

SENATE

S. No. 1137

PREPARED BY THE COMMITTEE ON PUBLIC SERVICES
WITH SENATORS FLAVIER, OSMEÑA III, SANTIAGO,
SOTTO III, COSETENG, CAYETANO, BARBERS,
GUINGONA, JR. AND REVILLA AS AUTHORS THEREOF

AN ACT REQUIRING THE MANDATORY COMPLIANCE
BY MOTORISTS OF PRIVATE AND PUBLIC
VEHICLES TO USE SEAT BELT DEVICES, AND
REQUIRING VEHICLE MANUFACTURERS TO
INSTALL SEAT BELT DEVICES IN ALL THEIR
MANUFACTURED VEHICLES

*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 "Seat Belts Use Act of 1998."

3 SEC. 2. *Declaration of Policy.* - It is hereby declared the
4 policy of the State to secure and safeguard its citizenry, particularly
5 the passengers and drivers of private and public vehicles, from the
6 ruinous and extremely injurious effects of vehicular accidents.
7 Towards this end, the State shall pursue a more proactive and
8 preventive approach in order to secure the safety of the passengers

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1 and drivers at all times with the mandatory enforcement of the use
2 of seat belt devices by the drivers and front seat passengers of private
3 and public vehicles.

4 SEC. 3. *Definition of Terms.* - For purposes of this Act, the
5 term:

6 a) "*Motorists*" shall refer to the driver and front seat
7 passengers of a motor vehicle.

8 b) "*Seat Belt Devices*" shall refer to any strap, webbing or
9 similar device in the form of a combined pelvic restraint or lap belt
10 and upper torso restraint or shoulder strap designed to secure a person
11 in a motor vehicle in order to mitigate the results of any accident,
12 including all necessary buckles and other fasteners, and all hardware
13 designed for installing such seat belt device in a motor vehicle.

14 c) "*Motor Vehicle*" shall refer to both private vehicle
15 and public utility vehicle. For purposes of this Act, the term shall
16 not include tricycle and motorcycle.

17 d) "*Private Vehicle*" shall refer to any vehicle owned privately
18 by individuals and juridical persons.

19 e) "*Public Vehicle*" shall refer to any motor vehicle owned
20 by the National Government or any of its political subdivisions, a
21 public utility vehicle for hire including taxi, bus and jeepney.

22 SEC. 4. *Mandatory Use of Seat Belts.* - For their own safety,
23 the driver and front seat passengers of a public or private motor
24 vehicle are required to wear or use their seat belt devices at all times,
25 while driving or riding a vehicle. For private vehicles, front and back

1 seat passengers are likewise required to use their seat belt devices at
2 all times.

3 In the case of public vehicles, the driver shall be required to
4 readily inform and require the front seat passengers upon boarding
5 to wear the prescribed seat belts. Any passenger who refuses to wear
6 seat belts shall be required to get off the public vehicle.

7 Motor vehicles, both public and private, which are not equipped
8 with the required seat belt devices, are given one (1) year from the
9 issuance of the implementing rules and regulations by the Department
10 of Transportation and Communications (DOTC), to install seat belt
11 devices in their vehicles.

12 SEC. 5. *Coverage.* - This Act shall apply to drivers and
13 passengers of public and private vehicles, namely: taxi cabs, vans,
14 cars, pick-up trucks, trucks, buses, jeepneys and other motor vehicles
15 as may be recommended by the DOTC for inclusion in the interest
16 of public safety.

17 SEC. 6. *Provisions for Seat Belt.* - This Act further requires
18 car manufacturers, assemblers and distributors to ensure that seat belt
19 devices are installed and lodged in all their manufactured and
20 assembled vehicles before the distribution of the said vehicles to the
21 general public: *Provided*, That manufacturers, assemblers and
22 distributors of jeepneys may install a pelvic restraint or lap belt only
23 in the driver's and front seat passengers' seats as substantial
24 compliance with the requirements of this Act.

1 SEC. 7. *Type of Seat Belt Devices Required.* - The seat belt
2 devices required to be installed in all motor vehicles shall comply
3 with the standards and specifications established by the Bureau of
4 Product Standards of the Department of Trade and Industry (DTI).

