



Republic of the Philippines
Province of Bulacan
Municipality of Bulakan

PROVINCE OF BULACAN
OFFICE OF THE SECRETARY
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 21ST REGULAR SESSION OF THE 11TH SANGGUNIANG BAYAN, HELD LAST NOVEMBER 21, 2022 AT THE GEN. GREGORIO DEL PILAR HALL, MUNICIPALITY OF BULAKAN, BULACAN.

PRESENT:

Hon. Atty. Reina Rica C. Sanchez - - - - - Municipal Vice Mayor
Presiding Officer

Municipal Councilors

Hon. Aubrhie Cindyrelle D. Carpio	Hon. Bienvenido M. Cruz Jr.
Hon. Jose Antonio V. Lava	Hon. Atty. Ana Marie V. Pagsibigan
Hon. Aron Ronald R. Cruz	Hon. Richie E. San Jose
Hon. Marbin J. Garcia	Hon. Michael M. Ramos (ABC)
Hon. Christopher Aron C. Del Rosario	Hon. Miguel Leonardo (SK)

ALL PRESENT

MUNICIPAL ORDINANCE NO. 2022 - 324

"AN ORDINANCE PROVIDING FOR THE SAFETY OF CHILDREN ABOARD MOTORCYCLES AND PROVIDING PENALTIES THERE FOR"

Authored By: Hon. Atty. Ana Marie V. Pagsibigan

Be it ordained by the Sangguniang Bayan of the Municipality of Bulakan in Session assembled, that:

SECTION 1. Short Title. – This Act shall be known as "Children's Safety on Motorcycles Ordinance".

SECTION 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.

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

- (a) *Child* refers to any person below eighteen (18) years of age;
- (b) *Motorcycle* refers to any two (2)-wheeled motor vehicle having one (1) or two (2) riding saddles;

- (c) *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;
- (d) *Foot peg* refers to a flat form attached to the motorcycles on which to stand or brace the feet; and
- (e) *Rider* refers to the driver of a motorcycle.
- (e) *Standard Protective Motorcycle Helmets* refer to helmets and visor that are appropriate types of helmets for motorcycle riders that comply with the specifications by the Department of Trade and Industry (DTI) and which bear the Philippine Standard (PS) mark or Import Commodity Clearance (ICC) of the Bureau of Philippine Standards (BPS) and pursuant to R.A. No. 10054 (Helmet Law).

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 the "Motorcycle Helmet Act of 2009." And other protective gears as may be required later on.

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

SECTION 6. Penalties. – Any person who operates a motorcycle in violation of Section 4 of this Ordinance shall be fined with an amount of Two Thousand Five Hundred Pesos (Php 2,500.00).

SECTION 7. 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 six (6) months imprisonment shall be imposed upon the motorcycle rider or operator of the motorcycle involved without prejudice to the penalties provided for under the law.

SECTION 8. Deputization of Traffic Enforcers — To effectively implement the provisions of this Ordinance, the Traffic Management Office of the Municipality of Bulakan is directed to apply for deputization with the Land Transportation Office (LTO) to carry out its enforcement.

SECTION 9. 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.

SECTION 10. 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.

SECTION 11. Effectivity. – This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the Municipality of Bulakan.

APPROVED.

I hereby certify that the foregoing Ordinance has been approved by the Sangguniang Bayan of Bulakan in session held for this purpose dated November 21, 2022.


JEFF C. TANSINSIN

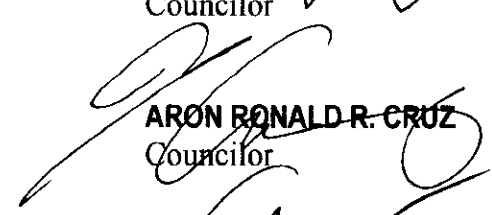
Secretary to the Sangguniang Bayan

ATTESTED AND SIGNED:

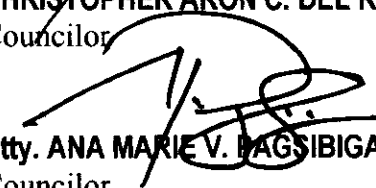

Atty. REINA RICA C. SANCHEZ
Municipal Vice Mayor
Presiding Officer

APPROVED BY:

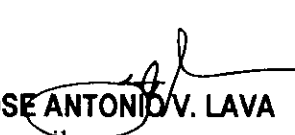

AUBRHIE CINDYRELLE D. CARPIO
Councilor


ARON RONALD R. CRUZ
Councilor

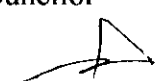

CHRISTOPHER ARON C. DEL ROSARIO
Councilor


Atty. ANA MARIE V. DAGSIBIGAN
Councilor

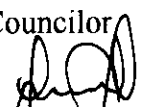

MICHAEL M. RAMOS
Councilor (Ex-Officio-ABC)


JOSE ANTONIO V. LAVA
Councilor


MARBIN J. GARCIA
Councilor


BIENVENIDO M. CRUZ JR.
Councilor


RICHE E. SAN JOSE
Councilor


MIGUEL LEONARDO
Councilor (Ex-Officio-SK)

APPROVED and SIGNED:


VERGEL C. MENESES
Municipal Mayor
12-01-22


JEFF C. TANSINSIN
SANGGUNIANG BAYAN SECRETARY