



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 25 S. 2019

AN ORDINANCE FOR THE SAFETY OF CHILDREN ABOARD MOTORCYCLES,
PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR
OTHER PURPOSES

AUTHOR : COUN. NELSON J. CHAVEZ

WHEREAS, the Batangas City Government adheres to the policy of the state to promote and defend the rights of children and youth and to provide them assistance, proper care and nutrition, and protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudiced to their development;

WHEREAS, Section 16 of the Local Government Code of 1991 empowers the City Government to exercise measures necessary for the promotion of general welfare, promote health and safety, and preserve the comfort and convenience of their inhabitants;

WHEREAS, RA 10666, also known as "An Act Providing for the Safety of Children Aboard Motorcycles" mandates that the local government units undertake similar initiatives to enforce the objectives of guaranteeing the safety and welfare of children and prevent traffic related death and injuries;

NOW THEREFORE, be it enacted by the Sangguniang Panlungsod, in session assembled:

SECTION 1. SHORT TITLE. - This Ordinance shall be known and cited as "Children's Safety on Motorcycles Ordinance of Batangas City".

SECTION 2. DEFINITION OF TERMS. - Whenever used in this Ordinance the following terms shall mean:

- a. Motorcycle - refers to any two-wheeled motor vehicle having one or two riding saddles;
- b. Foot peg - refers to a flat form attached to the motorcycle on which to stand or brace the feet;
- c. Rider - refers to the driver of the motorcycle;
- d. Public roads - refer to roads for public use such as but not limited to national highways, provincial roads, city roads, and barangay roads;



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SECTION 4. PROHIBITION. - It shall be unlawful for any person to drive a two-wheeled motorcycle with a child on board on public roads unless:

- a) The child passenger can comfortably reach his feet on the standard foot peg of the motorcycle;
- b) The child passenger's arms can reach around and grasp the waist of the motorcycle rider; and
- c) The child passenger is wearing a standard protective helmet prescribed under the Motorcycle Helmet Act of 2009.

SECTION 5. EXCEPTION. - The prohibition stated in this Ordinance shall not apply to cases where the child passenger is to be transported for immediate medical attention.

SECTION 6. PENALTIES. - Any person who shall violate this Ordinance shall suffer a fine of not less than Php 5,000.00 or imprisonment of not less than ten (10) days or both at the discretion of the court.

SECTION 7. IMPLEMENTING RULES. - The City Mayor may formulate and issue rules and regulations for the effective implementation of this Ordinance.

SECTION 8. ENFORCEMENT. - The Transportation Development and Regulatory Office (TDRO) and other government agencies may be deputized by the City Mayor to effectively enforce this Ordinance.

SECTION 9. SEPARABILITY CLAUSE. - If for any reason, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full and effect.

SECTION 10. REPEALING CLAUSE. - All provisions of city ordinances, executive orders or resolutions inconsistent herewith are hereby repealed and/or modified accordingly.



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SECTION 11. EFFECTIVITY. - This Ordinance shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation in the Cities and Province of Batangas.

ENACTED by the Sangguniang Panlungsod of Batangas City this 25th day of November, 2019.

ATTY. OLIVA D. TELEGATOS

Secretary

Sangguniang Panlungsod

ATTESTED:

COUN. ALYSSA RENEE A. CRUZ
Acting Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved:

DEC 09 2019