Enshrined in Section 13, Article II of our 1987 Constitution is the declared policy of the State that “The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism and encourage their involvement in public and civic affairs.”

The same spirit is inculcated in Section 19 (1), Article XIV of our 1987 Constitution which provides, “The State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry.”

The sporting world is not an easy one—triumphs require nothing less than their blood, sweat, and tears. Yet, young Filipino athletes have persevered and proven their mettle against the best of the best.

Our Filipino athletes go through extensive and costly training to compete and represent our flag in both local and international competitions.
Some of our notable athletes in the field of motorcycle sports are Troy Alberto, TJ Alberto, Dashi Watanabe, Masato Fernando, BJ Ang, McKinley Kyle Paz, Eane Jay Sobretodo, Janelle Saulog, Pia Gabriel, Maico Buncio, Jacq Buncion Des Buncio, Bornok Mangosong and Kenneth San Andres. These athletes fearlessly and proudly represent our country in the international arena.

Unfortunately, there are still many challenges they face such as lack of training facilities and very expensive cost of training. In the recent years, accidents occurred during motorcycle sport competitions due to negligence and worse, non-compliance of safety standards. These are just a few of the major concerns that this bill seeks to address. The State should improve safety for the protection of the local racing circuits and motorcycle sport athletes.

In a globally competitive sports that test reflexes, endurance, spatial awareness, amongst others, Filipinos are not been far behind. Philippine teams show potential to go up the rankings in more prestigious international competitions.

Moreover, it is also imperative for the State with the help of the private sector, to ensure that all motorcycle sport training facilities comply with safety standards by providing incentives to needed investments. This shall give opportunity for our country to host international motorcycle sport competitions and events. This shall incidentally result to economic growth through the influx of tourism, creation of employments, business opportunities and investments in our country.

It is for this reason that the State should offer its support towards our motorcycle sport athletes and to sporting events to allow greater access to the untapped pool of gifted individuals and to showcase to the world what Filipino athletes are capable of.

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

Hón. Luisa Lloren Cuaresma
AN ACT MANDATING THE PHILIPPINE SPORTS COMMISSION TO RECOGNIZE MOTORCYCLE SPORTS AND FOR OTHER PURPOSES

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 Sports Act”

SECTION 2. General Mandate – Section 13, Article II of our 1987 Constitution provides that the “The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism and encourage their involvement in public and civic affairs.”

Section 19 (1), Article XIV of our 1987 Constitution further provides, “The State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international
competitions, to foster self-discipline, teamwork, and excellence for the
development of a healthy and alert citizenry."

SECTION 3. Objectives – The following are the objectives of this Act:
  1) Recognize the vital role of the youth in nation-building by
     encouraging them to actively join and participate in sporting
     events;
  2) Recognize and promote different motorcycle sport disciplines
     in the country;
  3) Acknowledge the motorcycle sport athletes representing our
     country in local and international competitions;
  4) Holistically support the development of motorcycle sport
     athletes in the country to be globally competitive;
  5) Establish the rights and responsibilities of motorcycle sport
     athletes, instructors, coaches, motorcycle sport organizations,
     and organizers
  6) Promote motorcycle road safety, courtesy and etiquette
     through sports;
  7) Establish motorcycle sport discipline standards;
  8) Create job opportunities and employments;
  9) Attract investments for different motorcycle sports training
     facilities race bikes
 10) Attract tourism through motorcycle sports competitions and
     events;
 11) Incentivize investments supporting motorcycle sport industry;
     and
 12) Instill the spirit of camaraderie, self-discipline, sense of
     patriotism and nationalism to all citizenry.

SECTION 4. Definition of Terms – For the purpose of this Act, the
following terms shall be defined as follows:
a) **Certified Motorcycle Sport Instructor or Coach** refers to an
   individual who has been certified by the Motorcycle Sports
   Authority qualified to engage in an undertaking to conduct
   motorcycle safety education and facilitate training in different
   motorcycle sport disciplines.

b) **Motorcycle Sport Athlete** refers to any person who is engaged or
   training to be engaged in any motorcycle sport discipline for the
   purpose of leisure and competition.

c) **Motorcycle Sport Disciplines** refers to a field that encompasses
   all sporting aspects of motorcycling.

d) **Motorcycle Sport Industry** refers to different stakeholders
   engaged or has an interest in different motorcycle sport
disciplines. The term includes but is not limited to the Certified Motorcycle Sport Instructors or Coaches, Motorcycle Sport Athlete, Motorcycle Sport Organization, Motorcycle Sport Organizer, Motorcycle sport training institutions and facilities and any all other persons who are engaged with or who contributes to the different motorcycle sport disciplines.

e) **Motorcycle Sport Organization** refers to an organization duly registered in accordance with the Philippine laws established for the purpose of promoting motorcycle sports, road safety, sportsmanship and camaraderie among the members of the motorcycle industry in the country.

f) **Motorcycle Sport Organizer** refers to any person, organization or entity that hosts or facilitates motorcycle sport competitions and events.

g) **Motorcycle Sport Training Facility** refers to an institution, facility or racetrack built for the purpose of conducting motorcycle sport training, competition and events.

