

Chapter whether it may be the driver or

[Business, Industries](#)



Chapter 1 PROBLEM AND A REVIEW OF RELATED LITERATURE In the past years, one of the leading causes of injuries and deaths that have been recorded worldwide is road accident. It is specifically classified into car, motorcycle, bicycle and pedestrian accidents on the streets around the world. However, on the research of the different classifications of road accidents in the turn of centuries, motorcycle accident is the prominent reason for the motorcycle driver and the back rider to encounter a cataclysmic mishap on the road while on travel (Sy, 2017). This life threatening accident does not choose its victims, whether it may be the driver or the back rider they can be prone to traffic fatalities. Head injury, traumatic brain injury, facial contusions or facial wounds, neck injury, severe disability or death is the aftermath of the catastrophic incident inflicted to the driver and to the back rider. According to BioMed Central (2016), if ever those damages acquired during the accident will never be avoided it can be lessened by the use of a protective gear by the use of motorcycle helmets.

Motorcycle helmet is first invented in the late 19th century by Gottlieb Daimler in a form of a small soft leather cap with full lining and aviator glasses. It was created together with the first motorcycle invented by Daimler whose primary intention for his invention is only for entertainment. However, there was a question on the patent of the motorcycle helmet of Daimler since his invention of a motorcycle helmet is a cap not intended for safety in case of accident. The accident of T. E. Lawrence of Arabia a member of the military who died because of severe head injury became the turning point of the history of motorcycle helmets. It was Professor C. F.

Lombard who designed the first helmet to absorb shock during the impact; it comprises a hard outer shell and two layer padding to protect the head for further damage (Wallace). Moreover, the revolution of motorcycle helmet has improved through the years. In addition, it was in 1974 when the first full-face helmet was developed by Bell intended for off road use and it was strictly tested by the Snell Memorial Foundation a quality testing facility for helmets (Wallace) . However, despite of the strict testing of the motorcycle helmets the importance of the head gear was not emphasized. According to Derrick and Faucher (2009), the legislation influences the use of motorcycle helmets as a preventive health measure because it reduces mortality and fatality rate of the motorcycle accident. Further, the laws regarding the mandatory use of motorcycle helmets were revoked by some states in United States that resulted to the increase of mortality and fatality rate amongst the motorcycle driver victims (Hoerthem, Barnes, & Sevak, 2017)..

Over the past years in the Philippines, the mortality and fatality rate of motorcycle crashes has increased to 52. 6 percent in Metro Manila only (Imperio, 2015). In the study of the Department of Health (DOH) through Online National Electronic Injury Surveillance System (ONEISS) in 2012, there were 13, 883 fatality cases of motorcycle Sbeen recorded that out of the figures listed, 90 percent of the riders who were not wearing their motorcycle helmets died during the accident. In the region of Northern Mindanao, 6.

6 percent of fatality rate of accident victims was recorded (VDM, 2013). In Ozamiz City, Police Chief Inspector Jovie Espenido has strictly implemented

the Motorcycle Helmet Act on the 1st day of December 2017 (Espenido, 2017). He specifically stressed the kind of motorcycle helmet to be used by both the driver and the back rider and the penalties imposed to those motorcycle drivers who will challenge the law.

The law on motorcycle helmets utilizes the mandatory use protective head gear for the safety of the driver and the passenger. The importance of exercising the law on motorcycle helmets is efficient in reducing injuries and death rate (Peng, et al., 2016). Since the importance of exercising the law is substantial; there is now a question on the impact of the implementation of the law. With certainty of the question, the researchers are driven to conduct this study to have a better understanding on the impact of the law to the drivers. Thus, there is but a need to look on the implementation of the Act.

More so, it is worth noting to know the awareness of the people towards the law. Finally, as the present study might come up with a conclusion of the situation at hand and offer new recommendations for the problem. Review of Related Literature

In the view of the foregoing, this section presents the review of related literature of the present study that aims to present the impact of motorcycle helmet act implementation in the city of Ozamiz. More so, this section will provide a better view on the resent undertaking Motorcycle Helmet Laws Motorcycle Helmet Laws are made with the intention of decreasing motorcycle- related incident that will result to injuries and deaths (Peng, et al., 2016). The implementation of the laws on motorcycle helmet is less prioritized by some countries worldwide. Although there have been articles that describes the repeal of the law, many countries

have strictly implemented the laws of it. In Vietnam, the first comprehensive mandatory helmet law took effect on the 15th day of December 2007.

It is stated in the law that all motorcycle drivers and passengers should wear helmets at all times, in all the roads and without the benefit of exceptions (Pervin', Passmore, Sidik, McKinley, Tu, & Nam, 2009) . However, due to being one of the low income countries in Asia, the legislative bodies didn't fully support the law that created loopholes in return (Olso, et al., 2016). Despite of all the loopholes that were created during that year, the authorities strived to conduct public awareness campaigns and traffic safety education programs to secure the people in Vietnam since their basic mode of transportation are two-wheeled vehicles. According to Isabelle Taft (2017), it took ten years to fully implement the law on motorcycle that more than 90 percent of the people in Vietnam are now using the helmet as a safety gear.

