

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **1203**

HOUSE OF REPRESENTATIVES

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Introduced by HON. CESAR V. SARMIENTO

EXPLANATORY NOTE

While the population of the Philippines increases day by the day, the country's resources remain at a constant, if not lessens. As modernization takes place in the Philippines, the country's environment slowly falls victim to the wrath of the negative consequences of economic progress such as carbon emissions, shortages in energy resources, and congestion.

In reference to the transport system in the Philippines, the congestion of our roads, high demand for finite fuel resources, vehicle emissions among many others is slowly dehumanizing the Filipino Commuter. Problems in our transportation today is alienating the Filipino Commuter since he or she, rather than spending time with the family, has to spend more time in traffic.

If we are to advance towards the next era of progress, the Philippines should not disregard the protection of our environment and the preservation of the humanity of the Filipino Commuter. There is thus a need for the Philippine transportation system to shift towards a more sustainable transport system which will address the social, environmental and climate impacts of the way we travel by making it environmental-friendly, efficient, accessible, safe, affordable, convenient and less reliant on fossil fuels.

In view of the foregoing, passage of the bill is earnestly sought.


CESAR V. SARMIENTO

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SEVENTEENTH CONGRESS
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House Bill No. 1203

Introduced by HON. CESAR V. SARMIENTO

**AN ACT PROMOTING SUSTAINABLE TRANSPORTATION SYSTEM AND
ALTERNATIVE MODES OF TRANSPORTATION AND OTHER MOBILITY
OPTIONS TO IMPROVE AIR QUALITY, INCREASE EFFICIENCY, REDUCE
CONGESTION AND CONTRIBUTE TO POSITIVE HEALTH IMPACTS IN OUR
SOCIETY**

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

SECTION 1. Short Title. –The Act shall be known as the “Sustainable
Transportation Act of 2013.”

SECTION 2. Declaration of Policies. – In conformity with the provisions of
the Constitution to promote the general welfare and social justice in all phases of
national development, to protect and advance the right of the Filipino people to a
balanced and healthful ecology in accord with the rhythm and harmony of nature,
and to conserve and develop the patrimony of the nation, and in consonance with
signed international agreements such as Aichi Statement of 2005, United Nations
Economic Commission for Europe (UNECE) Agreement, United Nations Framework
Convention on Climate Change (UNFCCC) Agreement of 1992, UNECE World
Forum for Harmonization of Vehicle Regulations (WP 29) and Bangkok Declaration
for 2020 the State hereby adopts the following policies relative to the transportation
system in our country, whether public or private:

- a) The State shall promote a shift towards a safe, collective, cost-effective,
efficient, non-congestive, non-pollutive, and healthful locomotion and
seamless and inclusive transportation system that includes non-motorized
transport for the benefit of all citizens, economy and society;
- b) The State shall increase mobility options of the general public and
promote the use of alternative modes of transportation such as walking,
biking and the use of non- motorized transportation, green vehicles and
public transportation;
- c) The State shall properly plan and establish facilities and infrastructures
that will respond to this paradigm shift in the transportation system;
- d) The State shall espouse social equity and gender perspective in the
formulation of a Sustainable Transport plan, reinforcing existing rules,
regulations and laws;
- e) The State shall establish its plans and programs in conformity with the
overall integrated national land use plan as well as the local
comprehensive land use plans; and
- f) The State shall encourage the viable use of alternative and cleaner fuels
in view of vehicular modernization.

SECTION 3. Definition of Terms. – The following terms shall have their respective meanings:

- a) "Bicycle" refers to a device that a person may ride that is propelled by human power and has two tandem wheels at least one of which is more than 14 inches in diameter.
- b) "Mixed-Use Development" refers to any urban, suburban or village development, or even a single building, that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated, and that provides pedestrian connections.
- c) "Motor vehicle" means a self-propelled vehicle or any vehicle propelled by any power other than muscular power. The term does not include an electric bicycle.
- d) "Public transportation" means refers to a shared passenger transportation service which is available for use by the general public. These include buses, trams, trains, rapid transit and ferries.
- e) "Road Safety Audit" refers to the systematic checking of the safety aspects of new highway and traffic management schemes, including modifications to existing layouts. The main aim is to design out safety problems from the beginning and to reduce future problems. Safety audits should be included during the design, construction and maintenance phases of road projects.
- f) "Transit-Oriented Development" (TOD) refers to a mixed-use residential and commercial area designed to maximize access to public transport, and often incorporates features to encourage transit ridership. A TOD neighborhood typically has a center with a transit station or stop (train station, metro station, tram stop, or bus stop), surrounded by relatively high-density development with progressively lower-density development spreading outward from the center.
- g) "Travel demand management" (TDM) means refers to a set of tools to offer people better travel information and opportunities and help people choose to reduce their need to travel especially by car.
- h) □ "Walkways" means refers to a paved path for pedestrians alongside streets.
- i) "Sustainable transport" means refers to any means of transport with low impact on the environment, accessible, safe, environment-friendly, and affordable. It includes walking and cycling, transit oriented development, green vehicles, carpooling, and building or protecting urban transport systems that are fuel-efficient, space-saving and promote healthy lifestyles.