**SECTION 5. Motorcycle Sport Disciplines** - The State shall recognize the following motorcycle sports:

1) Road racing;
2) Motocross;
3) Enduro;
4) Track racing; and
5) Other motorcycle sports that the Philippines may adopt provided it is recognized as an international motorcycle sporting event, sanctioned by the Motorcycle Sports Authority and it adheres to international safety standards.

**SECTION 6. Creation of Motorcycle Sports Authority** – There shall be a Motorcycle Sports Authority under the Philippine Sports Commission (PSC) to be the leading body in overseeing, regulating, supervising, supporting and promoting the motorcycle sport industry.

**SECTION 7. Composition of the Motorcycle Sports Authority (MSA)** – Motorcycle Sports Authority shall be a collegial body to be headed by the chairperson of the PSC, one representative each from the Department of Transportation (DOTr), Department of Tourism (DOT), Department of Education (DepEd), Technical Education and Skills Development Authority (TESDA), Department of Health (DOH), the Chief Local Executive of the Local Government Unit (LGU) where the official motorcycle sport training facility or racetrack shall be located and one representative from each duly registered motorcycle sport organizations.
SECTION 8. Duties and Functions of the Motorcycle Sports

Authority—The Motorcycle Sports Authority shall have the following duties and responsibilities:

1) To enforce the provisions of this Act;
2) Be the leading body in coordination with the Department of Science and Technology (DOST) and State Universities for the conduct of research and development initiatives on different motorcycle sport disciplines in the country;
3) To coordinate and cooperate with different public and private institutions, organizations and individuals involved in supporting the motorcycle sport industry;
4) Conduct motorcycle sports training and seminars in coordination with DOTr, TESDA and other government agencies;
5) Conduct motorcycle safety training and seminars in coordination with DOTr, TESDA and other government agencies;
6) Conduct motorcycle repair and maintenance training and seminars in coordination with Department of Labor and Employment (DOLE), DOTr, TESDA and other government agencies;
7) Certify motorcycle sport instructors and coaches to ensure eligibility and compliance with safety standards;
8) Accredit and certify motorcycle sport training institutions, facilities or racetracks to guarantee compliance with the motorcycle sports standards, current safety standards and existing local and international laws;
9) To conduct yearly inspection, examination and evaluation of all motorcycle sport training facilities;
10) To inspect and evaluate motorcycle sport training facilities before the conduct of any motorcycle sport competitions or events and certify that the facility is safe to use;
11) Issue racing permits to motorcycle sport organizations or organizers;
12) To suspend, revoke or cancel permits in case of non-compliance with terms and conditions of the permits or any violation of existing laws upon observance of due process;
13) Issue racing license to motorcycle sport athletes competing in both local and international competitions;
14) Accredit foreign motorcycle sport athletes and foreign motorcycle sport instructors and coaches participating in any
motorcycle sport competitions and events or providing motorcycle sport education and training;

15) Prepare and submit annual performance and financial reports on the expenditures, activities, events and competitions accomplished to the Office of the President and Congressional Oversight of the Committee on Youth and Sports Development;

16) Coordinate with the DOTr for the determination and establishment of reasonable fees for certifications, racing licenses and permits;

17) Identify problem areas concerning motorcycle sport athletes and the industry.

18) Propose, conceptualize or initiate projects that may be conducted in the future to realize the objectives of this Act;

19) Foster the holistic development of motorcycle sport athletes;

20) Support, organize and sanction local and international motorcycle sports events and competitions;

21) Create a quasi-judicial board with the following functions:
   a. To mediate and adjudicate dispute between and amongst the different stakeholders of the motorcycle sport industry;
   b. Upon prior notice to all parties, to hear and decide complaints and investigations for any violation of this Act;
   c. Conduct and issue different modes of discovery;
   d. Issue orders and resolutions;
   e. Award damages;
   f. Impose fines and penalties for any violation of this Act;
   g. To cite a person in contempt for disobedience of lawful orders;
   h. When necessary, refer to courts or other government agencies having proper jurisdiction;

22) To promote motorcycle road safety, courtesy and etiquette;

23) Ensure faithful compliance with the different motorcycle sport discipline rules and regulations;

24) To ensure that all motorcycle athletes is fit and capable to join and participate any motorcycle sport competition and that they are not under the influence of any dangerous drug, intoxicating substance or alcohol;

25) Accredit qualified, skilled and experienced medical and emergency responders from different agencies, organizations and institutions;
26) Ensure the presence of accredited medical and emergency response team at all times, in all motorcycle sport competitions and events;

