

RULES AND REGULATIONS FOR THE USE AND OPERATION OF MOTORCYCLES ON HIGHWAYS

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Pursuant to Executive Order No. 292, otherwise known as the Administrative Code of 1987 and the United Nations Vienna Convention for Road Traffic of 1968 to which the Philippines is a signatory, and in accordance with Department Order No. 93-693, series of 1992 the following rules and regulations shall govern the use and operation of motorcycles on roads and highways.

SECTION I. Definition of Terms. As used in these Rules:

- "Driver" shall mean every and any licensed operator or rider of a motorcycle or scooter.
- "Electrical accessories" shall mean the horn, brake, headlight and turn signals of a motorcycle or scooter.
- "Highways" shall mean every public thoroughfare, public boulevard, driveway, avenue park, alley, callejon, but shall not include roadway upon grounds owned by private persons, colleges, universities, or other similar institutions.
- "Lane splitting" shall mean using or sharing a lane already occupied by one vehicle by another vehicle such as motorcycle or scooter in a road or highway.
- "Motorcycle" shall mean two-wheeled motor vehicle having one or two riding saddles.
- "Passenger" shall mean the back rider of a motorcycle or scooter.
- "Protective devices" shall include helmet, goggles, leather boots and protective clothing such as heavy pants, heavy jackets, leather gloves and rain suit.
- "Standard helmet" shall mean the protective helmet approved by the Department of Trade and Industry (DTI) with PNS-UNECE 22 marking.
- "School for motorcycle riders" shall mean any and all motorcycle riding schools accredited by the Land Transportation Office.
- "Saddle bag" shall mean the Department of Trade and Industry approved built-in carrier of luggage in a motorcycle.
- "Temporary Operator's Permit" shall mean the citation ticket issued by LTO deputized agents to those who violates these Rules and Regulations.

SECTION II. Compulsory Registration of Motorcycles and Scooters. All motorcycles and scooters used or operated on any highway of the Philippines must be registered with the Land Transportation Office for the current year, in accordance with R.A. No. 4136, as amended.

SECTION III. Use of Number Plates. Every motorcycle or scooter shall, at all times display in conspicuous places, the reflective number plates issued by the Land Transportation Office (LTO).

The number plates shall be kept clean and shall be firmly affixed to the motor vehicle in such a manner as will make it entirely visible and legible.

SECTION IV. Duty of Driver/Rider to Have License. Except as otherwise specifically Provided by law, it shall be unlawful for any person to operate any motor vehicle without a valid license to drive a motor vehicle.

The license with Restriction Code No. 1 shall be carried by the driver/rider at all times when operating a motorcycle or scooter, and shall be shown and/or surrendered for cause and upon demand by any person authorized under R.A. No 4136, as confiscate the same.

SECTION V. Speed Limit. The uniform speed limit for nationwide application as provided under Sec. 35, Article I, Chapter (V) of R.A. No. 4136 is hereby incorporated as these Rules as follows:

"Section 35. Restriction as to speed. - (a) Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed, not greater nor less than is reasonable and proper, having due regard for the traffic, the width of the highway, and of any other condition then and there existing; and no person shall drive any motor vehicle upon a highway at such a speed as to endanger the life, limb and property of any person, nor at a speed greater than will permit him to bring the vehicle to a stop within the assured clear distance ahead.

(b) Subject to the provisions of the preceding paragraph, the rate of speed of any motor vehicle shall not exceed the following:

MAXIMUM ALLOWABLE SPEEDS

Passenger Cars and Motorcycles

Motortrucks and buses

1. On open country roads, with no "blind corners" not closely bordered by habitations.

80 kms. per hour

50 kms. per hour

2. On "through streets" or boulevards, clear of traffic, with no "blind corners," when so designated,"

40 kms. per hour

30 kms. per hour

3. On city and municipal streets, with light traffic, when not designated "through streets."

30 kms. per hour

30 kms. per hour

4. Through crowded streets, approaching intersections at "blind corners," passing school zones, passing other vehicles which are stationary, or for similar dangerous circumstances.

