

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

17 MAR 15 P 4:41

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SENATE

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COMMITTEE REPORT NO. 57

Prepared and submitted by the Committee on Justice and Human Rights on  
MAR 15 2017

Re: Senate Bill No. 1397

Recommending its approval in substitution of Senate Bill No. 221 and 1128.

Sponsor: Senator Gordon.

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**MR. PRESIDENT:**

The Committee on Justice and Human Rights to which were referred  
Senate Bill No. 221, introduced by Senator Sotto III, entitled:

**"AN ACT  
PROHIBITING BACKRIDERS ON TWO-WHEELED  
MOTORCYCLES/SCOOTERS AND EXCEPTIONS THERETO"**

and Senate Bill No. 1128, introduced by Senator Gordon, entitled:

**"AN ACT  
PENALIZING AND PREVENTING THE USE OF MOTORCYCLES OR SCOOTERS IN  
THE COMMISSION OF CRIMES THROUGH USE OF BIGGER PLATE NUMBERS  
AND IDENTIFICATION MARKS, REGULATION OF BACKRIDERS AND FOR  
OTHER PURPOSES"**

has considered the same and has the honor to report them back to the Senate  
with the recommendation that the attached Senate Bill No. 1397  
prepared by the Committee, entitled:

**"AN ACT  
PENALIZING AND PREVENTING THE USE OF MOTORCYCLES OR SCOOTERS IN  
THE COMMISSION OF CRIMES THROUGH THE USE OF BIGGER PLATE  
NUMBERS AND IDENTIFICATION MARKS, REGULATION OF BACKRIDERS AND  
FOR OTHER PURPOSES"**

be approved in substitution of Senate Bill Nos. 221 and 1128, with Senators  
Sotto and Gordon as authors thereof.

Respectfully submitted:

  
**RICHARD J. GORDON**



PANFILO M. LACSON

Vice Chair

*Members*



EMMANUEL "MANNY" D. PACQUIAO



Grace Poe

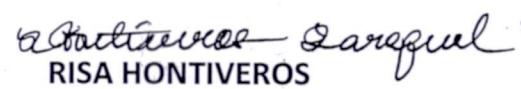
GRACE POE



JOSEPH VICTOR G. EJERCITO



ALAN PETER "COMPANERO" S. CAYETANO



Risa Hontiveros

RISA HONTIVEROS



Francis "KIKO" N. PANGILINAN

*Ex Officio Members:*



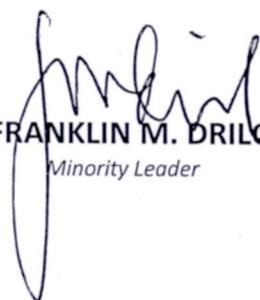
VICENTE C. SOTTO III

Majority Leader



RALPH G. RECTO

President Pro Tempore



FRANKLIN M. DRILON

Minority Leader

AQUILINO "KOKO" PIMENTEL III

Senate President

Senate of the Philippines

Pasay City



Senate  
Office of the Secretary

SEVENTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*)

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SENATE

SENATE BILL NO. 1397

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*Prepared by the Committee on Justice and Human Rights with Senators Sotto III and Gordon as authors thereof*

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AN ACT

PENALIZING AND PREVENTING THE USE OF MOTORCYCLES OR SCOOTERS IN THE COMMISSION OF CRIMES THROUGH THE USE OF BIGGER PLATE NUMBERS AND IDENTIFICATION MARKS, REGULATION OF BACKRIDERS AND FOR OTHER PURPOSES

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

1 SECTION 1. ***Short Title.*** – This Act shall be known as the “Motorcycle Crime Prevention Act of 2017”.

3 Sec. 2. ***State Policy.*** – Article II, Section 5 of the 1987 Philippine Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. It is hereby declared the policy of the State to secure and safeguard its citizenry from the ruinous and extremely injurious effects of crimes and fatal accidents, particularly those caused by motorcycles and scooters.