27) To streamline the processes of importation and exportation of sporting gears, equipment and motorcycles to be used directly and exclusively for motorcycle sport training, competitions and events;

28) Establish standards on types of sporting gears and equipment that shall be used in different motorcycle sport disciplines to be used by motorcycle athletes;

29) Establish standards on the different motorcycle to be used by motorcycle athletes in different motorcycle sport discipline;

30) To advocate respect and awareness amongst different motorcycle organizations and motorcycle sport athletes;

31) To advocate responsible and safe use of motorcycle amongst the populace;

32) Create policies, guidelines, circulars, orders, resolutions and other issuances necessary to ensure strict implementation and compliance with this Act; and

33) All other implied powers necessary to accomplish the purpose of this Act for the general welfare of the motorcycle sport industry, riding community and the public.

SECTION 9. Construction of the Philippine Motorcycle Sport Facility

The Motorcycle Sports Authority under the PSC is hereby mandated to facilitate the creation and construction of the official motorcycle sport training facility in compliance with existing laws and international safety standards.

In accomplishing this provision, the State shall prioritize the promotion of the preferential use of Filipino labor, domestic materials and adopt measures that help make them competitive.

Further, the State shall also recognize the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments to accomplish the provision of this Act.

SECTION 10. Motorcycle Sport Athlete – All motorcycle sport athletes shall comply with the following requirements:

1) Acquire racing license;

2) Maintain good moral character;

3) Comply with motorcycle sport safety standards;

4) Comply with the terms and conditions of the racing license;
5) Must wear proper motorcycle sport gears and equipment as prescribed by the MSA and international safety standards at all times when trying out, joining or participating in any motorcycle sport competition and event;

6) Comply with the different motorcycle sport discipline rules and regulations; and

7) Must be fit and free of any dangerous drug, intoxicating substance or influence of alcohol during any motorcycle sport training, competition or event.

All motorcycle sport athletes shall ensure that the motorcycles they use in motorcycle sport training, competition and events comply with the safety standards. The motorcycle tires used in motorcycle sport must be marked, "NOT FOR HIGHWAY USE". Further, the motorcycle shall not be allowed in public thoroughfares and must be hauled properly during its transport to and from the motorcycle sport training facility, racetrack or other location where motorcycle sport competition or event is held.

SECTION 11. Minor Athletes – A motorcycle sport athlete with the age of eighteen (18) years and below may participate in local and international motorcycle sport competitions and events using a motorcycle owned and registered under their parents or legal guardians or sponsored by any natural or juridical person authorized by the MSA. Provided, they are accompanied by their parents or legal guardian or by a certified motorcycle sport instructor or coach at all times during any motorcycle sport training, competition or event.

SECTION 12. Certified Motorcycle Sport Instructors and Coaches – The MSA is hereby mandated to certify that all motorcycle sport instructors and coaches have undergone necessary motorcycle safety and motorcycle sport trainings and seminars, maintains good moral character, adheres to different motorcycle sport discipline rules and regulations, complies with motorcycle road safety standards and promote the spirit of sportsmanship among motorcycle athletes.

The Implementing Rules and Regulations of this Act shall provide a transitory period of six (6) months from the effectivity of this Act to give reasonable time for the instructors and coaches to comply with the provisions of this Act.

SECTION 13. Motorcycle Sport Organizer – Any person, organization or entity that will host, sanction or facilitate any motorcycle sport competition or event must comply with the following requirements:
a) Secure a racing permit to hold, sanction or facilitate motorcycle
sport competition from MSA;
b) Secure accredited medical and emergency responders as provided
under Section 13 of this Act;
c) Secure permit from the owner of motorcycle sport training
facility, racetrack or other place where the competition or event
shall be held;
d) Secure certification from the MSA that the motorcycle sport
training facility or other location of motorcycle sport competition
or event is in compliance with existing laws and international
safety standards.
e) Ensure presence of adequate race martials and other motorcycle
sport officials necessary in different motorcycle sport discipline in
all motorcycle sport competition or event.
f) Comply with the rules and regulations of different motorcycle
sport discipline.

SECTION 14. **Accredited Medical and Emergency Responders** – In
order to maintain the safety and security of the motorcycle sport athletes and
the public, the MSA is mandated to ensure that there shall be an accredited
medical and emergency response team with at least 2 ambulance and licensed
trauma physicians present at all times during motorcycle sport competitions
and events.

The MSA shall be in coordination with the DOH, the LGU and other
government agencies to implement the foregoing provision.

SECTION 15. **Right to Train and Participate in local and
International Competitions** – It is the right of an eligible motorcycle sport
athlete to train, try out, train and participate in local and international sports
competition and represent the country as part of the national team.