Uganda is one of the counties that has a growing population of motorcycle transportation of passengers or motorcycle taxi (boda-boda riders) (Mutatina, Nakitto, Naumann, Roehler, & Dellinger, 2012). It ranked the seventh in one of the world's highest death rate caused by traffic accident and the aftermath fatalities of the accident that led to being the tenth cause of mortality rate in Uganda (Stevens, 2016). To reduce the fatality and death rate in Uganda the government, together with several INGO's created the Uganda Helmet Vaccine Initiatives (UHVI) for road safety among the boda-boda driver operators in Kampala (Heuler, 2013). This owns initiative campaign by the government has fully rose the number of motorcycle driver

to use a helmet from 49 percent to seventy-seven percent of users. However, there is still a poor implementation of the law in Uganda.

California Vehicle Code Section 27803, the law that mandates the motorcycle drivers and passengers to wear helmets at all times. The law specifically stated the required helmet to be used by the motorcycle driver and the passenger. It requires the motorcycle helmet to at least possess the minimum requirement of having a thick inner layer, riveted chin straps, at least three pounds of weight and the design is not allowed to go beyond two-tenths inch from the shell of the helmet (Sweat, 2015). And the good thing about the CVCS 27803 law is it does not limit the use of motorcycle helmet to the motorcycle users but it applies to motor-driven cycles also.

California's objective of creating this law is to provide safety and security to the people using the road (California's Motorcycle Helmet Law, 2017).

In the State of Michigan, the law of motorcycle helmet allows the motorcyclist to decide whether they wear or not to wear a helmet as long as they meet the qualifications stated in the law (Morse). The repealed law on motorcycle helmet has brought the increase of motorcycle accident in 2014 and 2015 to 10 percent (Samilton, 2016). Importance of Motorcycle Helmet

Republic Act 10054 – Motorcycle Helmet Act of 2009 The Act on the motorcycle helmet was approved on July twenty-seventh, year two thousand nine. This particular act discusses the use of motorcycle helmets towards the motorcycle driver and as well as the person riding with the driver. The discussion does not limit only on the wearing of a helmet but includes also on the penalties, implementation, and provisions on the use of a helmet.

The need to use a motorcycle helmet is a necessity while on travel to prevent head injury or worst that can lead to an unfortunate loss of life (Mayrose, 2008). The sole purpose of this act is for the safety of the people using motorcycles as their means of transportation for the reason of travel. A helmet is an instrument invented for motorcycle users, it focuses on prevention and this approach will secure the motorist from any life-threatening accidents. Road accident is inevitable, it can cause a ruinous and injurious impact on the life of the person involved and so they should be equipped with a head protective gear.

In addition, head protective gear is a crucial apparatus for road users particularly for those users of two-wheeled vehicles. Headgears come in different classification; headgears on cyclist and on motorcycle riders. Motorcycle riders have distinct types of motorcycle helmets, common helmets used by the motorcycle users are full face, modular, open face and half helmet (Fortnine, 2017). These helmets are designed to be on road use intended for traveling around the city.

Thus, these helmets are proper types of helmets suitable for the motorcycle users for safety and proactive measure in cases of abrupt road accidents. More so, the Department of Trade and Industry (DTI) together with the Bureau of Product Standard (BPS) are the agencies assigned to utilize the inspection and testing of protective helmets manufactured and imported for sale and distribution of the motorcycle helmets. In addition, the DTI is in-charged for requiring the manufacturers and importers to acquire Philippine Standard (PS) license or Import

Commodity Clearance (ICC) to certify that motorcycle helmets passed the standardization test before it will be out in the market (The S&C Portal, 2016). Further, motorcycle helmets sold in the market must bear ICC or PS sticker for standard verification. In line with the implementation of the provisions of the act, the Department of Transportation and Communication (DOTC) with the Land Transportation Office (LTO) has the duty to make guidelines on the use of helmets and its supplementary terms for the effectiveness of the Act, the Philippine National Police is the implementors of the Act and is responsible for the apprehension of the violators of the law (2012).

In addition, the penalties anchored in the law for the law violators varies on its degree. For first time violators, there is a fine of one thousand five hundred pesos (Php 1, 500. 00) for first offense. For the second offense, the fine is three thousand pesos (Php 3, 00.

00). For the third offense, the violator will pay the amount of five thousand pesos (Php 5, 000. 00). For the fourth and succeeding violation, a payment of ten thousand pesos (Php 10, 000. 00) and confiscation of the driver's license will be the penalty of the violator (2012).

Motorcycle Drivers Motorcycle drivers are set to be the most vulnerable road users prone to road crash accidents. They become victims of their focal transportation which they relied on their everyday living. It is not new to the people particularly to the motorcycle users the danger and risk every second of travel on the road. Hence, regardless of the facts at hand people still and are still using motorcycles to be their means of

transportation. Motorcycle crash-related cases compromise 56% of the over-all transport collision recorded nationwide. According to the Land Transportation Office (LTO), statistics show out of the 8.08 million registered vehicles, 4.

