



HOUSE OF REPRESENTATIVES

H. No. 8419

BY REPRESENTATIVES YAP (V.), HERNANDEZ, UMALI, VILLAFUERTE,
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ABU, MANALO, PADUANO, REVILLA, PIMENTEL, FARIÑAS,
CATAMCO, VILLARICA, SY-ALVARADO, NIETO, CUEVA AND
TAMBUNTING, PER COMMITTEE REPORT NO. 893

AN ACT PREVENTING THE USE OF MOTORCYCLES IN THE
COMMISSION OF CRIMES THROUGH BIGGER NUMBER
PLATES AND IDENTIFICATION MARKS

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

1 SECTION 1. *Short Title.* – This Act shall be known as the
2 “Motorcycle Crime Prevention Act”.

3 SEC. 2. *Declaration of Policy.* – Article II, Section 5 of the
4 Philippine Constitution provides that the maintenance of peace and
5 order, the protection of life, liberty, and property, and the promotion
6 of the general welfare are essential for the enjoyment by all the
7 people of the blessings of democracy.

8 Towards this end, the State shall ensure the security and
9 safety of its citizenry from crimes committed with the use of
10 motorcycles.

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

1 (a) *Rider* refers to any person driving or controlling a
2 motorcycle;

3 (b) *Motorcycle* refers to any motor driven two (2)-wheeled
4 vehicle including scooters, mopeds, and motorcycles with
5 appendages such as sidecars, tricycles or trikes;

6 (c) *Owner* refers to the registered owner of a motorcycle; and

7 (d) *Number Plate* refers to the regular motor vehicle license
8 plate for a motorcycle issued by the Land Transportation Office
9 (LTO) bearing the standard alphanumeric characters in accordance
10 with Republic Act No. 4136, as amended, otherwise known as the
11 "Land Transportation and Traffic Code".

12 SEC. 4. *Registry of Motorcycles.* – The LTO shall maintain
13 a registry of motorcycles in a database to facilitate information
14 retrieval for official investigation and law enforcement purposes.
15 The registry of motorcycles shall include the following information:

16 (a) Name of the motorcycle owner;

17 (b) Motorcycle owner's address and contact details;

18 (c) Motorcycle identification number;

19 (d) Motorcycle plate number;

20 (e) Motorcycle brand and make; and

21 (f) Motorcycle body color.

22 In the registry of motorcycles, the LTO shall ensure that the
23 provisions of Republic Act No. 10173 or the "Data Privacy Act of
24 2012" are complied with.

25 SEC. 5. *Report of Sale or Disposition by Owner.* – The owner
26 of a motorcycle shall report the sale or disposition of the motorcycle
27 to the LTO nearest to the owner's place of residence within five (5)

1 days from such sale or disposition. The seller shall furnish the LTO
2 with a copy of the deed of sale or any instrument reflecting the
3 disposition thereof.

4 SEC. 6. *Bigger Number Plate.* – The LTO shall issue a bigger
5 number plate for every motorcycle with alphanumeric characters in
6 large and readable font from a distance of at least twelve (12)
7 meters from the motorcycle. The LTO shall devise a scheme of the
8 bigger number plate for every region of the Philippines where a
9 motorcycle is registered for quick and easy identification.

10 The bigger number plate must be displayed at the back of a
11 motorcycle and shall be made of suitable and durable material as
12 determined by the LTO.

13 SEC. 7. *Driving or Operating Without a Bigger Number Plate.*
14 – Driving or operating a motorcycle without a bigger number plate
15 shall be prohibited. A motorcycle driven or operated without a
16 bigger number plate shall be apprehended and impounded by the
17 LTO law enforcement officer or other deputized law enforcement
18 personnel and immediately turned over to the custody of the LTO.
19 The owner of the impounded motorcycle may redeem the vehicle
20 from the LTO upon proof of ownership, payment of assessed fines,
21 and compliance with a bigger number plate, as provided in this Act.

22 SEC. 8. *Liability of Law Enforcement Officer.* – The LTO law
23 enforcement officers or their deputized law enforcement personnel
24 who fail to immediately surrender a motorcycle impounded
25 pursuant to Section 7 of this Act shall be penalized and held liable
26 for any loss of, or damage to, the impounded motorcycle under their

1 custody. Furthermore, the use of an impounded motorcycle in the
2 commission of a crime shall also be penalized.

3 SEC. 9. *Use of a Motorcycle in the Commission of a Crime.* –

4 If a motorcycle is used in the commission of a crime constituting a
5 grave felony under the Revised Penal Code, or as a means to escape
6 from the scene of such crime, whether attempted, frustrated, or
7 consummated, the rider and passenger or passengers, if there be
8 any, who participated in the same shall be penalized under this Act.

9 If a motorcycle is used in the commission of a crime
10 constituting a less grave felony or light felony against persons or
11 property under the Revised Penal Code, or as a means to escape
12 from the scene of such crime, whether attempted, frustrated, or
13 consummated, the rider and passenger or passengers, if there be
14 any, who participated in the same shall be penalized under this Act.

15 SEC. 10. *Impounding and Forfeiture of a Motorcycle.* – A
16 motorcycle used in the commission of a crime shall be impounded as
17 evidence *in custodia legis* until the termination of the case involving
18 the said motorcycle. Such motorcycle shall then be forfeited in favor
19 of the government, unless the court finds that the defendant is
20 innocent or such motorcycle belongs to an innocent third party.

