

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SEVENTEENTH CONGRESS
Third Regular Session

COMMITTEE REPORT NO. 879

Submitted by the Committee on Transportation on OCT 02 2018

Re : House Bill No. 8322

Recommending its approval in substitution of House Bill No. 1318

Sponsor/s : Representatives Cesar V. Sarmiento and Mariano M. Velarde, Jr.

Madam Speaker:

The Committee on Transportation to which was referred:

House Bill No. 1318, introduced by Rep. Mariano M. Velarde, entitled:

**“AN ACT REQUIRING THE MANDATORY COMPLIANCE
BY ALL MOTORCYCLE DRIVERS AND OPERATORS TO
AUTOMATICALLY TURN ON AND RIDE WITH THEIR
HEADLIGHTS ON AT ALL HOURS OF THE DAY AND
NIGHT ON ALL ROADS”**

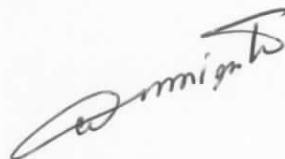
has considered the same and recommends that the attached House Bill No.
8322, entitled:

**“AN ACT REQUIRING THE MANDATORY COMPLIANCE
BY ALL MOTORCYCLE RIDERS AND OPERATORS TO
AUTOMATICALLY TURN ON AND RIDE WITH THEIR
HEADLIGHTS ON AT ALL HOURS OF THE DAY AND
NIGHT ON ALL ROADS”**

be approved in substitution of House Bill Number 1318 with Representatives
Mariano Michael M. Velarde, Jr., Cesar V. Sarmiento, Romeo M. Acop, Carlito
Marquez, Raneo E. Abu, Rozanno Rufino B. Biazon, Jesulito A. Manalo,

Joseph Stephen S. Paduano, Strike B. Revilla and Johnny Ty Pimentel as authors thereof.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Sarmiento", written in a cursive style.

REP. CESAR V. SARMIENTO

Chairman,

Committee on Transportation

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8322

(In substitution of House Bill No. 1318)

Introduced by Representatives Velarde, Jr., Sarmiento (C), Acop, Marquez, Abu,
Biazon, Manalo, Paduano, Revilla and Pimentel

AN ACT
REQUIRING THE MANDATORY COMPLIANCE BY ALL MOTORCYCLE
RIDERS AND OPERATORS TO AUTOMATICALLY TURN ON AND RIDE
WITH THEIR HEADLIGHTS ON AT ALL HOURS OF THE DAY AND
NIGHT ON ALL ROADS

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

1 **Section 1. Short Title.**– This Act shall be known as the “*Mandatory*
2 *Automatic Headlights On for Motorcycles Act*”

3 **Sec. 2. Declaration of Policy.** – It is hereby declared the policy of the State to
4 secure and safeguard its citizenry, particularly the riders and operators of motorcycles
5 as well as their passengers and pedestrians, from the ruinous and extremely injurious
6 effects of vehicular accidents. Towards this end, the State shall pursue a more
7 proactive and preventive, rather than merely remedial or reactionary approach with
8 the mandatory enforcement of a low-cost method to reduce and prevent road crashes
9 by requiring all motorcycles in operation with their headlights turned on at all hours
10 of the day and night, thereby increasing conspicuity and visibility.

11 **Sec. 3. Definition of Terms.** – As used in this Act:

12 (a) *Motorcycle* refers to any motor vehicle having a seat or saddle for the use
13 of the rider and designed with not more than two (2) wheels in contact with the
14 ground and weighing not more than three thousand three hundred (3,300) kilograms.

15 The term motorcycle does not include bicycles and tricycles or motorcycles
16 equipped with a sidecar, whether or not intended for private use or as a public utility
17 vehicle or vehicle for hire.

18 (b) *Rider* refers to the driver or operator of a motorcycle.

1 (c) *Road* refers to any road, street, expressway, highway or thoroughfare
2 within the territorial jurisdiction of the Republic of the Philippines, including those
3 that have been determined as limited access facilities.

4 **Sec. 4. *Mandatory Use of Headlights During the Day and Night.*** – For the
5 safety of all riders of motorcycles and passengers thereon, and the public in general,
6 all motorcycles, without exception, may only run on any road with their headlights
7 turned on at all hours of the day and night.