SECTION 4. Sustainable Transport Action Plan. – The Department of Transportation and Communication (DOTC), in coordination with the National Economic Development Authority (NEDA) other key stakeholders as may be deemed necessary, shall come up with a Sustainable Transport Action Plan which aims to provide a roadmap for national and local transportation system to be adhered to at all levels throughout the country. The Sustainable Transport Action Plan shall include strategies relating to the prioritization of non- motorized transport, seamless and inclusive public transportation system, and green infrastructure and facilities parking, public transport, cycling, walking and transport infrastructure, travel demand management and will set out the actions required to achieve the mode shift target over a certain period of time as identified by DOTC and NEDA.

SECTION 5. Integrated Land Use and Transportation Plan. - All LGUs shall submit an integrated land use and transportation plan formulated in consonance with the Sustainable Transport Action Plan. Said plan shall include strategies to avoid unnecessary travel such as mixed use developments, transit-oriented development, among others. Further, the DOTC shall provide technical assistance to key stakeholders and LGUs in the completion of these land use and transportation plans.

SECTION 6. Establishment of Emission Control and Standards, Road Safety and Inspection and Maintenance. The DOTC shall endeavor to achieve a smoke-free, accident-free and effective road safety management system. In line with this, the existing motor vehicular standards on smoke emission, fuel economy and roadworthiness shall form part of the Sustainable Transport Action Plan as consistent with the objectives of this Act. DOTC, in coordination with related agencies, shall strictly implement these smoke emission standards and conduct stronger road apprehension.

The existing road safety program shall be enhanced and strictly enforced, by adopting a zero-fatality policy, implementing appropriate speed controls and imposing a regular Road Safety Audit (RSA) to influence safety performance on an ongoing basis. DOTC along with related agencies shall put premium on regular maintenance and inspection of all vehicles while the Department of Public Works and Highways (DPWH) shall identify the roads and highways to be audited and shall be responsible for the conduct of the RSAs.

SECTION 7. Use of Alternative Energy and Cleaner Fuels. As provided in the Philippine Standardization Law or Republic Act No. 4109, Philippine Clean Air Act of 1999 or Republic Act No. 8749 and the Biofuels Act of 2006 or Republic Act No. 9367, the Department of Energy in coordination with DOTC and the Department of Environment and Natural Resources (DENR) shall formulate strategies towards vehicular modernization and use of alternative energy and cleaner fuels. The DOTC shall take into consideration the availability and viability of these alternative energy and cleaner fuels.

SECTION 8. Non Motorized Transportation. The DOTC shall develop policies and guidelines that shall promote and provide non-motorized transportation to meet the scientifically calculated public transportation demand. Said policies and guidelines shall include design principles for supporting facilities and infrastructures that will espouse a seamless transportation system such as, but not limited to, exclusive pedestrian and bike lanes, safe street crossings and access ramps for persons with disabilities (PWDs) to ensure inclusive non-motorized transportation.

SECTION 9. Installation of Walkways. - Adequate sidewalk areas must be maintained on all roads as walkways to allow safe pedestrian passage and for the safe and convenient use of wheelchairs, strollers and similar instruments. For primary and secondary roads, there shall be allotted three (3) meters for the sidewalks. If there is no space allocated for such and the implementation will prove difficult, in lieu thereof, either an elevated footbridge or underground walkway must be installed. This shall be provided by the local government unit (LGU) concerned within six (6) months from the effectivity of this Act.

SECTION 10. B. Designation of Bike Lanes. - A portion of the roadway or highway shall be designated as "bike lanes" by the LGU having jurisdiction over such roadway or highway, in coordination with the Department of Public Works and Highways (DPWH), within six (6) months from the effectivity of this Act.

The designated bike lanes shall be for the preferential or exclusive use of bicycles. These bike lanes shall not be obstructed by a parked or standing motor

vehicle or other stationary object. The bike lanes shall be made identifiable by striping with signing or striping with pavement markings.

SECTION 11. Provision of Bicycle Parking Spaces and Bike Racks. – Bicycle parking spaces and bike racks are hereby required to be provided by owners of establishments that are:

- a) For non-residential use with gross floor area larger than 7,500 square feet; b.) Multiple-family dwellings when 12 or more are provided on a lot; c.) Public parking lots; and
- b) The DOTC shall establish guidelines on the minimum supply of bicycle parking spaces in buildings and other facilities, taking into consideration the population of the short-term or long-term dwellers in the area, within six (6) months from the effectivity of this Act.

SECTION 12. Public Transportation. – The DOTC shall provide guidelines that will promote a shift towards seamless and inclusive public transportation as a primary mobility option to the general public, especially the poor, including the elderly, PWDs, women, youth, and children and taking into consideration the hierarchy of transport threshold, within twelve (12) months from the effectivity of this Act. Better public transportation initiatives shall be studied and implemented in an effort to reduce the impact of the declining oil economy on our environment and financial markets, provide high quality but affordable transport services as well as help reduce energy costs, pollution and even urban poverty. Further, a unified and automated fare collection shall, as much as possible, be established amongst all the available forms of public transportation.