20 kms. per hour

20 kms. per hour

SECTION VI. Passenger and Cargo Load. Only one (1) back rider shall be allowed on a motorcycle or scooter who must be provided with a seat and footrest.

The motorcycle or scooter shall not carry cargo other than the saddle bags or tugga⁹ carriers specifically designed and approved by the DTI.

SECTION VII. Wearing of Standard Helmet. It shall be the duty of the motorcycle scooter driver/rider to ensure that he/she and the back rider wear standard helmets.

SECTION VIII, Motorcycle and Scooter Accessories. Motorcycles or scooters shall equipped with required accessories such as headlight, tail light, signal light, brake raht side mirror and horn.

The driver/rider shall, anytime of the day, switch on the headlight of the motorcycle or oater while it is being operated on the highway. He shall dim the headlight or lower the Lam wheneverthe motorcycle or scooter is being operated on well-lighted streets within the limits of cities, municipalities and thickly populated barrios or districts, or whenever it meets another vehicle along a highway.

Any modification of the original standard design of a motorcycle or scooter shall first be subject to the approval of LTO and the DTI.

SECTION IX. Miscellaneous Traffic Rules.

a)

No driver/rider shall operate a motorcycle or scooter while under the influence of liquor or narcotic drug.

b)

The driver/rider shall not use a cellular phone or other gadgets while operating a motorcycle or scooter.

c)

Adriver/rider shall observe the rule and on one lane per one vehicle only. Lane splitting is prohibited along a road or a highway. Motorcycles or scooters shall not be operated on sidewalks.

SECTION X. Accreditation of Motorcycle Riding School. Any person may establish a motorcycle riding school according to law, provided accreditation is secured from the LTO.

The LTO may waive the practical driving test for a student permit holder applying for driver's license with Restriction Code No 1 who has completed a rider's course from a LTO accredited motorcycfe riding school, provided the certificate of completion and graded results of the riding test of said applicant are submitted to the LTO.

SECTION XI. Penal and Other Provisions. The following fines/penalties shall be imposed against those who violated these Rules and Regulations:

a)

For failure of driver/rider and/or back rider to wear prescribed helmet, a fine of One Thousand Five Hundred Pesos (P1,500.00) with accessory penalty of driver/rider attending a seminar on traffic safety management to be conducted by the LTO.

b)

For carrying more passengers other than the back rider or cargo other than the saddle bags and luggage carriers, fine of One Thousand Pesos (P1,000.00).

c)

For defective accessories such as headlight, tail light, signal light, brake light, side mirror and horn, a fine of One Thousand Pesos (P1,000.00).

d) For modifying any part of the original designs of a motorcycle or scooter without approval of the LTO and the DTI, a fine of Two Thousand Pesos (P2,000.00).)

e)

For wearing of flip flops, sandals or slippers or being bare footed while operating motorcycle or scooter on a road or highway, a fine of Five Hundred Pesos (P500.00) for the first offense, Seven Hundred Pesos (P700.00) for the second offense and a fine of One Thousand Pesos (P1,000.00) and revocation of drivers license for the third offense.

SECTION XII. Repealing Clause. All previous orders and issuances inconsistent herewith are revoked and superseded-

SECTION XIII. Separability. If any provision of these Rules and Regulations of the application thereof to any person or circumstances is held invalid, the remainder of the Rules and the application of such provisions to other persons or circumstances not be affected thereby.

SECTION XIV. Effectivity. These Rules shall take effect after fifteen (15) days upon publication in a newspaper of national general circulation and a copy hereof furnished the UP Law Center.

Adopted: 15 May 2008

(SGD.) ALBERTO H. SUANSING
Assistant Secretary

Approved:

(SGD.) LEANDRO R. MENDOZA
Secretary, Department of Transportation and Communications

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