8 **Sec. 5. *Provisions for Automatic Headlights On System, Mechanism or***
9 ***Device.***– Following the effectivity of this Act, all motorcycle manufacturers,
10 assemblers and distributors must, before the sale or distribution of any motorcycle,
11 ensure that the same is equipped with an automatic headlights on system, mechanism
12 or device which automatically turns on the headlights when the engine of the
13 motorcycle is started and keeps the headlights in that state as long as the engine is
14 running.

15 **Sec. 6. *Importation.***– It shall be unlawful for any person to import or cause
16 the importation of any motorcycle without the appropriate and operational automatic
17 headlights on system, mechanism or device required in Section 5 hereof.

18 **Sec. 7. *Type of Headlights Required.*** – Every motorcycle must be equipped
19 with at least one (1) and not more than two (2) working headlights.

20 Whether the motorcycle is equipped with single beam or multiple beam
21 headlights:

22 (a) The headlights must be of sufficient intensity to reveal a person or a
23 vehicle at any distance of not less than 30.5 meters when the motorcycle is operated at
24 any speed less than 40.225 kilometers per hour and at any distance of not less than 61
25 meters when operated at a speed of 40.225 to 56.315 kilometers per hour and a
26 distance of 91.5 meters when operated at a speed greater than 56.315 kilometers per
27 hour.

28 (b) If the motorcycle has a multi-beam headlight, the upper beam must meet
29 the minimum requirement set forth above.

30 (c) If there is a single beam headlight, it must be aimed so that when the
31 motorcycle is loaded, none of the high intensity portion of the light, at a distance of
32 7.625 meters ahead, will project higher than the level of the center of the lamp from
33 which it comes.

1 **Sec. 8. Registration.** – Upon the effectivity of this Act, no new motorcycle
2 shall be allowed initial registration and succeeding renewal of registration unless it is
3 equipped with the necessary automatic headlights on system, mechanism or device.
4 The renewal of registration of in-use motorcycles without the required automatic
5 headlights on system, mechanism or device shall not be allowed one (1) year after the
6 issuance of the Implementing Rules and Regulations (IRR) of this Act.

7 **Sec. 9. Penalties and Fines.**– In the enforcement of this Act, the LTO shall
8 impose fines and penalties against the riders, manufacturers, assemblers, importers or
9 distributors for violating the provisions of this Act. The following shall be the basis in
10 determining the fines and penalties: *Provided,* That a grace period of six (6) months
11 from the effectivity of the IRR shall be granted to allow the LTO and the other
12 government agencies concerned the opportunity to conduct a nationwide information
13 campaign.

14 (a) On the rider who drives or operates a motorcycle without its headlights
15 turned on at anytime of the day or night:

16 (1) a minimum fine of One thousand pesos (P1,000.00) but not to exceed
17 Two thousand pesos (P2,000.00) for the first violation;

18 (2) a minimum fine of Two thousand five hundred pesos (P2,500.00) but
19 not to exceed Three thousand pesos (P3,000.00) for the second violation; and

20 (3) a minimum fine of Three thousand five hundred pesos (P3,500.00) but
21 not to exceed Five thousand pesos (P5,000.00) and suspension of driver's license for a
22 period of one (1) month for the third and succeeding violations.

23 (b) On any manufacturer, assembler, importer and distributor for every unit of
24 motorcycle found to have been sold, distributed or imported without a working
25 headlight or not equipped with an automatic headlight on system, mechanism or
26 device:

27 (1) a minimum fine of Five thousand pesos (P5,000.00) but not to exceed
28 Ten thousand pesos (10,000.00) and suspension of the license to manufacture,
29 assemble, import or distribute for a period of one (1) year for the first violation;

30 (2) a minimum fine of Ten thousand pesos (P10,000.00) but not to exceed
31 Twenty thousand pesos (P20,000.00) and suspension of the license to manufacture,
32 assemble, import or distribute for a period of two (2) years for the second violation;
33 and a fine of Fifty thousand pesos (P50,000.00) and suspension of the license to

1 manufacture, assemble, import or distribute for a period of five (5) years for the third
2 violation.

