Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
19th City Council

PO19CC-365

81st Regular Session

ORDINANCE NO. SP-2467, S-2015

AN ORDINANCE PRESCRIBING MOTORCYCLE RIDERS TO FOLLOW THE MAXIMUM LOAD LIMIT SPECIFIED IN THE MOTORCYCLE OWNER'S MANUAL FOR PERSONAL SAFETY AND FOR ROAD WORTHINESS OF THE MOTORCYCLE.

Introduced by Councilors RAMON P. MEDALLA, JESUS MANUEL C. SUNTAY, EUFEMIO C. LAGUMBAY, RICARDO T. BELMONTE JR. and JOSE MARIO DON S. DE LEON.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Dorothy A. Delarmente, Lena Marie P. Juico, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Estrella C. Valmocina, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pumaren, Jaime F. Borres, Vincent DG. Belmonte, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Allan Butch T. Francisco, Karl Edgar C. Castelo, Candy A. Medina, Diorella Maria G. Sotto, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, the use of motorcycles has increased due to the following advantages: higher fuel efficiency, affordability, and a sense of personal convenience;

WHEREAS, despite the benefits of owning a motorcycle, seventy percent (70%) of road accidents involved motorcycles and bicycles according to World Health Organization (WHO);

WHEREAS, according to the Metropolitan Manila Development Authority (MMDA), motorcycles are more prone to accidents as they expose the drivers and passengers to a higher risk compared to four (4) wheeled vehicles;

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WHEREAS, under Section 16 of Republic Act No. 7160, the Local Government is empowered to exercise the powers expressly granted, those necessarily implied from, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare, including the maintenance of peace and order and promotion of public security and safety of its territory;

WHEREAS, according to the Land Transportation Office (LTO), more than half of the 6.2 million registered vehicles in the Philippines as of 2009, or around 3.2 million are motorcycles;

WHEREAS, there are almost 14,000 injury cases of motorcycle accidents for the last quarter of 2012 according to Department of Health;

WHEREAS, based on Metropolitan Manila Development Authority (MMDA) data from 2005 to August 2015, 193 pedestrians were killed by motorcycle accidents while 18,586 injuries were recorded;

WHEREAS, every manufactured motorcycle had a corresponding manual to guide its user;

WHEREAS, to protect the safety of the rider and to maintain the road worthiness of the motorcycle, load limit must be observed and adhered with properly.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. SHORT TITLE – This Ordinance shall be known as the "Motorcycle Load Limit Ordinance of Quezon City".

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SECTION 2. PURPOSE – The purpose of this Ordinance is to ensure the safety of every motorcycle rider and maintain the road worthiness of motorcycles. It will also help lessen the emission of harmful gases which is detrimental to public health and environment.

SECTION 3. MOTORCYCLE OWNER'S MANUAL – Every motorcycle dealer is mandated to provide their buyer with owner's manual which shall be kept in the motorcycle compartment at all times.

SECTION 4. PASSENGER DESIGNED FOR MOTORCYCLE – A person operating a motorcycle shall ride only upon the permanent and regular seat attached to the motorcycle, and the operator shall not carry any other person nor shall allow other persons to ride on a motorcycle unless the motorcycle is designed to carry more than one person.

SECTION 5. BACK RIDER – Carrying a passenger affects many different aspects of motorcycle operation. Not all passengers are fit to ride a motorcycle. As stated in above section, a motorcycle is basically designed for one person. The operator shall not carry a back rider unless the motorcycle was designed to carry more than one (1) person.

SECTION 6. MOTORCYCLE CARGO – Motorcycles are not designed to carry much cargo unless saddlebags, side pods, top boxes and the likes are used. The cargo units must be secured firmly and should not spill or detach on minor crashes and should not cause the motorcycle to be unstable. Load dimensions should not go beyond one (1) meter from the center of the motorcycle side to side and higher than the helmet of the rider. Other carry-on luggage like guitars or rulers that are not attached to the motorcycle cargo units should be strapped to the rider.

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SECTION 7. OVERLOADING – If the cargo exceeds the allowable dimension or is not secured properly, it shall be considered as overloading. If the motorcycle is not designed for two persons (without foot pegs for backrider), it shall also be considered as overloading. Having three (3) passengers is definitely overloading, and in violation of the Motor Load Limit Ordinance of this City.

SECTION 8. PENALTY – Motorcycle riders plying within the jurisdiction of the city found violating this Ordinance shall be fined accordingly:

First Offense:	*Php1,000.00*
Second Offense:	*Php3,000.00*
Third Offense:	*Recommendation for the revocation of license.*

SECTION 9. CREATING AND OPENING A TRUST FUND – The Department of Public Order and Safety (DPOS) is mandated by this Ordinance to create and open a Trust Fund Account. Violator's fees shall go directly to the said Trust Fund solely intended to modernize the traffic signs and regulations and road conditions of the city.

SECTION 10. IMPLEMENTING RULES AND REGULATIONS (IRR) – The Department of Public Order and Safety (DPOS) shall draft the Implementing Rules and Regulations (IRR) for proper operation of this Ordinance within thirty (30) days after its effectivity.

SECTION 11. REPEALING CLAUSE – All provisions of City Ordinances, Executive Orders and Resolutions inconsistent herewith are hereby repealed and/ or modified accordingly.

SECTION 12. SEPARABILITY CLAUSE – If for any reason any part of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby, shall continue to be in full force and effect.

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SECTION 13. EFFECTIVITY CLAUSE – This Ordinance shall take effect thirty (30) days after its publication in a newspaper of general circulation.

ENACTED: December 7, 2015.

MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 09 FEB 2016

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on December 7, 2015 and was PASSED on Third/Final Reading on December 14, 2015.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

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LAW RESEARCH