

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

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 3529



Introduced by **Rep. Edgar Mary Sarmiento**

EXPLANATORY NOTE


A recent survey in 2017 conducted by the Boston Consulting Group placed Metro Manila traffic as the third worst in Southeast Asia. Due to the traffic congestion, the Japan International Cooperation Agency reported that the country loses P3.5 billion a day. Indeed, there needs to be immediate action which will produce immediate results to alleviate the crisis.

The bill is a response to the pressing issue that is prevalent in Metropolitan Manila, Metropolitan Cebu, and Metropolitan Davao. Congress, in the exercise of its plenary powers, will provide an urgent, immediate, and comprehensive response to the traffic crisis.

The measure grants the traffic chief or the Secretary of Transportation full power and authority to streamline the management of traffic and transportation for at most, 3 years. He shall have the power of supervision and control over various land transportation agencies. Moreover, additional provisions were included to mitigate the current traffic woes that the Filipinos are experiencing.

This bill was filed last 17th Congress and was approved on third reading.

In view of the foregoing, approval of the bill is earnestly sought


EDGAR MARY SARMIENTO
Representative, Samar, 1st District

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AN ACT
PRESCRIBING AN URGENT COMPREHENSIVE AND INTEGRATED
LAND-BASED TRAFFIC MANAGEMENT POLICY TO EFFECTIVELY
ADDRESS THE TRAFFIC CONGESTION CRISIS IN METRO
MANILA, METROPOLITAN CEBU AND METROPOLITAN DAVAO
AND APPROPRIATING FUNDS THEREFOR

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 the "Traffic
2 Crisis Act, Makiisa. Makisama. Magkaisa."

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of
4 the State to:

5 a) adopt responsive, effective, and comprehensive measures that
6 address the crisis brought about by land traffic congestion and gridlock and the
7 shortage of efficient, safe, secure, and accessible mass transportation in the
8 Metropolitan Manila, Metropolitan Cebu, and Metropolitan Davao;

9 b) establish a strong primary policymaking, planning, programming,
10 coordinating, implementing, regulating, enforcement authority under the control
11 and supervision of the Department of Transportation vested with exclusive
12 power to control, manage, and regulate land-based traffic and structures in
13 Metropolitan Manila, Metropolitan Cebu, and Metropolitan Davao;

1 c) harmonize all traffic rules, regulations, ordinances, issuances, and
2 policies in the metropolitan areas to achieve a comprehensive, cohesive and
3 integrated statutory and regulatory framework for land-based traffic;

4 d) reform, modernize, and streamline the mass transportation systems
5 for the purpose of attaining sustainable, organized, predictable, accessible and
6 safe networks of public transportation leading into and out of and within the
7 metropolitan area;

8 e) institute a system of responsibility and accountability for all land-
9 based traffic stakeholders, including public officials, public utility operators,
10 road users, private property owners and business establishments, in the
11 furtherance of mobility within the metropolitan areas; and

12 f) ensure transparency, accountability and compliance with applicable
13 legal requirements in the procurement, award and execution of all projects
14 implemented pursuant to this Act and with the objective of alleviating the land-
15 traffic crisis.

16 SEC. 3. ***Definition of Terms.*** – As used in this Act:

17 a) *Covered agencies* refer to the government agencies, offices,
18 bureaus, and units enumerated under Section 5 of this Act and any and all other
19 government agencies, bureaus, offices tasked or empowered by law or
20 regulation to control, oversee, regulate, or manage any aspect of land-based
21 traffic or road use in any or all of the metropolitan areas;

22 b) *Metropolitan Manila* refers to the National Capital Region of the
23 Philippines, composed of the cities of Manila, Quezon, Caloocan, Las Piñas,
24 Makati, Malabon, Mandaluyong, Marikina, Muntinlupa, Navotas, Parañaque,
25 Pasay, Pasig, San Juan, Taguig, and Valenzuela and the Municipality of
26 Pateros;

27 c) *Metropolitan* refers to any or all, as the case may be, of the three
28 (3) metropolitan areas namely of the Metropolitan Manila Area, Metropolitan
29 Cebu, and Davao City;

1 d) *Metropolitan Cebu* refers to the area composed of the cities of
2 Cebu, Mandaue, Lapu-Lapu and any other city or municipality in the Province
3 of Cebu as may be identified for inclusion by the Traffic Chief, upon the
4 recommendation of the Cebu Traffic Coordinating Council;

5 e) *Metropolitan Davao* refers to the City of Davao;

6 f) *Priority projects* refer to the projects identified by the Traffic Chief
7 and submitted to the Joint Congressional Oversight and Committee (JCOC) as
8 priority or critical undertakings for the purpose of immediately alleviating and
9 managing the traffic crisis; and

10 g) *Traffic crisis* refers to the prevailing and exponentially worsening
11 land traffic congestion and gridlock and mass transportation shortage and
12 inefficiency within the metropolitan areas and in the areas leading into and out
13 of these areas that disrupt the country's economic and social growth and
14 development, and recognized to be of such nature, scope, and magnitude as to
15 be considered a national emergency.

16 SEC. 4. **Coverage.** – This Act shall be limited in scope, application
17 and effect to the metropolitan areas and the priority projects to be implemented
18 under this Act. The Act shall authorize and apply only to such priority projects,
19 programs, policies, rules, and regulations that will have immediate, significant,
20 and measurable impact on the land-based traffic crisis as defined in this Act.

21 Notwithstanding the limited scope of this Act, the Traffic Chief may
22 implement similar systems and mechanisms provided in this Act in other cities
23 and municipalities experiencing land traffic crisis as defined in this Act.

24 SEC. 5. **Duration of the Act.** – Except as otherwise provided herein,
25 the authority granted under this Act shall subsist and be valid and effective for a
26 period of three (3) years from the effectivity of this Act, unless sooner
27 withdrawn by a Joint Resolution of Congress, without prejudice to rights and
28 benefits that may have been vested and culpabilities and liabilities that may
29 have been incurred under its provisions.

1 The following provisions of this Act shall continue to take effect unless
2 revoked or repealed by other subsequent laws:

3 a) Sections 9 and 10, on the continued existence of the Cebu Traffic
4 Coordinating Council and appointment of Davao Traffic Administrator;

5 b) Section 13, on the mandatory updating of TMP at least once a year
6 and its continued implementation;

7 c) Section 14, on the extension of the opening of friendship routes,
8 private village and subdivision roads as additional access points for motorists
9 subject to the determination of the Traffic Chief that the necessity for the use of
10 such additional access road still exists and compliance with the minimum
11 procedures and standards set forth in Section 14;

12 d) Section 15, on continued route rationalization;

13 e) Section 19, on PUV operator obligations and responsibilities;

14 f) Section 21, on the requirement of obtaining a development permit
15 from the relevant Metropolitan Development Authority;

16 g) Sections 24, on testing for professional driver's license holders;

17 h) Sections 25, on roadworthiness testing; and

18 i) Section 37, on the requirements for publication of information.

