



SENATE

S. No. 1397

PREPARED BY THE COMMITTEE ON JUSTICE AND HUMAN
RIGHTS; WITH SENATORS SOTTO III, AND GORDON, AS
AUTHORS THEREOF

AN ACT PREVENTING AND PENALIZING THE USE OF
MOTORCYCLES IN THE COMMISSION OF
CRIMES THROUGH READABLE PLATE NUMBERS
AND IDENTIFICATION MARKS, AND FOR OTHER
PURPOSES

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

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

3 SEC. 2. *Declaration of Policy.* – Article II, Section 5
4 of the 1987 Philippine Constitution provides that the
5 maintenance of peace and order, the protection of life,
6 liberty, and property, and the promotion of the general
7 welfare are essential for the enjoyment by all the people of
8 the blessings of democracy. It is hereby declared the policy
9 of the State to secure and safeguard its citizenry from

1 crimes committed with the use of motorcycles through
2 readable plate numbers and identification marks.

3 SEC. 3. *Definitions.* – As used in this Act, the
4 following terms are defined:

5 (a) *Backrider or passenger* refers to any person
6 seated at the back of a motorcycle, or a passenger of a
7 motorcycle.

8 (b) *Driver* refers to any person driving or controlling
9 a motorcycle.

10 (c) *Motorcycle* refers to a powered two-wheel motor
11 vehicle, including, but not limited to, scooters, mopeds, and
12 motorcycles with appendages such as sidecars, tricycles or
13 trikes.

14 (d) *Owner* refers to any person who owns a
15 motorcycle.

16 (e) *Plate number* refers to the regular motor vehicle
17 license plate for a motorcycle issued by the Land
18 Transportation Office (LTO) bearing the standard
19 alphanumeric characters in accordance with Republic Act
20 No. 4136, as amended.

1 SEC. 4. *Registration by Owner.* – The owner of a
2 motorcycle shall register his or her motorcycle with the
3 LTO within five (5) days from such acquisition. The owner
4 of a motorcycle shall also report any sale or disposition of
5 his or her motorcycle to the LTO within five (5) days from
6 such sale or disposition. Failure of the owner to register his
7 or her motorcycle, or report its sale or disposition shall
8 subject the owner to imprisonment of *arresto mayor* to
9 *prision correccional* under the Revised Penal Code, or a
10 fine of not less than Twenty thousand pesos (P20,000.00)
11 but not more than Fifty thousand pesos (P50,000.00), or
12 both.

13 SEC. 5. *Readable Plate Number.* – The LTO shall
14 issue a readable plate number for every motorcycle with
15 alphanumeric characters in large and readable font from a
16 distance of at least fifteen (15) meters from the motorcycle.
17 The LTO shall also devise a color scheme of the readable
18 plate numbers for every region in the Philippines where a
19 motorcycle is registered for quick and easy identification.

1 The readable plate numbers must be displayed in
2 front and at the back of a motorcycle and shall be made of
3 suitable and durable material as determined by the LTO.

4 SEC. 6. *Registry of Motorcycles.* – The LTO shall
5 maintain a registry of motorcycles in a database to
6 facilitate information retrieval for official investigation and
7 law enforcement purposes. The registry of motorcycles
8 shall include, but not limited to, the following information:
9 name of motorcycle owner, motorcycle owner's driver's
10 license number, motorcycle owner's address and contact
11 details, motorcycle identification number, motorcycle plate
12 number, motorcycle body color, motorcycle brand/make. In
13 the registry of motorcycles, the LTO shall observe at all
14 times Republic Act No. 10173 or the "Data Privacy Act of
15 2012".

16 SEC. 7. *Driving Without a Plate Number or Readable*
17 *Plate Number.* – Driving without a plate number or a
18 readable plate number, as provided in this Act, is
19 prohibited. The driver of a motorcycle without a plate

1 number or readable plate number, as provided in this Act,
2 shall be punished by *prision correccional* as provided in the
3 Revised Penal Code, or a fine of not less than Fifty
4 thousand pesos (P50,000.00) but not more than One
5 hundred thousand pesos (P100,000,00), or both. A
6 motorcycle driven without a plate number or a readable
7 plate number shall be stopped and such motorcycle shall be
8 seized by law enforcers and immediately surrendered to
9 the LTO. The owner of such motorcycle may redeem his or
10 her seized motorcycle from the LTO upon proof of
11 ownership, payment of the costs of seizure, and compliance
12 with a readable plate number, as provided in this Act.

