

Republic of the Philippines
Congress of the Philippines

Metro Manila

Eleventh Congress

First Regular Session

Began and held in Metro Manila, on Monday, the twenty-seventh day of
July, nineteen hundred and ninety-eight.



[REPUBLIC ACT NO. 8790]

AN ACT REQUIRING THE MANDATORY COMPLIANCE
BY MOTORISTS OF PRIVATE AND PUBLIC VEHICLES
TO USE SEAT BELT DEVICES, 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:*

SECTION 1. *Short Title.* - "This Act shall be known as the "Seat
Belts Use Act of 1999."

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy
of the State to secure and safeguard its citizenry, particularly the passengers
and drivers of private and public motor vehicles, from the ruinous and
extremely injurious effects of vehicular accidents. Towards this end, the
State shall pursue a more proactive and preventive approach in order to
secure the safety of the passengers and drivers at all times with the

mandatory enforcement of the use of seat belt devices by the drivers and front seat passengers of private and public motor vehicles.

SEC. 3. Definition of Terms. - For purposes of this Act, the term:

(a) "Motorist" shall refer to the driver of a motor vehicle.

(b) "Seat belt device" shall refer to any strap, webbing or similar device in the form of pelvic restraint or lap belt, upper torso restraint or shoulder strap or a combination thereof designed to secure a person in a motor vehicle in order to mitigate the results of any accident, including all necessary buckles and other fasteners, and all hardware designed for installing such seat belt device in a motor vehicle.

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

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

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

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

(3) Any diplomatic vehicle.

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

(f) "Motor vehicle of running engine" shall refer to a vehicle as stated herein, operating and standing on any road or thoroughfare with engine running.

(g) "Front seat passengers" shall refer to persons on board a public utility vehicle seated at the right side beside the driver for public utility jeepneys (PUJs) and to passengers seated at the right side beside the driver and those at the first row immediately behind the driver in the case of public utility buses (PUBs) and to passengers seated on the right side beside the driver for private motor vehicles.

SEC. 4. Mandatory Use of Seat Belts. - For their own safety, the driver and front seat passengers of a public or private motor vehicle

are required to wear or use their seat belt devices while inside a vehicle of running engine on any road or thoroughfare: *Provided*, That for private vehicles, except for jeeps, jeepneys, vans, buses and such other private vehicles as may be determined in the Implementing Rules and Regulations (IRR), front and back seat passengers are likewise required to use their seat belt devices at all times.

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

For special public service vehicles such as school services and other similar vehicles as may be determined by the IRR, seat belt devices should be provided and used by both drivers and front seat passengers as defined herein and the first row passengers immediately behind the driver at all times while inside a vehicle of running engine.

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

SEC. 5. Children Prohibited to Sit in Front Seat. - Infants and/or children with ages six (6) years and below shall be prohibited to sit in the front seat of any running motor vehicle.

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

SEC. 7. Provisions for Seat Belt. - This Act further requires car manufacturers, assemblers and distributors to ensure that seat belt devices are properly installed before the distribution and sale of the said vehicles as determined by the IRR thereon: *Provided*, That manufacturers, assemblers and distributors of jeepneys may install a pelvic restraint or lap belt only in the driver's and front seat passengers' seats and this shall be considered as substantial compliance with the requirements of this Act.

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

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

SEC. 10. *Registration.* - No new motor vehicle shall be allowed initial registration and succeeding renewal of registration unless it is equipped with the necessary seat belt devices. Renewal of registration of in-use vehicles without necessary seat belt devices shall not be allowed one (1) year after the passage of the IRR as specified in Section 11 of this Act. For this purpose, the LTO shall include in the implementing guidelines a system of vehicle registration where compliance with Section 4 hereof is required.

SEC. 11. *Period of Implementation.* - The LTO shall be the agency primarily responsible in the enforcement and implementation of this Act. Within sixty (60) days from the effectivity of this Act, the LTO shall formulate and issue the necessary implementing rules, regulations and guidelines and shall mobilize available resources to assure the effective implementation of this Act: *Provided*, That the LTO or its successor tasked with the implementation of this Act may require the use of special car seats for infants, if it is deemed necessary.

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

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

(1) On the driver

(a) For failure to wear the prescribed seat belt devices and/or failure to require his passengers to wear the prescribed seat belt device, a minimum fine of One hundred pesos (P100) but not to exceed One thousand pesos (P1,000) for the first violation; a minimum fine of Two

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

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

(2) On any manufacturer, assembler, importer and distributor for every unit found without seat belt devices installed prior to its distribution to the public, a minimum fine of Five thousand pesos (P5,000) but not to exceed Ten thousand pesos (P10,000) and suspension of the license to manufacture, assemble, import or distribute for a period of one (1) year for the first violation; a minimum fine of Ten thousand pesos (P10,000) but not to exceed Twenty thousand pesos (P20,000) and suspension of the license to manufacture, assemble, import or distribute for a period of two (2) years for the second violation; and a fine of Twenty thousand pesos (P20,000) but not to exceed Fifty thousand pesos (P50,000) and suspension of the license to manufacture, assemble, import or distribute for a period of five (5) years for the third violation.

SEC. 13. *Nationwide Public Information Campaign.* - (a) The LTO, in coordination with the Philippine Information Agency (PIA), the Department of Education, Culture and Sports (DECS) and private agencies and organizations, shall undertake a regular nationwide Information, Education and Communication (IEC) campaign for the attainment of the objectives of this Act. The campaign shall stress the safety and health value of seat belts to support the most effective enforcement of this Act.

(b) The LTO, in coordination with the local government units, shall likewise utilize the services of citizen groups and community organizations for the promotion of public safety awareness in observance of this Act.

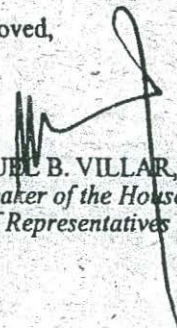
(c) The fines that will be collected for the enforcement of this Act shall be used exclusively for the implementation of the provisions of this Act, including the necessary promotion campaigns for the use of seat belt devices.


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

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

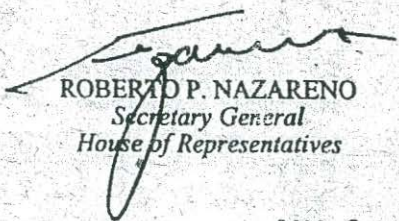
SEC. 16. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.


Approved,


MANUEL B. VILLAR, JR.
Speaker of the House
of Representatives


MARCELO E. FERNAN
President of the Senate


This Act, which is a consolidation of Senate Bill No. 1137 and House Bill No. 7090 was finally passed by the Senate and the House of Representatives on June 3, 1999 and June 2, 1999, respectively.


ROBERTO P. NAZARENO
Secretary General
House of Representatives


HEZEL P. GACUTAN
Secretary of the Senate

Approved:

AUG 05 1999


JOSEPH EJERCITO ESTRADA
President of the Philippines