19 SEC. 6. ***The Traffic Chief; Supervision and Control.*** – The
20 Secretary of Transportation is hereby designated as the *de officio* Traffic Chief
21 during the effectivity of this Act, with full power and authority as herein
22 provided, to streamline the management of traffic and transportation, and to
23 control road use in the identified metropolitan areas.

24 During the effectivity of this Act, the Traffic Chief shall have the power
25 of supervision and control over:

26 a) Metropolitan Manila Development Authority (MMDA);

27 b) Cebu Traffic Coordinating Council created under Section 9 of this
28 Act;

29 c) Philippine National Police-Highway Patrol Group (PNP-HPG);

- d) Land Transportation Office (LTO);
- e) Land Transportation and Franchising Regulatory Board (LTFRB);
- f) Road Board;
- g) All other executive agencies, bureaus, and offices with functions related to land transportation regulation; and
- h) Davao Traffic Administrator created under Section 10 of this Act.

The Traffic Chief shall supervise all local government units (LGUs) within the metropolitan areas with respect to the enforcement of rules, regulations, policies, and programs enacted pursuant to this Act and for the harmonization and enforcement of all traffic rules and regulations, the implementation of this Act and the unified traffic system throughout each of the metropolitan areas, inclusive of ingress and egress into such areas.

The primary authority for the implementation of the plans, programs, and priority projects pursuant to this Act shall be with the Traffic Chief, who may delegate the same to the MMDA, Cebu Traffic Coordinating Council, or the Davao Traffic Administrator, in coordination with the component LGUs, the covered agencies, and other relevant and appropriate national government agencies.

To ensure the effective management of land-based traffic during the effectivity of this Act, the President of the Philippines may abolish or create offices; split, group, or merge offices; transfer functions, equipment, properties, records, and personnel in accordance with existing law, and take such other actions necessary to carry out the purposes of this Act: *Provided*, That there is no resulting diminution of the present salaries and benefits of the personnel of the agencies and any official or employee who may be terminated from employment by reason of the reorganization is entitled to such benefits as may be provided by existing retirement laws, in coordination with the Commission on Audit (COA) and the Civil Service Commission (CSC).

1 SEC. 7. ***Powers and Functions of the Traffic Chief.*** – The Traffic

2 Chief shall have the following powers and functions during the effective period
3 of this Act:

4 a) Formulate, coordinate and monitor policies, standards, programs, and
5 projects to rationalize the existing public transport operations, infrastructure
6 requirements, the use of thoroughfares, and promotion of safe and convenient
7 movement of persons and goods;

8 b) Administer and implement all traffic enforcement operations, traffic
9 engineering services, and traffic education programs;

10 c) Issue, enact, review, harmonize, amend, revise, revoke, or repeal
11 existing traffic regulations, policies, ordinances, orders, and circulars issued and
12 enacted by the covered agencies to promote efficient mobility in the three (3)
13 metropolitan areas. Such issuances and enactments shall specifically address,
14 among others:

15 1) licensing, operation, and regulation of public utility vehicles
16 (PUVs) and registration and regulation of private vehicles;

17 2) testing and licensing of drivers;

18 3) clearing of sidewalks and side streets;

19 4) regulation of street parking of vehicles;

20 5) enforcement of setbacks and construction of driveways,
21 especially on main thoroughfares;

22 6) establishment and operation of transport terminals and removal of
23 illegal terminals on the road;

24 7) regulation of licensing of, and commencement and operation of
25 businesses with direct negative impact on traffic flow; and

26 8) closure of or imposition of monetary and other penalties on
27 businesses that consistently or continuously impede traffic for, among others,
28 failure to provide sufficient parking to customers, adequate ingress and egress
29 for PUVs, and the required setback on streets and main thoroughfares.

1 d) Modify, amend, or expand the functions and authority of any of the
2 covered agencies and officers in relation to matters affecting land-based traffic
3 as approved by the President;

4 e) Establish and implement in each of the metropolitan areas a
5 comprehensive, unified Road Use Plan and a unified traffic management system
6 by harmonizing the provisions of the following existing laws related to traffic
7 management, road use, and all rules, regulations, ordinances, and orders duly
8 issued and implemented by the covered agencies pursuant to such laws:

9 1) Republic Act No. 7160 or the *Local Government Code of 1991*;

10 2) Republic Act No. 6975 or the *Department of the Interior and Local*
11 *Government Act of 1990*;

12 3) Republic Act No. 7924 or the *Act Creating the Metro Manila*
13 *Development Authority*;

14 4) Republic Act No. 4136 or the *Land Transportation and Traffic*
15 *Code*; and

16 5) Executive Order No. 292, as amended or the *Administrative Code*
17 *of 1987*;

18 f) Enforce all traffic laws and regulations in the metropolitan areas,
19 enlisting and deputizing for the purpose, members of the PNP-HPG, traffic
20 enforcers of LGUs, duly licensed security guards, or members of non-
21 governmental organizations to whom certain authority may be delegated,
22 subject to such conditions and requirements as the Traffic Chief may impose;

23 g) Review, modify, override, or cancel franchises, concessions,
24 contracts, permits, and licenses issued by any of the covered agencies or
25 component LGUs, as well as the rules and procedures for awarding such;

26 h) Establish and administer within each of the metropolitan areas a
27 single ticketing system for traffic violations consisting of fines and penalties,
28 whether for moving or non-moving violations, and to collect and account for
29 these fines;

1 i) Confiscate, suspend, or revoke driver's licenses for violations of traffic
2 laws and regulations, the provisions of RA 4136, Presidential Decree 1605
3 granting the Metropolitan Manila Commission certain powers related to traffic
4 management and control in Metropolitan Manila and RA 7924 to the contrary
5 notwithstanding.

6 In the interest of efficiency, the Traffic Chief may delegate any of the
7 aforementioned powers and authority to the MMDA, the Cebu Traffic
8 Coordinating Council, or to the Davao Traffic Administrator.

9 The Traffic Chief, the Undersecretaries, Assistant Secretaries, and
10 Directors of the DOTr, and officers of the MMDA, Cebu Traffic Coordinating
11 Council, the Cebu Traffic Coordinator, and the Davao Traffic Administrator
12 shall be required to take at least once a week a mode of public transportation,
13 whether land, rail, or maritime, primarily used by the masses, in order to
14 monitor the traffic crisis during the effectivity of this Act.

