

SENATE OF THE PHILIPPINES
BILLS AND INDEX DIVISION

LEGISLATIVE HISTORY

HBN-7090. entitled:

"AN ACT REQUIRING THE MANDATORY COMPLIANCE OF THE USE OF SEAT BELTS, AND REQUIRING VEHICLE MANUFACTURERS TO INSTALL SEAT BELT DEVICES IN ALL THEIR MANUFACTURED VEHICLES"

S T A T U S

[First Regular Session, 11th Congress]
[1999]

- Introduced by Rep. HERRERA (E.), et. al.;
- Mar. 22 - Senate requested the House of Representatives for a conference in case of the disagreeing provisions of SBN-1137 and HBN-7090, designating Senators Sotto III, Jaworski, Aquino-Oreta, Barbers and Cayetano as its conferees;
- 25 - Sent to the Senate requesting for concurrence;
- Apr. 19 - Read on First Reading and referred to the Committee(s) on RULES;
 - House of Representatives agreed to a conference on the disagreeing provisions of both Bills, designating Representatives Tuazon, Paras, Barinaga, Gonzales (R.), Kintanar, Saludo, Jr., Moreno, Zubiri, Albano III and Baculio as its conferees on March 23, 1999;
- 27 - House of Representatives designated Representative Herrera as additional member of its panel in the Bicameral Conference Committee on April 21, 1999;
- Jun. 1 - Conference Committee Report approved by the House of Representatives on May 24, 1999;
 - House of Representatives reconsidered its approval on the Conference Committee Report on May 25, 1999;
- Jul. 13 - Received by the Office of the President (PLLO);
- 14 - Conference Committee Report approved by the House of Representatives on June 2, 1999;
- Aug. 5 - Consolidated with SBN-1137 which was approved and signed into law and became
REPUBLIC ACT NO. 8750.
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HOUSE OF REPRESENTATIVES

H. No. 7090

INTRODUCED BY HONORABLE HERRERA (E.F.), ROXAS II, QUIMPO, MONFORT, PARCON, LIBAN, LORENZO-VILLAREAL, GONZALEZ (J.), TUAZON, SUAREZ, PARAS, GOLEZ, SALAPUDDIN, MACARAMBON JR., CERILLES, BARINAGA, MADRONA, KINTANAR, ALVAREZ (P.), LIBANAN, OCAMPO, TULAGAN, PEREZ JR., LARA, SYJUCO, NANTES, REYES JR., SANDOVAL (V.), SUMULONG, VERCELES JR., GARIN, LOPEZ (E.), OROLA JR., PLAMERAS JR., AUMENTADO, MARTINEZ, ROMUALDEZ, HOFER, FLOIRENDO JR., MONTILLA, NAVARRO JR., BACANI, BRIONES, PILAPIL, DEL MAR, AQUINO III, HIZON, SINGSON, FAJARDO, PANCHO, SILVERIO, LAGMAN-LUISTRO, CALALAY, SALUDO JR., ORTEGA, PADILLA JR., FUENTEBELLA, YOTOKO-VILLANUEVA, GARCIA (E.) JR., LOCSIN, RAMIRO JR., COJUANGCO, DUTERTE, VELOSO, CALDERON, BARBERS, FUA JR., GUNIGUNDO I, LEVISTE, LIM, LOZADA JR., MORENO, PICHAY, SANDOVAL II, SILOS, ECHIVERRI, ESPINA, JACOB, GONZALEZ (R.), MAGTUBO, ARROYO, TEVES, LAPUS, SUPLICO, GONZALES (R.), LOPEZ (R.), DEQUINA, DY JR., CANDAZO, SALCEDA, NEPOMUCENO, BUESER, RECTO, YAPHA JR., VICENCIO, SARMIENTO (R.), DILANGALEN, TAMMANG, COSALAN, LANOT, PONCE JR., OSABEL, SARENAS, JALA, ABAD, BANAAG, ABAYON, ANGPING, TAÑADA, ACOSTA, CRUZ (T.), ADIONG, ALVAREZ (H.), APOSTOL, BUNYE, DATUMANONG, FORTUNO, GARCIA (M.), MONTEMAYOR, JARAULA, UNDE, CUENCO, ABUEG JR., AGUINALDO, ANGARA-CASTILLO, BATERINA, BELMONTE JR., ESCUDERO, FUENTES, GONZALES II, GORDON JR, JOSON, PADILLA (C.), SARMIENTO (A.), VILLAR JR. AND VILLAROSA, PER COMMITTEE REPORT NO. 242

AN ACT REQUIRING THE MANDATORY COMPLIANCE OF THE USE OF SEAT BELTS, 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
2 the “Seat Belts Use Act of 1999.”