SECTION 13. Commissioning of a "Bus Rapid Transit (BRT) System." – The Department of Transportation and Communication (DOTC) shall, within twelve (12) months from the effectivity of this Act, come up with a study commissioning the creation of a Bus Rapid Transit System which will organize buses into one efficient long-distance transportation system with coordinated schedules, rates, routes, and pick-up and drop-off points. The LGU and the private sector, including but not limited to mall owners and bus companies, can be tapped in order to put up or use existing facilities such as parks, parking lots, and bus depots that will serve as large collective transportation terminals where people can park their cars and bikes and take the buses to their destinations.

SECTION 14. Establishment of a Water Ferry System. – As much as practicable, the national agencies and water regulatory bodies in charge of a water body led by the Department of Environment and Natural Resources (DENR), in coordination with the DOTC, shall explore the establishment of a ferry system in navigable bodies of water which may be operated by the said authority or bidded out to a private contractor. The possibility of interconnecting said waterways shall also be considered.

SECTION 15. Rationalization of Issuance of Franchises for PUV's and Travel Demand Management Programs. –

The DOTC shall conduct a Land Transportation Rationalization Study which will scientifically determine the actual need for public transportation in the various routes. This study shall objectively determine the actual number of public buses, jeeps, taxi's and other public utility vehicle's needed by the public in a certain route, road, street, locality or area. After completion, the study will be used as the sole basis for the LTFRB's issuance of franchises for all PUV's and grant of authority to operate as a vehicle-for-hire.

Thereafter, the DOTC, in coordination with the Department of Labor and

Employment (DOLE), Department of Education (DepEd), Department of Trade and Industry (DTI), the LTFRB and one representative each from the civil society, transport sector, the business sector and the youth, shall come up with guidelines on travel demand management programs that will reduce the volume of cars and motorized transport in the roads as well as enhance and encourage students and workers to use the public transport system and is consistent with the aforementioned Land Transportation Rationalization Study. These programs shall include, but is not limited to, the following:

- a) carpool, vanpool, or car-share projects;
- b) car ownership policies in relation to parking and air pollution;
- c) congestion pricing measures;
- d) programs to promote telecommuting;
- e) flexible work schedules, or satellite work centers;
- f) transport program for government employees; and
- g) intelligent transportation systems or other operational improvements that are
 certified by the Department of Environment and Natural Resources (DENR)
 to reduce greenhouse gas emissions.

This shall be completed within twelve (12) months from the effectivity of this Act.

SECTION 16. Facilities. – The DOTC, in coordination with the DPWH and the LGUs concerned, shall carry out an investment program that will encourage a mode shift to sustainable transport within selected communities by providing safe and convenient options to bicycle and walk for routine travel, and for other purposes. Also, supporting facilities for non-motorized transportation, intermodal connectivity and public transportation in accordance with the land use and transportation plan shall be developed. Further, all alternative energy and cleaner fuel providers shall submit a comprehensive plan on the commencement and conclusion of its energy or fuel provision to the DOTC. This shall be completed within twelve (12) months from the effectivity of this Act.

SECTION 17. Public Health Program. The DOTC, in coordination with the DOH, shall formulate strategies for the reduction of the negative health impacts of transportation to road users. These strategies shall include but not be limited to strengthening of public health services, formulation of the necessary department administrative orders and required regular general and audio- logical check up for road users and affected communities. Further, the Department shall regularly monitor and evaluate these strategies.

SECTION 18. Education and Research Programs. – The DOTC shall conduct studies and researches, and eventually supply information to the car-owning and -riding public as well as commuters on aspects of sustainable transport that are relatively new. It shall also provide technical assistance and other resources to government agencies and private sector involved in the transport system.

The DOTC shall also conduct a public consultations and social impact assessments amongst affected stakeholders as the Sustainable Transport Action Plan is being rolled out. Social safety nets for affected stakeholders shall be carefully studied, formulated and implemented, as needed.

SECTION 19. Financing. – The DOTC, in coordination with the key stakeholders deemed necessary, shall explore the possibility of accessing a growing range of global environment funds in order to be able to assist in the funding of sustainable public transport systems. Public-private partnerships shall also be encouraged in the development of transportation improvements. Further, seventy-five percent (75%) of the seven and one half percent (7.5%) allotted in the Special Vehicle Pollution Control Fund provided for in Section 7 of Republic Act No. 8794 or

An Act Imposing A Motor Vehicle User's Charge On Owners Of All Types Of Motor Vehicles And For Other Purposes shall be retained by the DOTC for the implementation of this Act.

SECTION 20. Implementing Agency. – The DOTC shall be the main implementing agency for this Act.

SECTION 21. Separability Clause. – Should any provision herein be subsequently declared invalid or unconstitutional, the same shall not affect the validity or the legality of the other provisions not so declared.

SECTION 22. Repealing Clause. – All laws, presidential decrees, executive orders, rules and regulations, other issuances, and parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed and modified accordingly.

SECTION 23. Effectivity. – This Act shall take effect fifteen (15) days after publication in at least (2) newspapers of general circulation.

Approved,