15 SEC. 8. ***Comprehensive Traffic Rule Handbook.*** – The Traffic
16 Chief, in coordination with the covered agencies, shall develop and issue a
17 comprehensive traffic rules and regulations handbook for the metropolitan areas
18 which, among others, identifies traffic-related violations and offenses and
19 imposes corresponding graduated penalties, including the following:

- 20 a) reckless driving;
21 b) obstruction of roads and intersection;
22 c) counter-flow;
23 d) lack of or inadequate parking spaces, set-back, or drive-way;
24 e) illegal loading and unloading of passengers or cargo; and
25 f) such other traffic violations that may be determined by the Traffic
26 Chief to be contrary to the policies set-forth by this Act.

27 The final list of traffic violations and corresponding penalties shall be
28 submitted to the Joint Congressional Oversight Committee (JCOC) created
29 under Section 12 hereof, within ninety (90) days from the effectivity of this Act.

1 SEC. 9. **Cebu Traffic Coordinating Council.** – There shall be
2 established a Cebu Traffic Coordinating Council, hereinafter to be referred to as
3 the Council which shall be the sole and central authority for land-based traffic in
4 Metropolitan Cebu. The decisions of the Council shall be made by a majority
5 vote of its members in a meeting called for the purpose, there being a quorum.
6 The Council shall be composed of the local chief executives of component
7 LGUs of Metropolitan Cebu. It shall convene within fifteen (15) days from the
8 effectivity of this Act and, within the same period, appoint a Metropolitan Cebu
9 Traffic Coordinator who must be a resident of Metropolitan Cebu, and must
10 possess the appropriate academic background and work experiences on land
11 transportation and traffic management.

12 In case of the Council's failure to appoint a Metropolitan Cebu Traffic
13 Coordinator, the Traffic Chief shall immediately appoint one. Upon the
14 appointment by the Council or the Traffic Chief, as the case may be, the Cebu
15 Traffic Coordinator, as *alter ego* of the Traffic Chief, shall head the Council.

16 The component LGUs of Metropolitan Cebu and Davao City shall set
17 aside funds from any available local revenues to fund the creation of the
18 Council and the Metropolitan Davao Traffic Administrator.

19 SEC. 10. **Davao Traffic Administrator.** – The Traffic Chief shall, in
20 consultation with the component barangays of Davao City, appoint the Davao
21 Traffic Administrator, who must be a resident of Davao City and must possess
22 the appropriate academic background and work experiences on land
23 transportation and traffic management.

24 SEC. 11. **Policies.** – The MMDA, the Council, and the Davao Traffic
25 Administrator, with the approval of the Traffic Chief, shall set the policies on
26 land-based traffic and road use in their respective metropolitan areas, and shall
27 coordinate and regulate the implementation of all programs and projects on
28 traffic management pertaining to enforcement, engineering and education.

1 Upon the request of the Traffic Chief, the MMDA, the Council, or the
2 Davao Traffic Administrator, all other government agencies, local government
3 units and offices involved in traffic management and enforcement shall provide
4 personnel and logistical support, among other forms of assistance.

5 One (1) year from the creation of the Council and the appointment of the
6 Davao Administrator, the DOTr Secretary shall make a recommendation on
7 whether or not Congress should create a permanent and separate Development
8 Authority for Cebu and Davao analogous in powers, authority, and functions to
9 the MMDA.

10 SEC. 12. *Joint Congressional Oversight Committee.* – There is
11 hereby created a Joint Congressional Oversight Committee (JCOC) tasked with
12 the monitoring of the implementation of this Act during the effectivity of this
13 Act:

14 The JCOC shall be composed of the following members:

- 15 a) Senate President;
- 16 b) Speaker of the House of Representatives;
- 17 c) Chairperson of the Committee on Public Services of the Senate;
- 18 d) Chairperson of the Committee on Transportation of the House of
19 Representatives;
- 20 e) Chairperson of the Committee on Finance of the Senate;
- 21 f) Chairperson of the Committee on Appropriations of the House of
22 Representatives;
- 23 g) Member of the Committee on Public Services of the Senate; and
- 24 h) Member of the Committee on Transportation of the House of
25 Representatives.

26 The JCOC shall constitute an Executive Committee (ExeCom), to be
27 headed by an Executive Director, who shall oversee the day-to-day coordination
28 with the concerned public officers and stakeholders.

1 The JCOC shall hold bi-monthly meetings which shall be hosted
2 alternately by the Senate and the House of Representatives. Any action or
3 decision of the JCOC as mandated under this Act must be approved by a
4 majority of its members at a duly constituted meeting where a quorum is present
5 throughout.

6 The Traffic Chief shall submit a monthly report to the JCOC on the
7 efficiency and effectiveness of the measures undertaken to implement this Act
8 and alleviate the traffic crisis. The JCOC shall conduct ocular inspections of the
9 priority projects at least once per quarter.

10 Upon the expiration of the term of the JCOC, which shall be coterminous
11 with the effectivity period of this Act, the JCOC shall submit a comprehensive
12 report to Congress on the implementation of this Act and recommends
13 appropriate measures to ensure the continued effective regulation and
14 management of land traffic within the metropolitan areas and their surrounding
15 areas.

16 SEC. 13. ***Traffic Management Plan.*** – The Traffic Chief shall, in
17 consultation with the affected private stakeholders, MMDA, Cebu Traffic
18 Coordinating Council, and Davao Traffic Administrator, as the case may be,
19 formulate a separate Traffic Management Plan (TMP) for each of the
20 metropolitan areas.

21 The TMP must sufficiently detail the concrete steps to be taken to
22 immediately and effectively alleviate the traffic crisis in the metropolitan areas
23 in a measurable or quantifiable manner. The TMP shall include the following
24 minimum components:

25 a) Organizational structure allocating the respective duties and
26 responsibilities of the covered agencies for traffic management and regulation,
27 including traffic law enforcement;

28 b) Route rationalization of public utility vehicles (PUVs), as provided
29 in Section 15 of this Act;

- 1 c) Promotion of sustainable transport including the setting up of
2 bicycle lanes;
- 3 d) Coordinated odd-even, number coding or other vehicle volume
4 reduction scheme throughout the metropolitan areas;
- 5 e) Synchronized truck ban throughout the metropolitan areas;
- 6 f) Creation of a traffic flow system, including identification and
7 designation of one-way streets and U-turn slots;
- 8 g) Identification of friendship routes and private village or
9 subdivision roads to serve as alternate or secondary routes;
- 10 h) Designation of PUV terminals including the relocation of existing
11 or removal of illegal terminals;
- 12 i) Removal of traffic signs and PUV stops which block or encroach
13 upon the right of way to or along major thoroughfares;
- 14 j) Prohibition against and designation of parking areas on certain
15 roads;
- 16 k) Clearing of sidewalks and determination of the need for elevated
17 crosswalks and their suitable locations which must be integrated to the
18 designated PUV terminals and bus stops, and the design for such crosswalks
19 which should be sustainable, safe, convenient and accessible to persons with
20 disabilities;
- 21 l) Efficient and coordinated waste and flood management;
- 22 m) Comprehensive traffic rules and regulations handbook which
23 identifies traffic-related violations and offenses and imposes corresponding
24 graduated penalties;
- 25 n) Traffic system for roads leading to airport terminals and ports in
26 the three metropolitan areas;
- 27 o) Procedures for the expeditious reporting and processing of
28 vehicular accidents to avoid vehicular congestion, including among others the
29 requirements for the filing of the police report or other traffic investigation

