this measure seeks to address this concern.

This representation strongly believes that the retailers should handle ensuring compliance with LTO regulation, as they would be more familiar with LTO issuances covering the products that they sell. Should retailers fail to conduct due diligence on what is acceptable with the LTO at the time of sale, then they would have to bear the loss upon apprehension.

Thus, the passage of this Bill is earnestly sought.

**HON. RAMON RODRIGO “RODGE” L. GUTIERREZ**  
Representative, 1-RIDER Party-List



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**NINETEENTH CONGRESS**  
**First Regular Session**

**House Bill No. 6445**

---

Introduced by **1-RIDER Party-list Representative Hon. Ramon Rodrigo**  
**“Rodge” L. Gutierrez**

---

**AN ACT MANDATING RETAILERS OF AFTERMARKET  
MOTORCYCLE PARTS AND ACCESSORIES TO ISSUE  
WARRANTIES AND REIMBURSE END-USER BUYERS FOR  
NON-COMPLIANT MOTORCYCLE PARTS AND ACCESSORIES  
WITH CURRENT LAND TRANSPORTATION OFFICE (LTO)  
REGULATION**

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

**Section 1. Title.** – This act shall be known as the “The Aftermarket Motorcycle Parts and Accessories Retail Protection Act”.

**Section 2. Declaration of Policy** – It is the policy of the State to serve and protect the people, to maintain peace and order by ensuring that law is properly followed, to protect life, liberty, and property, and to ensure equity in commercial transactions.

**Section 3. Definition of Terms.** For purposes of this Act, the terms:

- a) “*Motorcycle*” - a two-wheeled motor vehicle having one or two riding saddles;
- b) “*Aftermarket Motorcycle Parts and Accessories*” – features and accessories that enhance the safety, performance or comfort of a motorcycle, including but not limited to, windscreens, tires, brakes, side mirrors, head lights, turn signals, mufflers, air filters and motorcycle stands, purchased and installed by the motorcycle owner post-sale;
- c) “*Retailer*” - sellers of aftermarket motorcycle parts and accessories to end-user buyers;
- d) “*Buyer*” – end-user buyer of an aftermarket motorcycle part or accessory;
- e) “*DTI*” - the Department of Trade and Industry;
- f) “*LTO*” - the Land Transportation Office

**Section 4. Mandatory Compliance with LTO Regulation.** – Retailers shall ensure that all aftermarket motorcycle parts and accessories for sale to the public are compliant with current LTO Regulations on required specifications for motorcycle modifications. Retailers shall also ensure the proper installation of the same, following current LTO Regulations, should the buyer request for installation services.

**Section 5. Warranty of LTO Compliance.** – Upon the sale of every item, retailers shall issue a written express warranty of LTO regulation compliance on all aftermarket motorcycle parts and accessories sold, and a copy shall be given to the buyer with the official receipt. The written express warranty shall state (i) the date of sale, (ii) the specific LTO regulation in effect covering all items sold and (iii) the party responsible for installing the same.

**Section 6. Obligation to Reimburse Buyers** – Upon finding by proper government agencies that the aftermarket parts and accessories sold is (i) not in accordance with current LTO regulations or (ii) not properly installed on the motorcycle, the buyer has the right to be fully reimbursed of the non-compliant aftermarket motorcycle part or accessory, with the retailer bearing the loss.

However, should the written express warranty show that either (i) the aftermarket parts and accessories were compliant with LTO regulations at the time of the sale or (ii) the party responsible for installing the parts and accessories was not the seller, the buyer shall bear the loss.

**Section 7. Regulating Agency.** – The DTI, in coordination with the LTO, shall be the main government agency to monitor the implementation of this Act. The DTI shall be responsible for handling all requests for reimbursement from buyers.

**Section 8. Implementing Rules and Regulations.** – Within ninety (90) days from the effectivity of this Act, the DTI, in coordination and consultation with other government agencies and relevant stakeholders, shall issue the corresponding implementing rules and regulations for this Act.

**Section 9. Repealing Clause.** – All laws, presidential decrees, executive orders, rules and regulations or part thereof, contrary to or inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

**Section 10. Separability Clause.** - If any section or provision of this Act is held unconstitutional or invalid, all other sections or provisions shall remain in full force and effect.

**Section 11. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or any two (2) newspapers of general circulation.



Approved.