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SENATE

Senate Bill No. 1322

REGISTERED

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INTRODUCED BY HON. MANNY VILLAR

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**EXPLANATORY NOTE**

This bill will strengthen the child safety in public and private motor vehicles by prescribing standards and performance requirements for child vehicle restraint system. This bill seeks the prevention of automobile-related injuries and fatalities to children and signifies the commitment of the government in ensuring their safety and welfare.

In view of the above, the passage of this bill is earnestly sought.


  
MANNY VILLAR

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SENATE

Senate Bill No. 1322

RECEIVED BY



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**AN ACT REQUIRING THE MANDATORY COMPLIANCE BY  
MOTORISTS OF PRIVATE AND PUBLIC VEHICLES TO APPROPRIATELY  
RESTRAINT ALL CHILD OCCUPANTS OF MOTOR VEHICLES**

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

Section 1. *Declaration of Policy.* - It is hereby declared the policy of the State to secure and safeguard its citizenry, particularly the passengers and drivers of private and public motor vehicles, from the ruinous and extremely injurious effects of vehicular accidents. Towards this end, the State shall pursue a more proactive and preventive approach in order to secure the safety of the passengers and drivers at all times by making mandatory that all child passengers of motor vehicles be appropriately restrained in order to reduce the incidence of injuries and fatalities resulting from motor vehicle crashes on the streets, roads, and highways.

Section 2. *Definition of Terms.* - For purposes of this Act, the term:

- (a) **"Motorist"** shall refer to the driver of a motor vehicle.
- (b) **"Motor vehicle"** shall refer to both private and public motor vehicle.
- (c) **"Private motor vehicle"** shall refer to any of the following:
  - (1) Any motor vehicle owned by individuals and juridical persons for private use;
  - (2) Any motor vehicle owned by the National Government or any of its agencies, instrumentalities or political subdivisions, including government-owned or controlled corporations or their subsidiaries for official use; and
  - (3) Any diplomatic vehicle.
- (d) **"Public motor vehicle"** shall refer to public utility vehicle or vehicle for hire.

(e) **“Child restraint”** means any product designed to provide restraint to a child (including booster seats and other products used with a lap and shoulder belt assembly) that meets applicable motor vehicle safety standards prescribed by the Land Transportation Office.

(f) **“Child passenger”** means infant and/or child ages six (6) years and below.

*Section 3. Mandatory Restraint of Child Passenger.* - For the safety of the child passengers, the driver of a public or private motor vehicle is required to restrain child passengers while inside a running vehicle on any road or thoroughfare

For private vehicles, except for jeeps, jeepneys, vans, buses and such other private vehicles as may be determined in the Implementing Rules and Regulations (IRR), the driver of a public or private motor vehicle must at all times restrain child passengers while inside a running vehicle.

In the case of public motor vehicles, the driver shall be required to immediately inform and require the adult accompanying the child passengers upon boarding a vehicle to restrain the child passenger. Any passenger who refuses to restrain the child passenger shall not be allowed to continue his/her trip.

Operational motor vehicles, both public and private, which are not equipped with the required child restraints, are given one (1) year from the issuance of the IRR by the Land Transportation Office (LTO) to retrofit appropriate child restraints in their vehicles.

*Section 4. Coverage.* - This Act, in the interest of public safety, shall apply to drivers of public and private motor vehicles and other vehicles as may be determined by the IRR thereon.

*Section 5. Period of Implementation.* - The LTO shall be the agency primarily responsible in the enforcement and implementation of this Act. Within sixty (60) days from the effectivity of this Act, the LTO shall formulate and issue the necessary implementing rules, regulations and guidelines and shall mobilize available resources to assure the effective implementation of this Act.

*Section 6. Penalties and Fines.* - In the enforcement of this Act, the LTO shall impose fines against drivers for violation of this Act.

The following shall be the basis in defining fine and penalty provisions of the IRR to be promulgated, provided that six (6) months grace period shall be allowed to lapse to conduct a nationwide information campaign.

For failure to restrain a child occupant, a minimum fine of One hundred pesos (P100) but not to exceed One thousand pesos (P1,000) for the first violation; a minimum fine of Two hundred pesos (P200) but not to exceed Two thousand pesos (P2,000) for the second violation; and a minimum fine of Five hundred pesos (P500) but not to exceed Five thousand pesos (P5,000) and suspension of driver's license for a period of one (1) week for the third and succeeding violations;

*Section 7. Nationwide Public Information Campaign.* - (a) The LTO, in coordination with the Philippine Information Agency (PIA), the Department of

Education and private agencies and organizations, shall undertake a regular nationwide Information, Education and Communication (IEC) campaign for the attainment of the objectives of this Act. The campaign shall stress the safety and health value of restraining child using hands-free device while engaging in a call using cellular telephone while driving to support the most effective enforcement of this Act.

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

(c) The fines that will be collected for the enforcement of this Act shall be used exclusively for the implementation of the provisions of this Act, including the necessary promotion campaigns for the use of hands free devices.

Section 8. *Separability Clause.* - If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain valid and subsisting.

Section 9. *Repealing Clause.* - Any law, executive order, decree, issuance, ordinance, rule and regulation or any part thereof contrary or inconsistent with the provisions of this Act is also hereby repealed, modified or amended accordingly.

Section 10. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.