1 reports; *Provided*, That digital photographs shall be considered as sufficient
2 and acceptable basis of such reports or any other report of similar nature as may
3 be allowed by the Insurance Commission for processing of insurance claims;

4 p) A clear policy on ridesharing or carpooling technologies and other
5 traffic management programs;

6 q) A Clark Airport Traffic Management Plan, to be developed in
7 coordination with the Clark International Airport Corporation, Clark
8 Development Corporation, Department of Tourism, Bases Conversion
9 Development Authority and the Regional Development Council; and

10 r) A recommendation on whether to buy-out MRT 3 or to commence
11 negotiations or procurement of a maintenance contract that will be coterminous
12 with the MRT concession period that shall expire in 2025.

13 Except for the route rationalization plan for public utility vehicles, which
14 must be studied and completed within eight (8) months from the effectivity of
15 this Act, the TMPs must be completed within ninety (90) days from the
16 effectivity of this Act. At such time, the Traffic Chief shall submit the TMPs to
17 the JCOC.

18 The TMP shall be updated at least once every year, and even after the
19 lapse of the effectivity of this Act.

20 SEC. 14. ***Friendship Routes.*** – The Traffic Chief, in coordination
21 with the component LGUs, shall identify the private subdivision or village roads
22 which shall be designated as friendship routes and shall serve as additional
23 access points and secondary channels for road traffic.

24 The procedure and standards for the establishment of friendship routes
25 are as follows:

26 a) Conduct of two (2) public consultations with the affected private
27 village residents;

28 b) Reasonable determination that there are no other available public
29 route other than the proposed friendship route;

1 c) Implementation by government of other remedial measures such as
2 road clearing and sidewalk clearing in the contiguous or adjacent public roads;
3 and

4 d) Exercise by a private road owner of the option to impose toll fees
5 in the form of selling pass-through stickers to pay for road maintenance and
6 security, without prejudice to the government's right to expropriate the private
7 road if it is deemed to be in the best interest of the public.

8 The friendship routes shall be open to the public only during the effective
9 period of this Act. The opening and public use of any such friendship route may
10 be extended by the Traffic Chief subject to the determination that the necessity
11 for the use of such additional access road still exists beyond the duration of this
12 Act and the observance of the minimum procedures and standards set forth in
13 this Section.

14 SEC. 15. *Route Rationalization for Public Utility Vehicles.* – There
15 shall be established a Route Rationalization Plan for PUVs which shall be
16 submitted to the JCOC not later than eight (8) months from the effectivity of
17 this Act. It shall include the following minimum components:

18 a) Procedure for integration of different transportation modes into a
19 unified public transport infrastructure network;

20 b) Identification of the various primary, secondary, and ancillary
21 routes, with the corresponding determination of the primary and secondary
22 routes' measured capacity based on the passenger demand and the destination of
23 the demand during certain times of the day, with particular focus on traffic rush
24 hours and road size;

25 c) Determination of the size, type, and number of PUVs including
26 double-decker bus, articulated bus, mini bus, jeepney, asian utility vehicle,
27 multi-cab, tricycle appropriate to a particular route's measured capacity;

28 d) Determination of the applicable fares per type of PUV for each of
29 the identified routes; and

1 e) Design, roll-out, and maintenance of unified or single dispatching
2 mechanism with minimum safe headway between PUVs.

3 SEC. 16. ***Revocation and Modification of PUV Franchises and***
4 ***Permits.*** – The Traffic Chief, upon consultation with the LTFRB and other
5 relevant covered agencies and the conduct of public hearings, may revoke or
6 modify a PUV franchise to conform to the viable capacity of a certain route.

7 Upon determination of the optimal number of PUVs in a route and that
8 such route requires larger PUVs, the Traffic Chief shall, through the LTFRB,
9 restrict the issuance of PUV franchise to operators employing PUVs with the
10 appropriate capacity to serve the route. Any previously issued PUV franchise
11 covering smaller capacity PUVs, such as tricycles and pedicabs, shall be
12 revoked within a period of six (6) months after the publication of the notice of
13 revocation in a newspaper of general circulation in the locality and the posting
14 of such notice for four (4) consecutive weeks in the concerned barangay, city
15 and municipal halls.

16 No cancellation of franchise shall take place without compensation to
17 PUV operators and proper social support mechanisms provided to the displaced
18 workers in accordance with Sections 22 and 23 of this Act.

19 SEC. 17. ***Suspension of PUV Franchising Authority.*** – The power of
20 local government units in the metropolitan areas to issue franchises to
21 “*padyak*,” tricycles; and all other PUV units as provided in the Local
22 Government Code is hereby suspended during the effective period of this Act.

23 The Traffic Chief, or upon delegation, the LTFRB, can revoke or revise
24 the franchises previously issued by LGUs to tricycles and other forms of PUVs.
25 A franchise may not be cancelled without compensation to the concerned PUV
26 operator. Likewise, workers displaced by the cancellation of a franchise shall be
27 socially alleviated in accordance with Sections 22 and 23 of this Act.

1 After the effectivity period of this Act, and upon the resumption of the
2 LGU's franchise-issuance powers under the Local Government Code, the
3 LTFRB shall:

4 a) Designate the particular routes in the metropolitan areas which
5 tricycles, pedicabs, and other small PUVs can ply and for which the LGUs may
6 issue the appropriate franchise. Such routes shall be limited to secondary and
7 tertiary roads, which are not serviceable by bigger PUVs such as jeepneys or
8 minibuses; and

9 b) Set the maximum number of PUV franchises that an LGU may
10 issue for each particular route. All PUV franchises to be issued by the LGUs
11 shall be automatically reviewed by the LTFRB.

12 The exercise of the LGU's power to issue franchises to PUVs and the
13 franchises shall be subject to review and amendment by the DOTr, through the
14 LTFRB.

15 SEC. 18. ***Government Take-Over of the Operations of a PUV***
16 ***Franchise.*** – In accordance with Section 17, Article XII of the 1987
17 Constitution, the government may take over or direct the operation of any PUV
18 franchise as may be necessary to implement this Act and related rules and
19 regulations. To the extent feasible, the management of such PUV franchises
20 shall be directed and supervised by the Traffic Chief, or the latter's designated
21 representative. The Traffic Chief shall render a full accounting to the President
22 of the Philippines and the JCOC of the operations of such transportation
23 services taken over: *Provided, further,* That whenever the President shall
24 determine that the further use or operation by the government of such PUV
25 franchise or enterprise is no longer necessary under existing conditions, the
26 same shall be restored to the person entitled to the possession thereof.

