



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Naga

ORDINANCE NO. 2022-053
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AN ORDINANCE LOCALIZING THE REPUBLIC ACT NO. 10666, AN ACT PROVIDING FOR THE SAFETY OF CHILDREN ABOARD MOTORCYCLE IN NAGA CITY:-

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Explanatory Notes

Under the law, it is illegal to operate a two-wheeled motorcycle on public roads if a child is on board, specifically if there's a heavy volume of vehicles, there's a high density of fast moving vehicles, or where a speed limit of more than 60 kph is imposed. The exception here is if the child's feet can comfortably reach the motorcycle's foot peg for the pillion rider, the child's arms can reach around and grasp the waist of the motorcycle rider, and the child is wearing a standard protective helmet. Another exception is if the child being transported requires immediate medical attention.

Motorcycles have evolved into more than just a mode of transportation in the Philippines. The motorbike serves as a mode of transportation for errands, school bus transportation, a business workhorse, and, in extreme situations (which we do not condone), the family van. On a little motorcycle, it is still feasible to see a father, mother, and children riding together.

As the number of motorbikes on the road has increased, so has the number of motorcycle accidents. Former President Noyonoy Aquino signed Republic Act 10666 into law in 2015, almost a year before stepping down from Malacanang, to defend the welfare of children. While many continue to defy the law, RA10666 finally granted law enforcement the teeth they needed to prosecute erring motorcycle riders who continue to transport little children on their motorcycles, saving the lives of numerous youngsters from potentially fatal incidents.

To improve child survival, the Naga City government should play a stronger role in preventing deaths from motorcycle injuries. Efforts should be made to prevent the promotion of unhealthy behaviors or life-styles among children and adolescents by understanding the need for this act to be implemented locally.

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.

