



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



ORDINANCE NO. 19-024

AN ORDINANCE PROVIDING FOR THE SAFETY OF CHILDREN RIDING IN MOTORCYCLES.

Sponsored by:

- Hon. Coun. Ting Niefes*
- Hon. Coun. Atty. Raul R. Corro*
- Hon. Coun. Alexson V. Diaz*
- Hon. Coun. Paty Katy C. Boncayao*
- Hon. Coun. Louisito A. Arciaga*
- Hon. Coun. Allan Rey A. Camilon*
- Hon. Coun. Stephanie G. Teves*
- Hon. Coun. Ivey Rhia A. Tadea*
- Hon. Coun Engr. Neptali S. Santiago*
- Hon. Coun. Engr. Marissa C. Rongavilla*
- Hon. Coun. Mark Lester M. Baes*
- Hon. Coun. Ma. Dhesiree G. Arevalo*
- Hon. Coun. Engr. Mamerto T. Sevilla, Jr.*
- Hon. Coun. Engr. Arlene D. Hilapo*
- Hon. Coun. Cornelio M. Martinez*
- Hon. Coun. Walter A. Arcilla*
- Hon. Coun. Kenichi D. Takagi, Jr.*

WHEREAS, the Local Government Code empowers the Local Government Units under the general welfare clause to institute measures that would protect its inhabitants from harm;

WHEREAS, Republic Act No. 10666, otherwise known as Children's Safety on Motorcycle, was enacted by the Philippine Congress pursuant to the provision of the constitution on the basic human rights of children;

WHEREAS, Republic Act No. 10666 also vests upon the local government unit the "delegated power to enforce the provisions of the said act";

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 9th Sanggunian in Session in session assembled that:

SECTION 1. This ordinance shall be known as the SAFETY OF CHILDREN RIDING IN MOTORCYCLE.

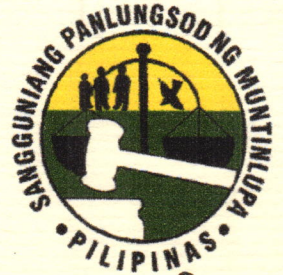
SECTION 2. The following terms which appears in this ordinance shall be construed to mean:

- a) **Motorcycle** - refers to any two (2)-wheeled motor vehicle having one (1) or two (2) riding saddles;
- b) **Public roads** - refer to roads designed by the national government or local government units as roads for public use such as, but not limited to, national highways, provincial roads, city, municipal and barangay streets;



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- c) **Foot peg** - refers to a flat form attached to the motorcycles on which to stand or brace the feet; and
- d) **Rider** - refers to the driver of a motorcycle.
- e) **Child** - below eighteen years of age;
- f) **speed limit** - the maximum speed in which a motorcycle is allowed to traverse any road;
- g) **deputized agent** - refers to personnel of the barangay or any personnel deputized and or given citation tickets by the **Muntinlupa Traffic Management Bureau (MTMB)**.

SECTION 3. Prohibition - It shall be unlawful for any person to drive a two (2)-wheeled motorcycle with a child on board on public roads UNLESS:

- a. The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle;
- b. The child's arms can reach around and grasp the waist of the motorcycle rider; and
- c. The child is wearing a standard protective helmet referred to under Republic Act No. 10054, otherwise known the "Motorcycle Helmet Act of 2009."

SECTION 4. Exception - Notwithstanding the prohibition herein provided, it shall not apply to cases where the child to be transported requires immediate medical attention. In which case, the burden of proof shall fall upon the offender if the immediate medical attention contemplated herein is not physically apparent;

SECTION 5. Penalties - Any person who operates a motorcycle in violation of Section 3 of this Ordinance shall be fined with an amount of One Thousand Pesos (P1,000.00) for the First Offense; Three Thousand Pesos (P3,000.00) for the Second Offense, and Five Thousand Pesos (P5,000.00) for the Third and succeeding offenses.

Moreover, for the third offense, the driver's license of the offender shall be suspended for a period of one (1) month

Violation of these provisions beyond the third time shall result to automatic revocation of the offender's driver's license.

SECTION 6. Enforcement - To effectively implement the provisions of this ordinance, the **Muntinlupa Traffic Management Bureau (MTMB)** is hereby given the authority to enforce the provisions of this ordinance. The **Muntinlupa Traffic Management Bureau (MTMB)** shall likewise endeavor to conduct capability development of its enforcers and deputized agents;



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SECTION 7. Implementing Rules and Regulations – As the lead agency, the MTMB shall formulate the IRR of this Ordinance within ninety (90) days after its effectivity.

SECTION 8. Separability Clause – If for any reason any section or provision of this Act is declared unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 9. Repealing Clause – All ordinances, rules and regulations which are inconsistent with or contrary to the provisions of this ordinances are hereby amended or repealed.

SECTION 10. Effectivity – This ordinance shall take effect fifteen (15) days after its publication in the newspapers of general circulation.

ENACTED, by 9th Sangguniang Panlungsod of Muntinlupa this 4th day of November 2019, on its 19th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2

COUN. ENGR. NEPTALI S. SANTIAGO
Member

COUN. ENGR. MARISSA C. RONGAVILLA
Member



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(ABSENT)
COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

COUN. MA. DHE SIREE G. AREVALO
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary to the Sangguniang

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 25 NOV 2019

Norie/9th SP