21 SEC. 11. *Loss, Damage or Theft of Bigger Number Plate.* –
22 The loss, damage or theft of a bigger number plate shall be reported
23 to the LTO and the Philippine National Police (PNP) within
24 three (3) days from the date it was lost, damaged or stolen. Failure
25 of the owner to report the same shall be penalized under this Act.

1 SEC. 12. *Tampering of Bigger Number Plate.* – Tampering,
2 altering, forging, or imitating a bigger number plate shall be
3 penalized under this Act.

4 SEC. 13. *Penalties.* – The following are the corresponding
5 penalties for violations of this Act:

6 (a) Failure of the owner to report the sale or disposition of a
7 motorcycle under Section 5 of this Act shall subject the owner to a
8 fine of not less than Five thousand pesos (P5,000.00) but not more
9 than Twenty thousand pesos (P20,000.00).

10 (b) The rider of a motorcycle without a bigger number plate
11 shall be meted a fine of Five thousand pesos (P5,000.00) for the first
12 offense, Ten thousand pesos (P10,000.00) for the second offense and
13 Fifteen thousand pesos (P15,000.00) for the third offense and the
14 revocation of the driver's license.

15 (c) Any law enforcement officer liable under Section 8 of this
16 Act shall be meted a penalty of *arresto mayor* as provided under the
17 Revised Penal Code without prejudice to the filing of proper
18 administrative charges against said officer. In cases wherein there
19 is loss of, or damage to, the motorcycle in the custody of the said
20 officer in violation of Section 8 hereof, the said law enforcement
21 officer shall also be held monetarily liable for the full worth of the
22 motorcycle lost or the cost of repairs for the damage caused to the
23 motorcycle in question.

24 Furthermore, any LTO law enforcement officer, PNP officer or
25 any deputized law enforcement personnel shall be held criminally,
26 administratively and monetarily liable for using an impounded
27 vehicle.

1 (d) The rider and passenger or passengers, if there be any, of
2 an impounded motorcycle that is used in the commission of a crime
3 shall be penalized with the maximum penalty of the crime
4 committed under the Revised Penal Code.

5 (e) The rider and passenger or passengers, if there be any, of
6 a motorcycle that is used in the commission of a crime constituting a
7 grave felony under the Revised Penal Code, or as a means to escape
8 from the scene of such crime, whether attempted, frustrated, or
9 consummated, shall be punished by *prision mayor to reclusion*
10 *perpetua* as provided under the Revised Penal Code.

11 (f) The rider and passenger or passengers, if there be any, of
12 a motorcycle that is used in the commission of a crime constituting a
13 less grave felony or light felony against persons or property under
14 the Revised Penal Code or any other crime, or in the escape from
15 the scene of such crime, regardless of the stage of commission
16 whether attempted, frustrated, or consummated, shall be punished
17 by *arresto mayor to prision correccional* as provided under the
18 Revised Penal Code.

19 (g) Failure of the owner to report the loss, damage or theft of
20 a bigger number plate under Section 11 of this Act shall subject the
21 same to a fine of not less than Five thousand pesos (P5,000.00) but
22 not more than Twenty thousand pesos (P20,000.00).

23 (h) Tampering, altering, forging, or imitating a bigger number
24 plate under Section 12 of this Act shall be meted a penalty of *prision*
25 *mayor* as provided under the Revised Penal Code, or a fine of not
26 less than Fifty thousand pesos (P50,000.00) but not more than

1 One hundred thousand pesos (P100,000.00), or both at the
2 discretion of the court.

3 (i) The use of a stolen bigger number plate in a motorcycle
4 shall be meted a penalty of *prision mayor* as provided under the
5 Revised Penal Code, or a fine of not less than Fifty thousand pesos
6 (P50,000.00) but not more than One hundred thousand pesos
7 (P100,000.00), or both at the discretion of the court.

8 SEC. 14. *Review and Adjustment of Pecuniary Penalties.* –
9 The LTO shall, after five (5) years from the effectivity of this Act
10 and every five (5) years thereafter, review the fines herein imposed
11 and shall adjust the same accordingly if deemed necessary.

12 SEC. 15. *Appropriations.* – The amount needed for the
13 initial implementation of this Act shall be charged against the
14 current year's appropriations of the LTO. Thereafter, such sums as
15 may be necessary for the continued implementation of this Act shall
16 be included in the annual General Appropriations Act.

17 SEC. 16. *Transitory Provisions.* – The LTO is hereby given
18 one (1) year to produce the necessary bigger number plates to
19 replace the existing number plates of motorcycles.

20 Motorcycle owners with number plates not in conformity with
21 the provisions of this Act shall, upon renewal of registration, apply
22 for such number plates.

23 Thereafter, the LTO shall, within six (6) months, release said
24 number plates to the owners.

25 SEC. 17. *Implementing Rules and Regulations.* – The LTO,
26 in consultation with stakeholders, law enforcement and other
27 relevant agencies, shall promulgate the rules and regulations to

1 implement the provisions of this Act within ninety (90) days from its
2 effectivity.

3 SEC. 18. *Separability Clause.* – If any portion or provision of
4 this Act is declared unconstitutional, the remainder of this Act or
5 any provision not affected thereby shall remain in force and effect.

6 SEC. 19. *Repealing Clause.* – All laws, decrees, orders, rules
7 and regulations or other issuances or parts thereof inconsistent with
8 the provisions of this Act are hereby repealed or modified
9 accordingly.

10 SEC. 20. *Effectivity.* – This Act shall take effect fifteen (15)
11 days after its publication in the *Official Gazette* or in a newspaper
12 of general circulation.

Approved,

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