3 SEC. 2. *Declaration of Policy.* – It is hereby declared
4 the policy of the State to secure and safeguard its citizenry,
5 particularly the passengers and drivers of private and public
6 motor vehicles, from the ruinous and extremely injurious
7 effects of vehicular accidents. Toward this end, the State
8 shall pursue a more proactive and preventive approach in
9 order to secure the safety of the passengers and drivers at
10 all times with the mandatory enforcement of the use of seat
11 belt devices by the drivers and front seat passengers of
12 private and public motor vehicles.

13 SEC. 3. *Definition of Terms.* – For purposes of this Act,
14 the term:

15 (a) “Motorist” shall refer to the driver of a motor
16 vehicle.

17 (b) “Seat belt device” shall refer to any strap, webbing
18 or similar device in the form of the combined pelvic
19 restraint or lap belt and upper torso restraint or shoulder
20 strap, fastened across chest and hip designed to secure a
21 person in a motor vehicle in order to mitigate the results of
22 any accident, including all necessary buckles and other

1 fasteners, and all hardware designed for installing such seat
2 belt device in a motor vehicle.

3 (c) "Motor vehicle" shall refer to both private and
4 public motor vehicle. The term shall not include the
5 tricycle and motorcycle.

6 (d) "Private motor vehicle" shall refer to any of the
7 following:

8 (1) Any motor vehicle owned by individuals and
9 juridical persons for private use;

10 (2) Any motor vehicle owned by the National
11 Government or any of its agencies, instrumentalities or
12 political subdivisions, including government-owned or
13 -controlled corporations or their subsidiaries for official
14 use; and

15 (3) Any diplomatic vehicle.

16 (e) "Public motor vehicle" shall refer to public utility
17 vehicle or vehicle for hire.

18 (f) "Motor vehicle of running engine" shall refer to a
19 vehicle as stated herein, operating and standing on a
20 highway with engine running.

21 (g) "Front seat passengers" shall refer to persons on
22 board a public utility vehicle seated at the right side beside

1 the driver for public utility jeepneys (PUJs) and to
2 passengers seated at the right side beside the driver and
3 those at the first row immediately behind the driver in the
4 case of public utility buses (PUBs) and to passengers seated
5 on the right side beside the driver for private motor
6 vehicles.

7 SEC. 4. *Mandatory Use of Seat Belts.* – For their own
8 safety, the driver and front seat passengers of a public or
9 private motor vehicle are required to wear or use their seat
10 belt devices while inside a vehicle of running engine on a
11 highway.

12 In the case of public motor vehicles, the driver shall
13 be required to readily inform and require the front seat
14 passengers upon boarding a vehicle of running engine to
15 wear the prescribed seat belts. Any passenger who refuses
16 to wear seat belts shall not be allowed to continue his/her
17 trip.

18 For special public service vehicles such as school
19 services, especially designed restraint contraption devices
20 should be provided and used by both front seat passengers
21 as defined herein and the first row passengers immediately

1 behind the driver at all times while inside a vehicle of
2 running engine.

3 Operational motor vehicles, both public and private,
4 which are not equipped with the required seat belt devices,
5 are given one (1) year from the issuance of the
6 Implementing Rules and Regulations (IRR) by the Land
7 Transportation Office (LTO), to retrofit appropriate seat
8 belt devices in their vehicles.

9 *SEC. 5. Children Prohibited To Sit In Front Seat. -*
10 Infants and/or children with ages six (6) years and below
11 shall be prohibited to sit in the front seat of any running
12 motor vehicle except when seated with the parent other than
13 the driver.

14 *SEC. 6. Coverage. -* This Act, in the interest of public
15 safety, shall apply to drivers and front seat passengers of
16 public and private motor vehicles and other vehicles as may
17 be determined by the IRR thereon.

18 *SEC. 7. Provisions for Seat Belt. -* This Act further
19 requires car manufacturers, assemblers and distributors to
20 ensure that seat belt devices are properly installed as
21 determined by the IRR thereon.

1 SEC. 8. *Importation.* - It shall be unlawful for any
2 person to import or cause the importation of any vehicle
3 without appropriate and operational seat belt devices as
4 required herein and in accordance with the IRR thereon.

5 SEC. 9. *Type of Seat Belt Devices Required.* - The seat
6 belt devices required to be installed in all motor vehicles
7 shall comply with the standards and specifications
8 established by the Bureau of Product Standards of the
9 Department of Trade and Industry (DTI) in consultation
10 with the Land Transportation Office (LTO) of the DOTC:
11 *Provided, further,* That the seat belt devices installed in
12 imported second-hand motor vehicles shall conform to the
13 standards and specifications of the Bureau of Product
14 Standards for purposes of importation and registration.