10 Sec. 3. ***Definition.*** - As used in this Act, the following terms are defined:

1                   (a) "Plate number" refers to the regular motor vehicle license plate issued  
2                   by the Land Transportation Office (LTO) bearing the standard  
3                   alphanumeric characters in accordance with Batas Pambansa Blg. 43  
4                   and 74.

5                   (b) "Backrider" refers to any person seated at the back of the motorcycle  
6                   or scooter driver, or a passenger of his driver.

7                   (c) "Riding-in-tandem" refers to the combination of a driver and his  
8                   backrider/s or passenger/s riding a motorcycle or scooter.

9                  Sec. 4. **Bigger Plate Number.** – The Land Transportation Office (LTO) shall  
10               issue bigger plate number sizes for every motorcycle and scooter which must be  
11               placed both in the front and rear part of the motorcycle. It shall be made of  
12               aluminum plate applied with reflectorized paint, and with alphanumeric characters in  
13               large and readable font. There must be a plate number both at the front and back  
14               parts of the motorcycle or scooter, the dimensions of which should be big enough for  
15               the plate numbers to be readable from a distance of between twelve (12) to fifteen  
16               (15) meters.

17               The LTO shall devise a color scheme of the plate numbers for every region in  
18               the country to easily identify where such motorcycle was registered. It shall also  
19               devise an alphanumeric system, with as few characters as possible, for easier  
20               identification and recollection by the general public, whether day or night.

21               In the foregoing, the LTO shall provide every region and all its local  
22               government units a list of all the newly purchased and previously purchased

1 registered motorcycles or scooters in its jurisdiction which includes, but are not  
2 limited to the following information: name of registered owner, his driver's license  
3 number, his address and contact details, vehicle identification number, plate  
4 number, body color, brand/maker. For these purposes, the LTO shall maintain a  
5 computerized database of all the information collected to facilitate information  
6 retrieval, as the case may arise.

7 Furthermore, the LTO in every region shall require the registration of every  
8 motorcycle or scooter which shall undergo transfer of ownership within two (2) days  
9 after such transfer, whether the motorcycle or scooter is newly assembled, rebuilt,  
10 or acquired from a registered owner.

11 **Sec. 5. Driving Without a Plate Number or a Bigger Plate Number.** – Driving  
12 without a plate number or a bigger plate number, as provided in Sec. 4, is prohibited.  
13 The motorcycle or scooter used without bigger plate numbers shall be confiscated by  
14 the LTO until a bigger plate is issued.

15 **Sec. 6. Penalty for Use of the Motorcycle or Scooter in the Commission of a**  
16 **Crime.** – If the motorcycle or scooter is used in the commission of a crime or to  
17 ensure a quick escape from the scene of the crime, as witnessed by another person,  
18 and a victim dies as a result of this illegal use of a motorcycle or scooter, the  
19 motorcycle driver, his backrider/s, if any, and conspirators, shall be punished by  
20 *reclusion perpetua*. If the victim suffers serious physical injury, or there was shooting  
21 or stabbing of the victim committed by the driver or backrider/s of the motorcycle or  
22 scooter which did not result in death, the penalty shall be *reclusion temporal* unless a

1 higher penalty is imposed due to the commission of some other crime, in which case,  
2 the higher penalty shall be applied. In all other cases, the use of the motorcycle or  
3 scooter in the commission of a crime shall increase the penalty for the crime by one  
4 degree.

5 If the motorcycle or scooter used in the commission of a crime was stolen, or  
6 the licensed plate used is mismatched from the vehicle registration of the *motorcycle*  
7 or scooter, and the crime results in the death of the victim, the penalty is *life*  
8 *imprisonment*.

9 The motorcycle or scooter used in the commission of a crime shall be  
10 confiscated and forfeited in favor of the Government, unless it be the property of a  
11 third person not liable for the offense.