27 SEC. 19. ***PUV Operator Obligations and Responsibilities.*** – A PUV
28 driver shall work no more than twelve (12) hours per shift within a twenty-four

1 (24) hour period. The Department of Labor and Employment (DOLE) shall
2 determine the appropriate work shift for the different classes of PUVs.

3 A PUV Operator must ensure compliance with all labor laws and
4 standards, including the payment to drivers of a minimum prescribed monthly
5 salary based on applicable laws and regulations. For this purpose, the DOLE
6 and the LTFRB shall, within sixty (60) days from the effective date of this Act,
7 complete a wage study to determine, among others, the different minimum
8 wages appropriate and applicable based on the type of public utility vehicle
9 driven by covered drivers. The study shall be submitted to the JCOC upon
10 completion.

11 All public transit operators, including taxi operators, must maintain and
12 update in a publicly accessible website, a list of all drivers in their employ and
13 their respective professional driver's license details, as well as information on
14 their franchise number or Land Transportation Franchising and Regulatory
15 Board (LTFRB) case number and the vehicles or units owned and operated by
16 the PUV operator under its franchise, including the chassis numbers of said
17 vehicles.

18 Failure of the PUV franchisee to disclose complete and accurate
19 information regarding its professional drivers and franchised units shall be a
20 sufficient ground for the revocation or suspension of such franchise, depending
21 on the gravity of the non-disclosure or misrepresentation.

22 SEC. 20. ***Traffic Impact Plan.*** – During the effectivity of this Act, the
23 Traffic Chief, in coordination with the LGUs and other relevant covered
24 agencies shall:

25 a) Prescribe the rules, regulations, and standards for large mixed-use
26 property developments to ensure adherence to best practices for long-term
27 sustainability, avoid disturbance to adjoining communities and public
28 convenience, and to minimize adverse environmental impact; and

1 b) Prescribe rules, regulations, and development standards to optimize
2 and rationalize land use and transportation development to promote urban
3 dispersal to decongest the metropolitan areas and provide direction to urban
4 growth and expansion.

5 SEC. 21. *Development Certificate.* – The Traffic Chief shall pass
6 upon and approve or disapprove all plans, programs, and projects proposed by
7 local government units, government offices and agencies within the
8 metropolitan areas; the Department of Public Works and Highways, public
9 corporations, and private persons or enterprises where such plans, programs or
10 projects, including expansion or rehabilitation of existing infrastructure are
11 either located along any of the radial or circumferential roads and their
12 respective arterial roads within or leading into or out of the metropolitan areas
13 or any other road, street, or thoroughfare as may be identified by the Traffic
14 Chief, or are determined to have potential adverse effects on traffic flow,
15 movement, or management of any of the streets, roads, or thoroughfares as
16 identified herein, regardless of their location in the metropolitan area.

17 The approval by the Traffic Chief shall take the form of a development
18 permit that shall be issued prior to any land development and shall be in lieu of
19 all other permits such as those issued by the MMDA and LGUs, except the
20 Environmental Compliance Certificate issued by the Department of
21 Environment and Natural Resources or the Environmental Management Bureau.
22 The Traffic Chief shall issue the development certificate within a non-
23 extendible period of five (5) working days from the submission of any plan.
24 Program or project to be undertaken within the relevant metropolitan area and
25 the required supporting documents, otherwise the latter shall be considered
26 approved.

27 Among other criteria, the Traffic Chief and the LGU concerned shall
28 ensure compliance with the Traffic Impact Plan, the mandated setbacks,
29 provisions for sufficient vehicle parking and other requirements of the National

1 Building Code and other applicable statutes prior to the issuance of the
2 Development Clearance Certificate.

3 The Traffic Chief, or any duly designated agent or representative is
4 hereby empowered to institute necessary legal proceedings before the Special
5 Traffic Crisis Court to be created under Section 34 of this Act, against any
6 person who shall commence or continue the implementation, without previous
7 clearance from the Traffic Chief under this Section, of any plan, program or
8 project within the relevant metropolitan area: *Provided*, That any local
9 government office, agency, public corporation, private person, or enterprise
10 whose plans, programs or projects have been disapproved by the Traffic Chief
11 may, within fifteen (15) days from receipt of such disapproval, appeal such
12 decision to the Office of the President, whose decision on the matter shall be
13 final: *Provided, further*, That the expansion plans of existing developments
14 shall be considered as new plans subject to the review of the Traffic Chief.

15 SEC. 22. ***Compensation to PUV Operators.*** – Public transportation
16 operators whose franchises are revoked or modified as a consequence of the
17 policies carried out pursuant to this Act, such as, the shortening of routes, or
18 reduction of covered PUV units, shall be compensated based on the number of
19 units affected or rendered redundant.

20 Compensation shall be based on depreciated value of the units affected,
21 upon presentation of the actual unit and validation that the unit and its chassis
22 number are included in the list of registered vehicles that have been issued a
23 Certificate of Public Convenience and Necessity (CPCN).

24 Likewise, loss of income shall also be compensated based on the average
25 annual income generated by that unit from a particular route, as evidenced by
26 the affected parties' official receipts and income tax returns filed in the last
27 three (3) preceding years. The one-time compensation for loss of income shall
28 be equivalent to such annual average income and shall be exempt from income
29 and other taxes.

1 The benefit of compensation under this section, may be availed only if
2 the franchise holder, within the five-year period immediately preceding the
3 revocation, has fully complied with all statutory and regulatory requirements
4 pertaining to the operation of its PUVs and the exercise of its privileges under
5 its franchise, and does not have any derogatory record with the LTFRB,
6 MMDA, LGU, or any other relevant government agency or office.

7 SEC 23. ***Social Support Mechanisms.*** – Drivers, driver’s assistants,
8 mechanics, and other employees of a PUV operator affected by a revocation or
9 modification of franchise is entitled to financial assistance and other social
10 support services in the following forms:

11 a) The Department of Social Welfare and Development (DSWD)
12 shall extend financial assistance using funding from available social protection
13 programs and services. The DSWD shall report the availability of such
14 programs and any disbursement made to the JCOC;

15 b) In coordination with the LGUs, the LTFRB shall identify under
16 oath the displaced employees based on eligibility and profiling requirements.
17 Upon identification, the employees shall be included and immediately be
18 classified as qualified persons under the available social protection programs of
19 the DSWD;

20 c) The Technical Education and Skills Development Authority
21 (TESDA) shall prioritize the training of affected employees in its training
22 courses to empower them to pursue alternative gainful employment or source of
23 livelihood;

24 d) The Development Bank of the Philippines (DBP) shall extend
25 financial assistance to displaced employees duly identified and certified as such
26 by the LTFRB. Such assistance shall be made available to qualified applicants
27 at preferred rates to finance a business undertaking or livelihood program duly
28 certified by TESDA or other appropriate agencies. The DBP shall report to the
29 JCOC on the funding made available for this purpose;

1 e) The DOLE and Philippine Overseas Employment Administration
2 shall obtain a list of displaced professional drivers and mechanics and shall
3 assist them in looking for employment, whether here or abroad; and

4 f) Displaced employees shall be entitled to separation pay as
5 mandated under the Labor Code of the Philippines; and

6 g) The legal dependents of affected employees shall be qualified for
7 scholarships from the Government, in accordance with the applicable rules and
8 regulations of the DSWD, Department of Education (DepEd), or the TESDA.