5 SEC. 8. *Registration.* - No motor vehicle shall be allowed to
6 register or renew its registration unless it is equipped with the
7 necessary seat belt devices. For this purpose, the DOTC shall include
8 in the implementing guidelines a system of vehicle registration
9 consistent with Section 4 hereof: *Provided*, That the seat belt devices
10 installed in imported second-hand motor vehicles shall conform to
11 the standards and specifications of the Bureau of Product Standards
12 for purposes of registration.

13 SEC. 9. *Period of Implementation.* - The DOTC shall be
14 the agency primarily responsible in the enforcement and
15 implementation of this Act. Within sixty (60) days from the
16 effectivity of this Act, the DOTC, in coordination with the Department
17 of the Interior and Local Government (DILG), shall formulate and
18 issue the necessary implementing rules, regulations and guidelines and
19 shall mobilize available resources to assure the effective
20 implementation of this Act.

21 SEC. 10. *Penalties and Fines.* - In the enforcement of this
22 Act, the DOTC shall impose fines: a) on the driver 1) for failure
23 to wear the prescribed seat belt devices, a fine of Two hundred pesos
24 (P200) and suspension of the driver's license for a period of three
25 (3) months for the first violation; a fine of Three hundred pesos

1 (P300) and suspension of the driver's license for a period of six (6)
2 months for the second violation; and a fine of One thousand pesos
3 (P1,000) and permanent revocation of the driver's license for the third
4 violation; or 2) for failure to inform and require the front seat
5 passengers of a private vehicle, or public utility vehicle, to wear seat
6 belt devices, a fine of Two hundred pesos (P200) and suspension of
7 the driver's license for a period of three (3) months for the first
8 violation; a fine of Five hundred pesos (P500) and suspension of the
9 driver's license for a period of six (6) months for the second
10 violation; and a fine of One thousand pesos (P1,000) and permanent
11 revocation of the driver's license for the third violation; and b) on
12 any manufacturer, assembler, importer and distributor for every unit
13 found to be not installed with seat belt devices prior to its distribution
14 to the public, a fine of Five thousand pesos (P5,000) and suspension
15 of the license to manufacture, assemble, import or distribute for a
16 period of one (1) year for the first violation; a fine of Ten thousand
17 pesos (P10,000) and suspension of the license to manufacture,
18 assemble, import or distribute for a period of two (2) years for the
19 second violation; and a fine of Twenty thousand pesos (P20,000) and
20 permanent revocation of the license to manufacture, assemble, import
21 or distribute for the third violation.

22 SEC. 11. *Nationwide Public Information Campaign.* - a) The
23 DOTC, in coordination with the Philippine Information Agency (PIA),
24 Department of Education, Culture and Sports (DECS) and private
25 agencies and organizations, shall undertake a regular nationwide

1 Information, Education and Communication (IEC) campaign for the
2 attainment of the objectives of this Act. The campaign shall stress
3 the safety and health value of safety belts to support the most
4 effective enforcement of this Act.

5 b) The DOTC, in coordination with the local government units,
6 shall likewise utilize the services of citizen groups and community
7 organizations for the promotion of public safety awareness in
8 observance of this Act.

9 c) The fines that will be collected for the enforcement of this
10 Act shall be used exclusively for the implementation of the provisions
11 of this Act, including the necessary promotion campaigns for the use
12 of seat belt devices.

13 SEC. 12. *Separability Clause.* - If any provisions, or part
14 hereof, is held invalid or unconstitutional, the remainder of the law
15 or the provision not otherwise affected shall remain valid and
16 subsisting.

17 SEC. 13. *Repealing Clause.* - Section 34, Article IV of
18 Republic Act No. 4136 is hereby amended and any law, executive
19 order, decree, issuance, ordinance, rule or regulation or parts thereof
20 contrary or inconsistent with the provisions of this Act is also hereby
21 repealed, modified or amended accordingly.

22 SEC. 14. *Effectivity Clause.* - This Act shall take effect fifteen
23 (15) days after its publication in at least two (2) newspapers of
24 general circulation.

Approved,