

S. No. 2488

H. No. 4462

Republic of the Philippines
Congress of the Philippines
Metro Manila

Sixteenth Congress

Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand fourteen.

[REPUBLIC ACT No. **10666**]

AN ACT PROVIDING FOR THE SAFETY OF CHILDREN
ABOARD MOTORCYLES

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 “Children’s Safety on Motorcycles Act of 2015”.

SEC. 2. Declaration of Policy. – It is the policy of the State to defend the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development.

Towards this end, the State shall pursue a more proactive and preventive approach to secure the safety of passengers, especially children, by regulating the operation of motorcycles along roads and highways.

SEC. 3. Definitions. – For purposes of this Act, the following terms shall mean:

(a) *Motorcycle* refers to any two (2)-wheeled motor vehicle having one (1) or two (2) riding saddles;

(b) *Public roads* refer to roads designed by the national government or local government units as roads for public use such as, but not limited to, national highways, provincial roads, city, municipal and barangay streets;

(c) *Foot peg* refers to a flat form attached to the motorcycles on which to stand or brace the feet; and

(d) *Rider* refers to the driver of a motorcycle.

SEC. 4. Prohibition. – It shall be unlawful for any person to drive a two (2)-wheeled motorcycle with a child on board on public roads where there is heavy volume of vehicles, there is a high density of fast moving vehicles or where a speed limit of more than 60/kph is imposed, unless:

(a) The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle;

(b) The child's arms can reach around and grasp the waist of the motorcycle rider; and

(c) The child is wearing a standard protective helmet referred to under Republic Act No. 10054, otherwise known as the "Motorcycle Helmet Act of 2009."

SEC. 5. Exception. – Notwithstanding the prohibition provided in the preceding section, this Act shall not apply to cases where the child to be transported requires immediate medical attention.

SEC. 6. Penalties. – Any person who operates a motorcycle in violation of Section 4 of this Act shall be fined with an amount of three thousand pesos (P3,000.00) for the first offense; five thousand pesos (P5,000.00) for the second offense; and ten thousand pesos (P10,000.00) for the third and succeeding offenses.

Moreover, for the third offense, the driver's license of the offender shall be suspended for a period of one (1) month.

Violation of these provisions beyond the third time shall result to automatic revocation of the offender's driver's license.

SEC. 7. Review of Penalties. – The Land Transportation Office (LTO) is hereby empowered to increase or adjust the amounts of fines herein imposed: *Provided, That:*

(a) The increase or adjustment is made after public consultation once every three (3) years from the effectivity of this Act and in the amount not exceeding twenty percent (20%) of the amounts sought to be increased or adjusted;

(b) A thorough study has been conducted indicating that the existing amounts are no longer an effective deterrent;

(c) Current relevant economic indices, such as the Consumer Price Index (CPI), have been considered in the determination of the increase or adjustment; and

(d) The increases or adjustment shall only become effective fifteen (15) days after its publication in two (2) newspapers of general circulation.

SEC. 8. Qualifying Circumstances. – If, in violation of the provisions of this Act, death shall have resulted or serious or less serious injuries shall have been inflicted upon the child or any other person, a penalty of one (1) year imprisonment shall be imposed upon the motorcycle rider or operator of the motorcycle involved without prejudice to the penalties provided under Act No. 3815, otherwise known as "The Revised Penal Code of the Philippines", as amended.

SEC. 9. Authority to Deputize Traffic Enforcers and Local Government Units (LGUs). – To effectively implement the provisions of this Act, the LTO is hereby given the authority to deputize members of the Philippine National Police (PNP), the Metropolitan Manila Development Authority (MMDA) and the LGUs to carry out enforcement functions and duties.

SEC. 10. *Public Information Campaign.* – Not later than thirty (30) days following the promulgation of the Implementing Rules and Regulations (IRR) of this Act, the LTO, in coordination with the Philippine Information Agency (PIA), the Department of Education (DepED) and concerned private organizations and agencies, shall undertake a nationwide information and education campaign for a period of three (3) months on the important provisions of this Act and its IRR.

Thereafter, the aforementioned agencies shall include the essential provisions of this Act in their respective annual communications programs.


SEC. 11. *Implementing Rules and Regulations.* – As the lead agency, the LTO shall formulate the IRR of this Act within ninety (90) days after its effectivity.

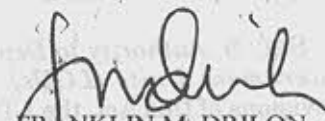
SEC. 12. *Separability Clause.* – If for any reason any section or provision of this Act is declared unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 13. *Repealing Clause.* – All laws, decrees, or rules and regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed.


SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) national newspapers of general circulation.


Approved,


 FELICIANO BELMONTE JR.
 Speaker of the House
 of Representatives



 FRANKLIN M. DRILON
 President of the Senate

This Act which is a consolidation of Senate Bill No. 2488 and House Bill No. 4462 was finally passed by the Senate and the House of Representatives on May 27, 2015.


 MARILYN B. BARUA
Secretary General
House of Representatives


 OSCAR G. YABES
Secretary of the Senate

Approved: JUL 21 2015


 BENIGNO S. AQUINO III
President of the Philippines

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