15 SEC. 10. *Registration.* - No new motor vehicle shall be
16 allowed initial registration and succeeding renewal of
17 registration unless it is equipped with the necessary seat
18 belt devices. Renewal of registration of in-use vehicles
19 without necessary seat belt devices shall not be allowed one
20 (1) year after the passage of the IRR as specified in Section
21 11 of this Act. For this purpose, the LTO shall include in

1 the implementing guidelines a system of vehicle registration
2 where compliance with Section 4 hereof is required.

3 SEC. 11. *Period of Implementation.* – The LTO shall
4 be the agency primarily responsible with the enforcement
5 and implementation of this Act. Within sixty (60) days
6 from the effectivity of this Act, the LTO shall formulate
7 and issue the necessary implementing rules, regulations and
8 guidelines and shall mobilize available resources to assure
9 the effective implementation of this Act.

10 SEC. 12. *Penalties and Fines.* – In the enforcement of
11 this Act, the LTO shall impose fines against drivers,
12 passengers, operators, owners of vehicles, manufacturers,
13 assemblers, importers and/or distributors for violation of
14 this Act.

15 The following shall be the base in defining fine and
16 penalty provisions of the IRR to be promulgated pursuant to
17 Section 11 hereof, provided that six (6) months grace period
18 shall be allowed to lapse to conduct a nationwide
19 information campaign:

20 (1) On the driver

21 (a) For failure to wear the prescribed seat belt devices,
22 a minimum fine of One hundred pesos (P100) but not to

1 exceed One thousand pesos (P1,000) for the first violation;
2 a minimum fine of Two hundred pesos (P200) but not to
3 exceed Two thousand pesos (P2,000) for the second
4 violation; and a minimum fine of Five hundred pesos (P500)
5 but not to exceed Five thousand pesos (P5,000) and
6 suspension of driver's license for a period of one (1) week
7 for the third and succeeding violations;

8 (b) Public utility vehicles shall post appropriate
9 signages instructing front seat passengers to wear seat belts
10 when inside the vehicle. Noncompliance hereof will hold
11 both the driver and the operator liable and shall be fined a
12 minimum of Three hundred pesos (P300) but not to exceed
13 Three thousand pesos (P3,000) for every violation; and

14 (2) On any manufacturer, assembler, importer and
15 distributor for every unit found not to be installed with seat
16 belt devices prior to its distribution to the public, a
17 minimum fine of Five thousand pesos (P5,000) but not to
18 exceed Ten thousand pesos (P10,000) and suspension of the
19 license to manufacture, assemble, import or distribute for a
20 period of one (1) year for the first violation; a minimum
21 fine of Ten thousand pesos (P10,000) but not to exceed
22 Twenty thousand pesos (P20,000) and suspension of the

1 license to manufacture, assemble, import or distribute for a
2 period of two (2) years for the second violation; and a fine
3 of Twenty thousand pesos (P20,000) but not to exceed Fifty
4 thousand pesos (P50,000) and suspension of the license to
5 manufacture, assemble, import or distribute for a period of
6 five (5) years for the third violation.

7 SEC. 13. *Nationwide Public Information Campaign.* -

8 (a) The LTO, in coordination with the Philippine
9 Information Agency (PIA), the Department of Education,
10 Culture and Sports (DECS) and private agencies and
11 organizations shall undertake a regular nationwide
12 information, education and communication campaign for the
13 attainment of the objectives of this Act. The campaign
14 shall stress the safety and health value of seat belts to
15 support the effective enforcement of this Act.

16 (b) The LTO shall likewise utilize the services of
17 citizens' groups and community organizations for the
18 promotion of public safety awareness in the observance of
19 this Act.

20 (c) The fines that will be collected in the enforcement
21 of this Act shall be used by the LTO exclusively for the
22 implementation of the provisions of this Act, including the

1 necessary promotion campaigns for the use of seat belt
2 devices.

3 SEC. 14. *Separability Clause.* - If any provision or
4 part hereof is held invalid or unconstitutional, the
5 remainder of the law or the provision not otherwise affected
6 shall remain valid and subsisting.

7 SEC. 15. *Repealing Clause.* - Section 34, Article IV of
8 Republic Act No. 4136 is hereby amended and any law,
9 executive order, decree, issuance, ordinance, rule and
10 regulation or parts thereof contrary or inconsistent with the
11 provisions of this Act is also hereby repealed, amended or
12 modified accordingly.

13 SEC. 16. *Effectivity Clause.* - This Act shall take
14 effect fifteen (15) days after its complete publication in the
15 *Official Gazette* or in at least two (2) national newspapers
16 of general circulation, whichever comes first.

Approved,