9 SEC. 24. *Professional Driver's Examination.* – Effective January 1,
10 2018 licensed professional drivers operating PUVs in the metropolitan areas
11 must undergo testing and examination prior to the issuance of new professional
12 driver's licenses. The test shall be specifically designed for the type of vehicle
13 that the driver intends to operate. The LTO shall administer the retesting free of
14 charge.

15 Professional drivers operating PUVs within the metropolitan area who
16 are found to have not complied with this requirement will have their
17 professional driver's licenses revoked and shall be banned from driving
18 professionally for a period of two (2) years.

19 The LTO shall coordinate with established driving schools that have
20 existed, operated, and have been in good standing for at least ten (10) years, in
21 preparing the written and driving test appropriate to the vehicle and route the
22 applicant intends to operate. The LTO is hereby authorized to accredit
23 established driving schools to conduct the professional driver's examination.

24 Only drivers who have passed the new LTO test and provided a suitable
25 bond as may be required by the LTO, shall be allowed to operate PUVs in the
26 areas covered by this Act.

27 New driver's license cards with special determinable features shall be
28 issued to professional drivers corresponding exclusively to the type of public
29 utility vehicles they have been tested for and the metropolitan area where they

1 will be licensed to drive. Such driver's license may not be used to lawfully
2 operate any other type of PUV in any other area or locality.

3 SEC. 25. **Roadworthiness.** – Within ninety (90) days from the
4 effectivity of this Act, the LTO shall conduct roadworthiness testing of all
5 PUVs operating within the metropolitan areas. The testing shall cover the
6 following:

- 7 a) Emission testing;
- 8 b) Chassis stability and actual capacity as determined by the
9 manufacturer;
- 10 c) Working headlights, break lights, signal lights; and
- 11 d) Other testing that may be done by LTO using equipment that it
12 presently has.

13 The Secretary of the DOTr, or upon delegation, the LTO, shall work with
14 established vehicle manufacturers to determine and conduct the appropriate
15 roadworthiness test and vehicle limitations such as number of passengers and
16 load limits per type of vehicle. Vehicle manufacturers possessing equipment to
17 determine road-worthiness of certain types of PUVs can be accredited for this
18 purpose.

19 New license plates or stickers that make the existing license plates of
20 PUVs discernable shall be issued to PUVs that have passed the roadworthiness
21 test and shall be authorized to operate within the metropolitan areas. The
22 license plate shall authorize the PUV to operate only within the designated
23 metropolitan area.

24 Non-compliance by a PUV operator with the requirement for
25 roadworthiness testing shall be penalized with the cancellation of the unit's
26 franchise, immediate impounding, and a fine of not more than Ten Thousand
27 Pesos (PhP10,000.00).

1 In the event that the LTO is unable to accredit private vehicle
2 manufacturers and dealers to conduct the roadworthiness testing of vehicles, the
3 LTO shall directly conduct such testing in the metropolitan areas.

4 SEC. 26. ***Financial Assistance to PUV Modernization.*** – The DBP
5 shall reserve funds to facilitate the improvement and enhancement of PUVs in
6 the metropolitan areas.

7 The DBP shall extend financial assistance to existing public
8 transportation operators with valid franchise to enable them to modernize their
9 units. It shall provide financing to qualified applicants at preferred rates and
10 shall report to the JCOC on the funding made available to support the
11 implementation of this section.

12 The DBP can only offer this loan facility for the procurement of vehicles
13 that are powered by at least a Euro 4-compliant engine or those that commonly
14 use internal combustion engines with electric motors, or those that are fully
15 electric-powered: *Provided*, That the said vehicles are accessible to persons with
16 disabilities.

17 SEC. 27. ***Priority Projects.*** – Due to the need for immediate action to
18 prevent further damage to the national economy, public health, and social
19 welfare or loss of life and property as a result of traffic crisis and to restore,
20 improve and make accessible vital public transportation services, infrastructure,
21 and facilities, the traffic crisis is hereby declared to be an emergency case, as
22 defined in Section 53 of Republic Act (RA) No. 9184 or the *Government*
23 *Procurement Reform Act* (GPRA) and Section 53.2 of its Implementing Rules
24 and Regulations (IRR). In accordance with RA 9184, the President, through the
25 Traffic Chief, is hereby authorized, during the effective period of this Act and
26 without prejudice to the use of other available procurement methods under the
27 GPRA, to enter into negotiated contracts for priority projects for the
28 construction, repair, restoration, rehabilitation, improvement, or maintenance of
29 critical infrastructure, projects, and facilities, and any directly related

1 procurement of goods or services, subject to the following requirements and
2 conditions:

3 a) The priority projects must be aimed to immediately and effectively
4 alleviate the traffic crisis, thereby promoting public interest;

5 b) The terms and conditions of the priority projects must be
6 advantageous to the government; and

7 c) The Traffic Chief, in coordination with the covered agencies, must
8 submit a list of priority projects to the JCOC together with their respective
9 description, the budgetary estimates, identification of necessary right-of-ways,
10 and other salient features, within ninety (90) days from the effectivity of this
11 Act. The bidding or procurement of priority projects submitted to the JCOC
12 shall be conducted by the procurement service of the Department of Budget and
13 Management (DBM).

14 The procurement method or negotiated contract process resorted to for
15 any procurement related to the certified priority projects must be complete,
16 clear, transparent, and in accordance with RA 9184.

17 The contracts for projects to be carried out pursuant to and in accordance
18 with this Act shall be awarded only to contractors or project proponents with:

19 1) Proven competence in, capability and experience with similar
20 projects;

21 2) Competent and qualified key personnel and sufficient and reliable
22 equipment and facilities;

23 3) Sound financial capacity; and

24 4) Legal capacity consistent with the RA 9184 and its Implementing
25 Rules and Regulations.

26 All awarded priority projects shall be subject to existing government
27 auditing rules and regulations governing negotiated contracts.