5 million motorcycle vehicles were registered with the LTO in the year 2014 this indicates that half of the vehicles nationwide are motorcycles.

Considering the Philippine population and the Land Transportation Office statistics on registered motorcycles, the numbers manifested the amiability of motorcycle drivers to injuries or death. Motorcycle drivers are the ones prone to injuries or death because they are in front and exposed to the first impact of the collision. Compared to car users, motorcycle drivers have the tendency to suffer fatal injuries or death due to the absence of a material that can prevent catastrophic damage on the first impact. Back ridersThe victims of motorcycle incidents involve not just the driver but also the back rider or the passenger. Back riders, the same as with the drivers, are susceptible to injuries and death from road collision. However, back riders are more prone to injuries than death.

According to CBS report, rear passengers are next to being at risk in a collision. Usually, the back riders are casualties of the road-crash; back riders wearing helmets are less to have brain injuries they tend to obtain chest injuries, contusions or abrasions. In statistics, out of the traffic-related injuries involving motorcycles 98.7% fatality rate to motorist without helmet and this includes the back riders. Mortality Rate on Road-Accidents

According to the World Health Organization (2002), road accident is one of

the top three (3) leading causes of death in the different countries of the world, there are 1.

25 million recorded deaths due to road accidents around the world and the records have been increasing until the recent time. The World Health Organization had recorded a statistics in 2013 that low generating and middle income generating countries had high fatalities on road accidents. Michigan's fatality rate on motorcycle accident has increased to 28 percent from 7 percent in 2011 until 2015 (Kennedy, 2016). In the evaluated police report, head injury and death are the leading aftermath of road crash that branded to be a worrying data in prior to the repealing of the motorcycle helmet law in Michigan (Gardner, 2016). In the Philippines, the Philippine Statistics Authority (PSA) shows a worrying data of deaths of road accidents since 2006 until the present available data on 2014. According to Sy (2017), data shows in 2006 up until 2014 death related incidents caused by road crash causes has accelerated from 6, 869 to 8, 666, since then in 2010 the number of road-related crashes had not dropped less than 8, 000 road accidents. In addition, it has been recorded that the most number of road accidents relating death was on the year 2013 wherein 8, 761 were killed with 1.

6% of the total number of deaths of the year. Conceptual Framework

Motorcycle Helmet Act · Awareness · Degree of Implementation
· Impact · The Research Problem Statement of the
Problem · With Motorcycle Helmet Act as the primary law for the
protection of road users for road safety in the Philippines, the present study

intends to understand the impact of Motorcycle Helmet Act implementation in Ozamiz City, Misamis Occidental. Specifically, the present undertaking seeks to answer the following queries: 1.

What is the level of awareness of motorcycle drivers towards Republic Act 10054? 2. What is the impact of the implementation of the Republic Act 10054 towards the motorcycle drivers? 3. What is the degree of

implementation of the republic act in Ozamiz City? Scope and

Limitation The scope and limitation of the present study will include sec. 3. Mandatory Use of Motorcycle Helmets, sec. 5. Provision of Motorcycle Helmets, sec.

6. Implementation, and sec. 7. Penalties paragraph (a) of Republic Act 10054.

Gathering data in forms of survey questionnaires and in an informal interview are an ideal and advantageous strategy for the researchers to accumulate information and additional data of the phenomenon of interest. Moreover, the answers gathered from the survey questionnaires and in an informal interview will only be the basis for the findings that will be used in providing recommendations and a better view of the situation on the implementation of the law at present. This present research is qualitative and quantitative in nature, questions provided in survey questionnaires and in a form of interview will be the primary tool for the conduct of the research study. Significance of the Study The present research is significant because it will give us the idea on the level of the impact of motorcycle helmet act implementation in Ozamiz City, Misamis Occidental. In addition,

this research material can provide additional information to future researchers on the same field of matter and can contribute for future references.

The result of this study will be beneficial not just for the researchers' but as well for the following individuals:

Students. An intention of this present study is to impart information on the motorcycle helmet act and give them a general idea on the importance of motorcycle helmets and on the innate law.

Law Enforcers. This present research is useful for the Philippine National Police for it will give them an apothegmatic data on use of motorcycle helmets in Ozamiz City and with this research result they can fortify the implementation of the act in the City.

Parents.

The parents could use this study as an awareness guide for their children and help them be at ease for their children who are using motorcycle vehicle as means of transportation.

Community. Through this study, people of different ages can be acquainted with the essence of motorcycle helmets as a vital gear for safety and be notified of the law on motorcycle helmets.

Researchers. This study can be also used as reference for future researchers concerning the same related matter. This can serve as an extra source of data as a basis specifically rendered by the criminology students.

Academically, this will serve as a stepping stone to the researchers to master their researching skills which will vary in the field of criminology. Becoming a proficient researcher in the future will help to form another enhancement in the law enforcement practice.