



HOUSE OF REPRESENTATIVES

H. No. 6991

BY REPRESENTATIVES SANTIAGO (N.), PRIETO-TEODORO, ALMARIO,
DEL MAR, SY-ALVARADO, VILLAROSA, GONZALES (N.) AND
DE GUZMAN, PER COMMITTEE REPORT NO. 2499

AN ACT ENSURING SAFETY MEASURES FOR CHILDREN RIDING IN MOTOR 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 “Children in
2 Motor Vehicle Safety Act of 2009”.

3 SEC. 2. *Declaration of Policy.* – The State recognizes the vital role of
4 the youth in nation-building and shall promote and protect their physical,
5 moral, spiritual, intellectual and social well-being. Towards this end, the State
6 shall pursue a proactive and preventive approach in order to secure the safety
7 of children riding in motor vehicles at all times with the enforcement of safety
8 measures.

9 SEC. 3. *Definition of Terms.* – As used in this Act, the term:

10 (a) *Children* refer to any person twelve (12) years and below;

11 (b) *Motor vehicle* refers to private vehicles and school buses for
12 preschool and primary school operated or driven upon a public highway which

1 are propelled by any power other than muscular power and is being used in any
2 way to carry any person from one place to another. It shall likewise include
3 public motor vehicle as defined in Republic Act No. 4136, otherwise known as
4 the "Land and Transportation and Traffic Code"; Republic Act No. 8750,
5 otherwise known as the "Seat Belts Use Act of 1999"; and Administrative
6 Order No. BGC--AO-99004 (Implementing Rules and Regulations on the
7 Installation and Use of Seat Belt);

8 (c) *Seat belt device* refers to any strap, webbing or similar device in
9 the form of pelvic restraint or lap belt, upper torso restraint or shoulder strap or
10 a combination thereof designed to secure a person in a motor vehicle in order
11 to mitigate the results of any accident including all necessary buckles and other
12 fasteners, and all hardware/anchorage designed for installing such seat belt in a
13 motor vehicle; and

14 (d) *Child restraint system* refers to beds for babies, seats for infants
15 and seats for school children that are manufactured and crafted in accordance
16 with the internationally accepted standards pending adoption of a national
17 standard by the Bureau of Product Standards (BPS) of the Department of
18 Trade and Industry (DTI).

19 SEC. 4. *Coverage.* – This Act shall apply to drivers and children
20 passengers of private motor vehicles and school buses for preschool and
21 primary school.

22 SEC. 5. *Prohibited Acts.* – It shall be unlawful for any driver of a
23 motor vehicle to travel with children on board without ensuring or exercising
24 the following safety measures:

25 (a) Infants and/or children with ages twelve (12) years old and below
26 shall be prohibited to sit in the front seat of any running motor vehicle;

1 (b) Children shall not be allowed to travel on board any motor vehicle
2 without seat belt devices and/or child restraint system at the back row seats;
3 and

4 (c) Children shall not be left unattended inside the motor vehicle
5 without supervision by a person who is eighteen (18) years of age or older
6 under one or more of the following circumstances:

7 (1) Under conditions presenting a significant risk to the child's health
8 or safety;

9 (2) The engine of the motor vehicle is running; or

10 (3) The keys to the motor vehicle are anywhere in the passenger
11 compartment of the motor vehicle.

12 SEC. 6. *Exceptions.* – The provisions of this Act shall not apply to
13 public utility vehicles which are not school buses for preschool and primary
14 school. As such, jeepneys and buses, as well as emergency vehicles, shall be
15 exempt from the provisions of this Act. It shall likewise not apply to medical
16 emergencies or when, because of the circumstances of the situation, riding in a
17 motor vehicle without a safety device removes such child from an even greater
18 or more imminent danger.

19 SEC. 7. *Penalties and Fines.* – Any person found guilty of violating
20 the provisions of this Act shall be punished with a fine of not more than Two
21 thousand pesos (P2,000.00) or imprisonment of not more than thirty (30) days,
22 or both, at the discretion of the court, taking into consideration all attending
23 circumstances.

24 Subsequent violations shall be punishable by a fine of not less than Five
25 thousand pesos (P5,000.00) or a penalty of imprisonment of *arresto mayor*, or
26 both, at the discretion of the court.

1 The driver's license shall be revoked upon conviction of three (3)
2 violations of this provision. Such revocation shall prohibit the grant of a new
3 driver's license for twelve (12) months from the date of the conviction.

4 SEC. 8. *Implementing Agency.* – The Land Transportation Office
5 (LTO) and the Philippine National Police (PNP) shall be the primary
6 implementing agencies in enforcing the provisions of this Act. Within sixty
7 (60) days from the effectivity of this Act, the LTO, the PNP and the BPS of the
8 DTI shall formulate and issue the necessary implementing rules, regulations
9 and guidelines and shall mobilize available resources to assure the effective
10 implementation of this Act.

11 The BPS, in coordination with the LTO, shall likewise formulate the
12 procedure and standards for the approval of safety devices for use by children
13 in motor vehicles and to publish the same with a list of such approved devices
14 not more than ninety (90) days after the approval of this Act.

15 SEC. 9. *Separability Clause.* – If any provision or part hereof is held
16 invalid or unconstitutional, the remainder of this Act or the provisions not
17 otherwise affected thereby shall remain valid and subsisting.

18 SEC. 10. *Repealing Clause.* – Any law, presidential decree or
19 issuance, executive order, letter of instruction, administrative order, rule or
20 regulation contrary to or inconsistent with the provisions of this Act is hereby
21 repealed, modified or amended accordingly.

22 SEC. 11. *Effectivity Clause.* – This Act shall take effect fifteen (15)
23 days after its publication in at least two (2) newspapers of general circulation.

Approved,