28 Contracts or concession agreements covering the priority projects shall
29 have no confidentiality clause, except with respect to matters protected by the

1 Intellectual Property Code of the Philippines. In case of technology-related
2 priority projects, the terms of reference (TOR) and contract or agreement must
3 explicitly provide for technology transfer and assignment of any and all source
4 codes to the DOTr.

5 SEC. 28. ***Priority Projects, Disclosure Mechanism.*** – The list of
6 priority projects and their pertinent details shall be published in a newspaper of
7 general circulation within the metropolitan area concerned within fifteen (15)
8 days from submission to the JCOC. In addition, the said list shall also be
9 published with its own separate category in the Philippine Government
10 Electronic Procurement System (PhilGEPS) established under RA 9184.

11 SEC. 29. ***Rescission or Nullification of Contracts.*** – Contracts
12 covering the priority projects and any other procurement of goods and services
13 resorted to in furtherance of this Act shall be subject to rescission in accordance
14 with Article 1191 of the Civil Code of the Philippines or shall be declared null
15 and void if found to be manifestly and grossly disadvantageous to the
16 government, whether or not the public officer involved profited or will profit
17 thereby. Any action for such rescission or declaration of nullity shall fall within
18 the exclusive jurisdiction of the Special Traffic Crisis Courts to be created under
19 Section 34 of this Act and shall be initiated only upon the recommendation of
20 the Traffic Chief.

21 Sufficient funds shall be appropriated to answer for any compensation
22 and damages that may be adjudicated to the counterparties.

23 SEC. 30. ***Suspension of Statutes Otherwise Applicable to Priority***
24 ***Projects.*** – To promptly address the traffic crisis, the following are hereby
25 temporarily suspended throughout the effectivity of this Act, but only insofar as
26 they apply to the priority projects under this Act:

27 a) Provisions of the Local Government Code requiring prior
28 consultation with, and approval of, local government units, with respect to
29 traffic-related projects within their respective localities; and

1 b) Provisions of the Labor Code of the Philippines requiring
2 clearances and permits for the employment of foreigners, specifically foreign
3 technicians and experts working in traffic-related projects.

4 SEC. 31. ***Liability for Priority Projects.*** – The following persons may
5 be held liable for non-compliance with RA 9184 and other applicable statutes
6 and violations against the provisions of this Act in relation to the
7 implementation of priority project contracts:

8 a) DOTr Secretary;

9 b) DOTr Undersecretary responsible;

10 c) Chief Executive Officer or President of private concessionaire; and

11 d) Persons directly involved in the implementation of the projects.

12 The liability of the above persons for the violation of RA 9184 shall be
13 incurred without prejudice to any criminal liability under any other laws or
14 statute, such as the *Revised Penal Code*, Republic Act No. 3019 or the *Anti-*
15 *Graft and Corrupt Practices Act*, and Republic Act, No. 6713 or the *Code of*
16 *Conduct and Ethical Standards for Public Officials and Employees*.

17 Presentation or submission to the JCOC of the priority projects shall not
18 exempt the responsible officials and private persons from criminal or
19 administrative liability if it is duly proven that they have engaged in acts that
20 influenced the determination of and award to the winning concessionaire or
21 violated any provision of other applicable statutes.

22 SEC. 32. ***Review of Existing Contracts and Concessions.*** – The
23 Traffic Chief, in coordination with the covered agencies, shall review contracts,
24 permits, and licenses entered into or issued by any of the covered agencies
25 within the metropolitan areas or component LGUs for the purpose of
26 determining whether they contribute to the alleviation of the traffic crisis and
27 are advantageous to the government, and the level of compliance of the other
28 party or grantee with its statutory and contractual undertakings and obligations.

1 The review must be completed within forty-five (45) days from the
2 effectivity of this Act.

3 Within sixty (60) days from the effectivity of this Act, the Traffic Chief
4 shall submit to the JCOC a list of contracts and concessions that may be the
5 subject of modification, revocation, rescission, or nullification.

6 Upon submission to the JCOC, the Traffic Chief, or the duly designated
7 representative may initiate any action necessary to effect the modification,
8 revocation, rescission, or nullification of the identified contracts and
9 concessions.

10 SEC. 33. ***Power of Eminent Domain.*** – The Traffic Chief shall
11 reasonably exercise the power of eminent domain for right-of-way acquisition
12 or expropriation of private property necessary for priority projects, including the
13 construction, rehabilitation or maintenance of infrastructure projects, road
14 widening, and clearance on the construction of road setback.

15 For the approved priority projects to be implemented under this Act, the
16 DOTr and the relevant covered agencies must determine whether it is
17 appropriate to lease real property to facilitate a temporary right-of-way
18 necessary for the construction of temporary terminals until permanent ones are
19 constructed, or to purchase or expropriate land for right-of-way purposes.

20 The rules and procedures prescribed under Republic Act No. 10752 or
21 “The Right-of-Way Act” for the negotiated sale or expropriation of a right-of-
22 way shall apply to the priority projects.

23 Government financial institutions shall issue for a reasonable fee the
24 appraisal and valuation report for the private property to be expropriated for the
25 priority projects.

26 SEC. 34. ***Special Traffic Crisis Court.*** – There shall be created a
27 Special Traffic Crisis Court in each of the metropolitan areas. The Special
28 Traffic Crisis Court shall have exclusive jurisdiction to hear and expeditiously

1 resolve all actions that may emanate from the implementation of this Act.

2 These cases include the:

3 a) Legality or constitutionality of priority projects, programs, policies,
4 rules and regulations to be implemented under the Act;

5 b) Bidding and award of a priority project and the nullification or
6 rescission of contracts covering such priority projects;

7 c) Necessary right-of-way acquisition for the priority projects;

8 d) Relocation of utilities or facilities and of informal settler families
9 to implement the priority projects;

10 e) Opening of private village gates necessary to provide alternate
11 routes or friendship route throughout the effectivity of the Act;

12 f) Termination or amendment of PUV franchises; and

13 g) Criminal violations penalized under this Act, unless they fall
14 within the exclusive jurisdiction of the Ombudsman and or Sandiganbayan.

15 All judicial actions arising from the implementation or violation of this
16 Act must be heard in accordance with the Supreme Court's guidelines on
17 continuous trials.

18 Resolutions, orders, and decisions issued by the Special Traffic Crisis
19 Court may not be enjoined unless by a temporary restraining order or writ of
20 preliminary injunction issued by the Supreme Court.

21 Where an action for expropriation of private property is necessary for a
22 priority project, the government is entitled to the immediate issuance of a writ
23 of possession over the subject private property upon presentation of an appraisal
24 report issued by a government financial institution, and the deposit of just
25 compensation set at one hundred twenty per centum (120%) of fair market
26 value. Right-of-way cases shall be resolved within thirty (30) days from filing
27 with the Special Traffic Crisis Court.

1 All right-of-way and expropriation cases pending in other courts that will
2 affect any priority project shall immediately be transferred to the Special Traffic
3 Crisis Courts for immediate resolution.

