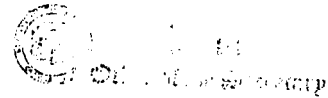


**SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )**



'18 JUN 28 P3:04

**SENATE**  
**P.S. Res. No. 776**

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**INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO**

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**RESOLUTION**  
**DIRECTING THE COMMITTEE ON PUBLIC SERVICES TO CONDUCT AN**  
**INQUIRY, IN AID OF LEGISLATION, ON THE REGULATION OF**  
**MOTORCYCLES IN THE COUNTRY, PARTICULARLY ON THE**  
**APPARENT IMPLEMENTATION OF DISCRIMINATIVE LAWS AND**  
**LOCAL ORDINANCES AGAINST MOTORCYCLE RIDERS**

**WHEREAS**, transportation is imbued with public interest, and it is the policy of the State to provide safe, efficient, affordable, and accessible mass transportation for all;

**WHEREAS**, Article III, Section 1 of the 1987 Constitution provides that "no person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws";

**WHEREAS**, the Land Transportation Office was created in 1987 through a series of Executive Orders to "establish and prescribe the corresponding rules and regulation for the enforcement of laws governing land transportation, including the penalties for violation thereof, and for the deputation of appropriate law enforcement agencies in pursuance thereof";

**WHEREAS**, Section 458 of the Local Government Code empowers local government units to pass local ordinances regulating the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places and regulate traffic on all streets and bridges;

**WHEREAS**, the Motorcycle Development Program Participants Association (MDPPA) reported that motorcycle sales reached 1,319,084 units in 2017, or an increase of 16% units sold;

**WHEREAS**, motorcycle riders have been the top victims of road crashes in Metro Manila since 2010. In Metro Manila alone, the Accident Recording and Analysis System program of the Metro Manila Development Authority reports that motorcycles rank 1<sup>st</sup> among vehicles that are involved in fatal road accidents<sup>1</sup>;

**WHEREAS**, based on data from the Philippine Statistics Authority, motorcycle-related injuries comprise 69% of the total identified transport incidents nationwide<sup>2</sup>;

**WHEREAS**, in response to the proliferation of motorcycles on the road, and the increase in the number of road accidents involving motorcycles, several rules and regulations, particularly local ordinances, were issued to regulate the use of motorcycles;

**WHEREAS**, the motorcycle group Riders of the Philippines (ROTP) is calling for the review of various regulations being imposed by national and local government agencies such as the no-helmet and half-face helmet ordinances, penalties for back-riding of males on motorcycles, and segregation of motorcycles on national roads, among others, as these discriminate motorcycle riders and limit their mobility<sup>3</sup>;

**WHEREAS**, according to transport safety group Transport Watch, by class, the percentage of usage of motorcycles for livelihood is highest in socioeconomic class E, in which 59% in the class who own two-wheeled vehicles use them in earning a living. This is followed by class D with 50% while the lowest percentage, 48% is in the combined ABC class;

**WHEREAS**, there is a need to review rules and regulations imposed on motorcycle riders to ensure that their rights are not trampled upon, to make sure fines imposed by government agencies are not excessive, arbitrary or confiscatory, and to guarantee equal protection of laws;

**WHEREAS**, it is unjust to unduly burden the public with the divergence of national laws and local regulations;

**WHEREAS**, a clear legislative measure which harmonizes the laws and the seemingly overlapping authorities with respect to traffic enforcement needs to be crafted to better serve the public interest;

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<sup>1</sup> <https://archive.org/details/MMARASAnnualReport2016>

<sup>2</sup> <https://www.rappler.com/move-ph/issues/road-safety/166151-road-crashes-philippines-awareness-safety>

<sup>3</sup> <http://www.pna.gov.ph/articles/1036366>

**NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, to direct the Committee on Public Services to conduct an inquiry, in aid of legislation, on the regulation of motorcycles in the country, particularly on the apparent implementation of discriminative laws and local ordinances against motorcycle riders.

*Adopted,*

A handwritten signature in black ink, appearing to read 'J. Ejercito', with a horizontal line extending to the left.

**SENATOR JOSEPH VICTOR G. EJERCITO**