3 **Sec. 10. *Nationwide Public Information Campaign.*** – (a) The LTO, in
4 coordination with the Philippine Information Agency, the Department of Education
5 (DepEd), private agencies and organizations concerned, shall undertake a nationwide
6 information education and communication campaign for the attainment of the
7 objectives of this Act. The campaign shall stress the safety and health value of riding
8 with headlights on while using the motorcycle on all roads at all times of the day and
9 night to support the most effective enforcement of this Act.

10 (b) The LTO, in coordination with the local government units, shall
11 likewise utilize the services of citizen groups and community organizations for the
12 promotion of public safety awareness in observance of and compliance with this
13 Act.

14 **Sec. 11. *Implementing Rules and Regulations.***– The LTO shall be the agency
15 primarily responsible in the enforcement and implementation of this Act. Within sixty
16 (60) days from the affectivity of this Act, the LTO shall formulate and issue the
17 necessary IRR and guidelines to ensure the effective implementation of this Act.

18 **Sec. 12. *Separability Clause.***– If any provision or part hereof is held
19 unconstitutional, the other provisions not otherwise affected shall remain valid and
20 subsisting.

21 **Sec. 13. *Repealing Clause.***– Section 34, Article IV of Republic Act No. 4136,
22 otherwise known as the Land Transportation and Traffic Code on Accessories of
23 Motor Vehicles, and the provisions of any law, executive order, decree, issuance,
24 ordinance, rule and regulation, or parts thereof contrary to or inconsistent with the
25 provisions of this Act are hereby repealed, modified or amended accordingly.

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

28 Approved.

FACT SHEET

8322

House Bill No. 1318

(As approved by the Committee on Transportation on March 14, 2018)

AN ACT REQUIRING THE MANDATORY COMPLIANCE BY ALL MOTORCYCLE RIDERS AND OPERATORS TO AUTOMATICALLY TURN ON AND RIDE WITH THEIR HEADLIGHTS ON AT ALL HOURS OF THE DAY AND NIGHT ON ALL ROADS

*Introduced by: REPS. MARIANO MICHAEL VELARDE, JR., CESAR V. SARMIENTO,
ROMEO M. ACOP, KARLO ALEXIE B. NOGRALES, CARLITO MARQUEZ, RANEO E.
ABU, ROZANNO RUFINO B. BIAZON, JESULITO A. MANALO, JOSEPH STEPHEN S.
PADUANO AND JOHNNY TY PIMENTEL*

*Committee Referrals: COMMITTEE ON TRANSPORTATION
Committee Chairperson: HON. CESAR V. SARMIENTO*

OBJECTIVE:

- To reduce fatal accidents involving motorcycles by requiring that motorcycles running on Philippine roads must have their headlights on at all hours of the day or night.

KEY PROVISIONS:

- Requires motorcycle manufacturers, assemblers and distributors to ensure that all motorcycles must be equipped with automatic headlights on system, mechanism or device before being distributed or sold and as a prerequisite for initial registration or renewal thereof;
- Declares as unlawful the importation of a motorcycle not equipped with Automatic Headlights On system, mechanism or device;
- Defines the requirements as to the number, intensity and orientation of headlights and requires that all locally-manufactured and imported motorcycles must be equipped with headlights that automatically turn on once the motorcycle engine is started and remain in that state as long as the engine is running;
- Provides a graduated penalty of fine including the suspension of driver's license for motorists, owners and operators who violate the provision of the Act;

- Penalizes any manufacturer, assembler, importer and distributor who acts in violation of the Act with a graduated penalty of fine including the suspension of license to manufacture, assemble, import or distribute motorcycles; and
- Allows a one (1) year compliance period following the promulgation of the implementing rules and regulations (IRR) for in-use motorcycles to comply with the headlights requirement;
- Mandates the Land Transportation Office (LTO) to promulgate the IRR within sixty (60) days from the effectivity of the Act;
- Mandates the LTO, in coordination with the Philippine Information Agency, Department of Education, and private agencies and organizations to conduct a regular nationwide information, education and communication campaign as well as utilize the services of the citizen groups and community organization for the promotion of public safety awareness within six months from the issuance of rules and regulations to implement this Act.

RELATED LAWS:

- Republic Act No. 4136 or the Land Transportation and Traffic Code