13 SEC. 8. *Failure to Surrender Seized Motorcycle.* –
14 Any law enforcer who shall fail to surrender a seized
15 motorcycle under the preceding section of this Act, within
16 twenty-four (24) hours from seizure shall be punished by
17 *prision correccional* as provided under the Revised Penal
18 Code.

1 SEC. 9. *Unlawful Use of a Motorcycle in the*
2 *Commission of a Crime.* – If a motorcycle is intentionally
3 used in the commission of a crime constituting a grave
4 felony under the Revised Penal Code, or in the escape from
5 the scene of such crime, regardless of the stage of commission,
6 whether attempted, frustrated, or consummated, the owner,
7 driver, backrider or passenger who participated in the same
8 shall be punished by *reclusion temporal* to *reclusion*
9 *perpetua* as provided under the Revised Penal Code.

10 If a motorcycle is intentionally used in the
11 commission of a crime constituting a less grave felony or
12 light felony under the Revised Penal Code or any other
13 crime, or in the escape from the scene of such crime,
14 regardless of the stage of commission whether attempted,
15 frustrated, or consummated, the owner, driver, backrider
16 or passenger who participated in the same shall be
17 punished by *prision correccional* to *prision mayor*, as
18 provided in the Revised Penal Code.

1 If a seized motorcycle in this Act is unlawfully used in
2 the commission of a crime, the maximum penalty shall be
3 imposed.

4 If death or serious physical injuries, as defined under
5 the Revised Penal Code, results from the unlawful use of a
6 motorcycle in the commission of a crime, the penalty of
7 *reclusion perpetua* as provided under the Revised Penal
8 Code shall be imposed.

9 SEC. 10. *Impoundment and Forfeiture of a Motorcycle.* – A
10 motorcycle used in the commission of a crime shall be
11 impounded by the Philippine National Police (PNP) as
12 evidence *in custodia legis* until the termination of its case.
13 Such motorcycle shall then be forfeited in favor of the
14 government, unless the court finds that the defendant is
15 innocent or such motorcycle belongs to an innocent third
16 party.

17 SEC. 11. *Loss of Plate Number or Readable Plate*
18 *Number.* – If the plate number or readable plate number
19 of a motorcycle is lost, damaged, or stolen, the owner of

1 such motorcycle shall report the same to the LTO and the
2 PNP within three (3) days and request a replacement plate
3 number. Failure of the owner to report the same shall
4 subject the owner to imprisonment of *arresto mayor* to
5 *prision correccional* under the Revised Penal Code, or a
6 fine of not less than Twenty thousand pesos (P20,000.00)
7 but not more than Fifty thousand pesos (P50,000.00), or
8 both.

9 SEC. 12. *Tampering a Readable Plate Number.* –
10 Tampering, altering, forging, imitating a readable plate
11 number under this Act shall be punished by *prision mayor*
12 as provided under the Revised Penal Code, or a fine of not
13 less than Fifty thousand pesos (P50,000.00) but not more
14 than One hundred thousand pesos (P100,000.00), or both.

15 SEC. 13. *LTO Operations Center.* – The LTO shall
16 establish an operations center accessible twenty-four (24)
17 hours a day and seven (7) days a week to facilitate the
18 implementation of this Act.

1 SEC. 14. *Appropriation.* – The amount needed for
2 the initial implementation of this Act shall be taken from
3 the current fiscal year's appropriation. Thereafter, the
4 amount needed for the operation and maintenance shall be
5 included in the General Appropriations Act.

6 SEC. 15. *Implementing Rules and Regulations.* –
7 The LTO, in consultation with law enforcement and other
8 relevant agencies, shall promulgate the rules and
9 regulations to implement the provisions of this Act within
10 ninety (90) days from its effectivity.

11 SEC. 16. *Repealing Clause.* – All laws, decrees,
12 orders, rules and regulations or other issuances or parts
13 thereof inconsistent with the provisions of this Act are
14 hereby repealed or modified accordingly.

15 SEC. 17. *Separability Clause.* – If any portion or
16 provision of this Act is declared unconstitutional, the
17 remainder of this Act or any provision not affected thereby
18 shall remain in force and effect.

1 SEC. 18. *Effectivity.* – This Act shall take effect
2 after fifteen (15) days following the completion of its
3 publication either in the *Official Gazette* or in a newspaper
4 of general circulation in the Philippines.

Approved,