12 The vehicle shall be impounded pending investigation and shall be in *custodia*  
13 *legis*, and no bond shall be admitted for the release of the same until the final  
14 decision of acquittal is promulgated by the trial court which hears the criminal case  
15 involving the use of the impounded motorcycle or scooter. The motorcycle or  
16 scooter shall be confiscated and forfeited after conviction in the trial court where the  
17 appropriate criminal case was filed. If there is an acquittal, the vehicle shall be  
18 returned to its registered owner.

19 Sec. 7. ***Penalizing Commission of a Crime Through or With a Backrider/s on***  
20 ***Motorcycles or Scooters.*** — Persons committing a crime through or with a  
21 backrider/s shall be punished with the penalty of *life imprisonment*.

1       City or municipal ordinances prohibiting or regulating backriders in  
2       motorcycles or scooters shall apply in the city or municipality or local government  
3       unit where the same is prohibited or regulated, provided these are not inconsistent  
4       with this law.

5       Sec. 8. ***Loss of Bigger Plate Number.*** – If for some reason, the bigger plate  
6       number of a motorcycle or scooter is lost or stolen, the registered owner of such  
7       motorcycle, or his authorized representative, must immediately report to the LTO  
8       the incident within three (3) calendar days from the date of loss, and shall apply for a  
9       new license plate.

10       The motorcycle with a lost or stolen plate whose owner has not formally  
11       reported the loss thereof to the LTO within the time provided in the previous  
12       paragraph shall be impounded inside the designated impounding areas of the LTO  
13       until a new plate is issued. The LTO may charge a reasonable daily fee against the  
14       registered owner of the motorcycle or scooter which has been impounded under this  
15       section.

16       Sec. 9. ***Implementation.*** – The Department of Transportation (DOTr) and LTO  
17       are mandated to issue pertinent guidelines to implement the provisions of this Act.

18       Sec. 10. ***Other Penalties.*** –

19       (a) Non-compliance with the use of the bigger plate numbers shall result to  
20       the revocation of the registration of the motorcycle or scooter for a period  
21       of at least one (1) year, and confiscation of the driver's license of the driver  
22       thereof, or in the absence of the driver, the registered owner thereof for a

1            period of at least one (1) year, and a fine of not less than Ten Thousand  
2            Pesos (P10,000.00) but not more than Twenty Thousand Pesos  
3            (P20,000.00).

4            (b) Tampering, alteration, forgery or imitation of the bigger plate number  
5            shall be punished with a fine of not less than Twenty Thousand Pesos  
6            (P20,000.00) but not more than Fifty Thousand Pesos (P50,000.00).

7            (c) If the registered owner of the motorcycle or scooter fails to timely report  
8            to the LTO the loss of his bigger license plate, he or she shall be punished  
9            with a fine of not less than Ten Thousand Pesos (P10,000.00) but not more  
10          than Twenty Thousand Pesos (P20,000.00).

11          Sec. 11. *LTO Operations Center.* – Within six (6) months from the  
12          implementation of this Act, the LTO shall create and establish an Operations Center  
13          (Center) which shall be operational twenty-four (24) hours and seven (7) days a week  
14          for a faster and focused process in reporting vehicle-related accidents and any other  
15          incidents.

16          Sec. 12. *Appropriation.* – The amount needed for the initial implementation of  
17          this Act shall be taken from the current fiscal year's appropriation of the Department  
18          of Transportation. Thereafter, the amount needed for the operation and  
19          maintenance shall be included in the General Appropriations Act.

20          Sec. 13. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or  
21          other issuances or parts thereof inconsistent with the provisions of this Act are  
22          hereby repealed or modified accordingly.

1           Sec. 14. *Separability Clause.* – If any portion or provision of this Act is  
2 declared unconstitutional, the remainder of this Act or any provision not affected  
3 thereby shall remain in force and effect.

4           Sec. 15. *Effectivity.* – This Act shall take effect after fifteen (15) days following  
5 the completion of its publication either in the Official Gazette or in a newspaper of  
6 general circulation in the Philippines.

7           Adopted.