4 SEC. 35. ***Temporary Restraining Order (TRO)***. – In the
5 implementation of this Act and except as otherwise provided herein, no other
6 court other than the Supreme Court may issue a TRO or preliminary injunction
7 against the government or any of its subdivisions, official, or any person or
8 entity, whether public or private acting under government direction, to restrain,
9 prohibit or compel the following acts:

10 a) Bidding out or procurement of the priority projects, including
11 infrastructure projects, software or information technology components and
12 attendant acquisition of necessary goods and consulting services, as identified
13 by the Traffic Chief and submitted to the JCOC;

14 b) Acquisition, clearance, and development of the right-of-way or site
15 or location of any transportation project identified by the Traffic Chief and
16 submitted to the JCOC;

17 c) Commencement, prosecution, execution, implementation,
18 operation of any transportation project;

19 d) Termination or cancellation of any transportation project;

20 e) Opening of private village gates necessary to provide alternate
21 routes throughout the effective period of this Act;

22 f) Termination or amendment of PUV franchises; and

23 g) Undertaking or authorization of any other lawful activity necessary
24 for any transportation project.

25 Upon their creation, the Special Traffic Crisis Courts shall have the
26 power to issue preliminary injunctions and TROs on matters enumerated herein.

27 SEC. 36. ***Actions of the Commission on Audit and the Civil Service***
28 ***Commission***. – The Commission on Audit (COA) and the Civil Service
29 Commission (CSC) shall resolve issues arising from the implementation of this

1 Act falling within their constitutional and statutory jurisdiction within thirty
2 (30) days from their cognizance of such issues.

3 The COA and the CSC shall monitor the implementation of this Act and
4 immediately determine possible issues and to recommend measures to rectify
5 such issues.

6 SEC. 37. ***Publication of Information.*** – The DOTr must maintain a
7 separate website for the publication of complete and accurate information
8 regarding the implementation of this Act. The website should contain
9 information on:

10 a) All traffic-related traffic policies, rules, and regulations with
11 updates on all new issuances;

12 b) The TMP and its updates;

13 c) Information on traffic data and projects;

14 d) Information on the priority projects and policies that are being or
15 intended to be implemented under this Act;

16 e) Status of priority projects during bidding or negotiation, award, and
17 implementation;

18 f) Project budget and implementation status including right-of-way
19 acquisition;

20 g) Cost of each project indicating the specific source of funds and the
21 breakdown of allocations;

22 h) Terms of reference of the priority projects, including the terms and
23 conditions of any applicable concession agreements;

24 i) Detailed minutes of meetings including pre-bid and negotiations,
25 during bidding and awarding of projects;

26 j) Master list of all franchised and licensed public transit operators in
27 the metropolitan areas, with the names and license details of their PUV drivers
28 and the brands, types, models and chassis numbers of the vehicles covered by
29 the respective franchises;

1 k) List of public officials involved in the implementation of the
2 priority projects, including their statement of assets, liabilities, and net worth of
3 public officials involved in the bidding and negotiation of priority projects;

4 l) List of consultants and contractors engaged for the priority project
5 with sworn statement on previous employment, projects undertaken, and
6 experience; and

7 m) Centralized database for traffic violations.

8 SEC. 38. ***Protection against Law Suits.*** – Public officers involved in
9 the implementation of policies and priority projects covered by this Act shall be
10 insured against litigation by the Government Service Insurance System (GSIS)
11 in the event that the Office of the Solicitor General or the Office of the
12 Government Corporate Counsel is not authorized to represent them. The
13 concerned public officer shall obtain the needed insurance coverage from the
14 GSIS and hire legal counsel, unless the GSIS itself determines that such official
15 has clearly violated the laws.

16 SEC. 39. ***Penalties for Violations Under this Act.*** – Any violation of
17 or non-compliance with this Act that qualifies as a criminal offense under the
18 Revised Penal Code or any special penal act shall be subject to the penalties of
19 imprisonment or fine as stipulated in such other laws: *Provided, That the*
20 *maximum applicable penalty shall be imposed for violations of this Act.*

21 The resolution of any administrative complaint against a public officer
22 pertaining to the performance of functions under this Act, including
23 malfeasance, misfeasance, non-feasance in relation to a particular priority
24 project, program, policy, or the implementation of this Act shall not absolve the
25 erring public officer concerned from criminal liability under this Act or any
26 other applicable penal statute. Convicted public officers shall, in addition to
27 penalties imposed, be removed from office and be perpetually disqualified from
28 holding any public office.

1 SEC. 40. ***Appropriation of Funds.*** – The amount needed for the
2 implementation of this Act shall be taken from:

3 a) the Motor Vehicle User's Charge Special Vehicle Pollution Control
4 Fund created under Section 7 of Republic Act No. 8794 or the “*Anti-*
5 *Overloading Act of 2000*”; and

6 b) current fiscal year's appropriation of the agencies involved in the
7 implementation of this Act.

8 Thereafter, the amount needed for the implementation of this Act shall be
9 included in the General Appropriations Act.

10 SEC. 41. ***Traffic Education.*** – The DOTr, LTO, LTFRB, DepEd, and
11 TESDA shall jointly develop a program for driver's education and for road and
12 pedestrian etiquette education that shall be incorporated as a mandatory subject
13 in the curriculum for Grade Ten.

14 SEC. 42. ***Separability Clause.*** – In the event that any provision of this
15 Act is declared unconstitutional, invalid, or illegal, the constitutionality,
16 validity, or legality of the remaining provisions of this Act shall not be affected
17 thereby.

18 SEC. 43. ***Repealing Clause.*** – Pertinent provisions of the following
19 laws which are inconsistent with this Act are hereby repealed or amended
20 accordingly:

21 a) Sections 21, 25, 447, 458, 468 of the Local Government Code of
22 1991;

23 b) Republic Act No. 6975, Department of the Interior and Local
24 Government Act of 1990;

25 c) Batas Pambansa Blg. 129, The Judiciary Reorganization Act of
26 1980;

27 d) Republic Act No. 7924, MMDA Charter;

28 e) Presidential Decree No. 1112, Toll Regulatory Board Charter;

29 f) Republic Act No. 4126, Land Transportation and Traffic Code;

- 1 g) Republic Act No. 9184, Government Procurement Reform Act;
- 2 h) Section 7 of Republic Act No. 8794, creating the Motor Vehicle
- 3 User's Charge;
- 4 i) Section 12 of Presidential Decree No. 1869, as amended; and
- 5 j) Presidential Decree No. 612, as amended, or the Insurance Code of
- 6 the Philippines.

7 SEC. 44. *Effectivity.* – This Act shall take effect fifteen (15) days after

8 its publication in the *Official Gazette* or in a newspaper of general circulation.

9 Approved,