For minor athletes, consent of their parents or legal guardian must be
taken before joining and participating in any motorcycle sport competition or
event.

Any form of disability shall not be a ground for the denial of an athlete
to train, join and participate in any motorcycle sport competition or event
provided that they are fit and capable to join and participate as certified by a
public health physician.

SECTION 16. **Tax Exemption for the Importation and Exportation of
Motorcycles, Sporting Gears and Equipment** – The importation and
exportation of motorcycles, sporting gears and equipment that shall be directly
and exclusively used by a motorcycle sport athlete for local and international
motorcycle sport competition shall be free of tax.

SECTION 17. Travel Tax Exemption for Motorcycle Sport Athletes—
The motorcycle sport athletes representing the Philippines in international
motorcycle sport competition shall be exempted from Travel Tax when they
depart the country for an overseas motorcycle sport competition. Provided that
the motorcycle sport athlete is certified by the MSA as the Philippine’s
delegation to an international motorcycle sport competition. Provided further,
this provision shall only be effective during the period of the motorcycle sport
competition as certified by the MSA.

SECTION 18. Incentives for Motorcycle Sport Investments—All
donations or sponsorships made directly and exclusively for our motorcycle
sport athletes and to the motorcycle sport training facilities shall be exempted
from Donor’s tax

SECTION 19. Congressional Oversight Committee on Youth and
Sports Development—There shall be a Congressional Oversight Committee on
Youth and Sports Development that will oversee the conduct and expenditures
of the MSA. The committee may conduct legislative inquiry and investigations
in aid of legislation on matters pertaining and affecting the motorcycle sport
industry.

SECTION 20. Investigation—For the purpose of this Act, a complaint
shall be filed to the PSC by an athlete, athlete’s parents or guardian or any
person or entity on behalf on an athlete or any other party who may be affected
by any violation of this Act. An investigation shall be conducted by the quasi-
judicial board of the MSA after notice to all parties.

SECTION 21. Waiver of future accident or injury.—In any motorcycle
sport competition or event, any waiver of future accident or injury shall be null
and void being contrary to public policy.

SECTION 22. Prohibited Acts and Penalties—Any person, natural or
juridical, to perform any act that directly or indirectly, induces, threatens, by
force or intimidation, denies an athlete from participating in any try outs,
training programs, or from representing the country in motorcycle sports
competitions or violating Section 15 of this Act shall be punished by a fine of
one hundred thousand pesos (Php 100,000.00) to five hundred thousand pesos
(Php 500,000.00) without prejudice to payment of damages.
Any motorcycle athlete who shall be found violating Section 10 and 11 of this Act and the implementing rules and regulations of this Act shall be punished by temporary disqualification, suspension of racing license and a fine of fifty thousand pesos (Php 50,000.00) without prejudice to other administrative, civil or criminal liabilities.

Any motorcycle sport instructor or coach who shall be found violating Section 12 of this Act shall be punished by a fine of one hundred thousand pesos (Php 100,000.00) and shall be temporarily disqualified to conduct road safety education and motorcycle sport training without prejudice to other administrative, civil or criminal liabilities.

Any motorcycle sport organizer who shall be found violating Section 13 and 14 and the appropriate international racing safety standards set forth by the provisions of this Act and the implementing rules and regulations of this Act shall be punished by a fine of one million pesos (Php 1,000,000.00), revocation of racing permit and shall be perpetually disqualified to host or organize any motorcycle sport competition or event without prejudice to other administrative, civil or criminal liabilities.

The owner of the motorcycle sport training facility where a motorcycle sport competition or event is held who shall be found not in compliance with the appropriate international racing safety standards and existing laws on the establishment and construction of motorcycle sport training facility shall be punished by a fine of one million pesos (Php 1,000,000.00) and suspension of business permit and permit to operate until it has complied with existing laws and international safety standards.

Any accredited medical and emergency responder who commits gross negligence in the performance of their duties shall be punished by a fine of one million pesos (Php 1,000,000.00), revocation of their accreditation from the MSA without prejudice to other administrative, civil and criminal liabilities.

SECTION 23. Implementation Rules and Regulations - The PSC shall be in coordination, consultation and shall seek the participation of the DOTr, DOT, DOST, TESDA, DepEd, and the Chief Local Executive of the LGU where the motorcycle sport training facilities are located in crafting the implementing rules and regulations to attain the objectives of this Act.

SECTION 24. Appropriations – The funds necessary for the initial and continuous implementation of this Act shall be included in the annual General Appropriations Act.
SECTION 25. Separability Clause – Should any provision of this Act be subsequently declared unconstitutional, the same shall not affect the validity or the legality of the other provisions.

SECTION 26. Repealing Clause – All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 27. Effectivity Clause - This Act shall take effect sixty (60) days after its publication in the Official Gazette or newspaper of general circulation.

Approved,