

Hence, this ordinance is being proposed for enactment.

Be ordained, therefore by the Sangguniang Panlungsod of the City of Naga, that:

ARTICLE I - TITLE AND SCOPE OF ORDINANCE

SECTION 1. TITLE. For brevity, this ordinance shall be known as the "Safety of Children aboard motorcycle Ordinance of Naga City".

SECTION 2. SCOPE OF ORDINANCE. The provisions of this ordinance shall control, enforce, direct and regulate the operations of motor vehicles, in providing safety to children as stated in Section 4 of this Ordinance, in accordance with Republic Act No. 10666 or "Children's Safety on Motorcycles Act of 2015" in the City of Naga.

ARTICLE II - DEFINITIONS

SECTION 3. - WORDS AND PHRASES DEFINED. As used in this ordinance:

- 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 - shall mean any person(s) riding on the motorcycle, scooter or moped but not necessarily driving the same.

SECTION 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."

SECTION 5. PENALTIES. - Any person or persons found guilty of violating any of the provisions of this Ordinance shall be penalized as follows:

- 1st Offense: a fine of P 1, 000.00 or Blood Donation at the Bicol Medical Center.
- 2nd Offense: a fine of P 3, 000.00 or a fine of P 1, 000.00 plus Blood Donation to the Bicol Medical Center.

3rd Offense: a fine of P5, 000.00 or P 2, 000.00 plus
Blood Donation to the Bicol Medical Center.

Violations of these provisions beyond the third time shall result in the recommendation for the revocation of the offender's Driver's License at Land Transportation Office (LTO).

SECTION 6. SEPARABILITY CLAUSE. If for any reason, any provision, portion or part of this ordinance found to be inconsistent with any law, other provisions part/s thereof not so affected shall remain in full force and effect.

SECTION 7. REPEALING/AMENDATORY CLAUSE. All ordinances, rules and regulations as part/s of thereof, which are inconsistent or in conflict with the provisions of the ordinance are hereby repealed, amended and/or modified accordingly.

SECTION 8. IMPLEMENTING BODY. The Public Safety office (PSO) will be in-charge of the overall implementation and monitoring of the ordinance together with Philippine National Police (PNP), Barangay Public Safety Officers or Barangay Tanods and other volunteer traffic group/organizations.

SECTION 10. EFFECTIVITY. This ordinance shall take effect upon its approval and publication in the local newspapers of general circulation.

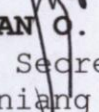
ENACTED: June 28, 2022

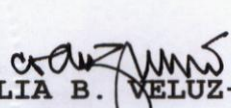
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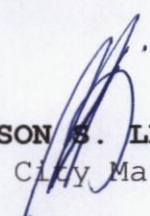
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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.


LILIAN O. PASCUAL
Acting Secretary to the
Sangguniang Panlungsod


CECILIA B. VELUZ-DE ASIS
City Vice Mayor
& Presiding Officer

APPROVED:


NELSON S. LEGACION
City Mayor 7/5/22 gw