

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5374



Introduced by REP. MANUEL F. ZUBIRI & REP. EDGAR MARY SARMIENTO

EXPLANATORY NOTE

It is the declared policy of the State to promote a just and dynamic social order that provides adequate social services, and an improved quality of life for all. This policy, however, cannot be realized if the State fails to address the daily concerns of the common Filipino, particularly the pedestrians and commuters.

The traffic in Metro Manila has been the subject of widespread criticism and is notorious within and without the Philippines. Waze, the GPS-based navigation app, has even dubbed Metro Manila to have the "worst traffic on earth". This unfortunate situation adversely affects not only automobile-owners and commuters but the pedestrians as well. Due to heavy traffic and road congestion, our major thoroughfares in the Metro have become very unsafe for people who choose to walk to get from one place to another. Even people who prefer to ride bicycles are displaced by the worsening condition of traffic in Metro Manila.

The passage of this bill seeks to address the traffic problems identified earlier. The construction of elevated walkways and bike-lanes along the Epifanio Delos Santos Avenue (EDSA) will provide a safer and more secured passageway for pedestrians and bicycle riders alike. As proven by some of the most industrialized countries in the world, elevated walkways and bike-lanes have the capacity to provide a more efficient and streamlined mode of transportation to the residents of a specific area. And by opening to the public such an important space, this endeavor will also promote healthy living and a cleaner environment by encouraging Filipinos to seek an alternative to riding automobiles.

Furthermore, the passage of this bill will also fulfill one of the main thrusts of the Duterte administration that is to invest on and create more infrastructures for the benefit of the Filipino people and our future generations.

Thus, the passage of this bill is earnestly sought.

MANUEL F. ZUBIRI
Representative
3rd District, Bukidnon

EDGAR MARY SARMIENTO
Representative
1st District, Samar

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AN ACT
ESTABLISHING ELEVATED WALKWAYS AND BIKE-LANES ALONG EDSA

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 **“Inclusive Mobility Act**
2 **of 2019”**.

3
4 **SECTION 2. Definition of Terms.** – As used in this Act, the following terms shall
5 mean:

6 (a) **“Elevated walkways and bike-lanes”** shall refer to a platform constructed
7 above the ground which shall serve as thoroughfare for pedestrians and bike-
8 riders.

9 (b) **“EDSA”** shall refer to the Epifanio Delos Santos Avenue, the longest and
10 busiest thoroughfare in Metro Manila.

11 (c) **“MMDA”** shall refer to the Metro Manila Development Authority upon whom the
12 administration of the elevated walkways and bike-lanes and enforcement of laws
13 and regulations related thereto shall be delegated.

14
15 **SECTION 3. Scope.** – This Act shall require the establishment of elevated
16 walkways and bike-lanes at strategic locations to be identified and designated by the
17 MMDA after appropriate studies along the entirety of EDSA, taking into consideration,
18 among others, public safety and convenience, volume of foot traffic, and other factors.

19
20 **SECTION 4. Regulation of the elevated walkways and bike-lanes.** –All parts of
21 the elevated walkways and bike-lanes shall be designed, constructed, and maintained in
22 strict compliance with prevailing rules and regulations.

23
24 The public safety and security of the elevated walkways and bike-lanes shall be the
25 primary consideration in their design and construction. In this connection, the MMDA shall
26 ensure that sufficient safety measures such as but not limited to the installation continued
27 operation of high definition CCTV cameras, deployment of round-the-clock roving security
28 personnel, and the like are strictly implemented for the operation of the elevated walkways
29 and bike-lanes.

1 **SECTION 5. Responsibility for Administration and Enforcement.** – The MMDA
2 shall serve as the government agency primarily responsible for the full implementation,
3 administration, and enforcement of the provisions of this Act. In this capacity, the
4 MMDA shall coordinate with all national and local government offices and agencies
5 concerned, including without limitation, the Department of Budget and Management, the
6 Department of Public Works and Highways, the Philippine National Police, and the
7 appropriate local government units in Caloocan City, Quezon City, Pasig City,
8 Mandaluyong City, Makati City, and Pasay City, which governmental offices and bodies
9 are hereby enjoined, under pain of possible administrative and/or criminal sanctions, to
10 render their full and unqualified support and cooperation to attain the purposes of this
11 Act.

12
13 **SECTION 6. Prohibition Against the Establishment and Operation of**
14 **Commercial Establishments within the Elevated Walk-Ways and Bike-Lanes.** –
15 The establishment and operation of any and all commercial establishments, billboards,
16 advertisements, and the like within the elevated walk-ways and bike-lanes shall be
17 strictly prohibited. The installation and maintenance of any structure that may impede
18 the visibility of the interior of the elevated walk-ways and bike-lanes and/or otherwise
19 interfere with the smooth flow of traffic therein shall likewise be prohibited. Violators of
20 this Section shall be prosecuted to the fullest extent of appropriate criminal laws and
21 ordinances.

22
23 **SECTION 7. Appropriations.** – The funds required for the implementation of this
24 Act shall be taken from the budget of the Department of Public Works and Highways for
25 the current fiscal year.

26
27 Thereafter, the amount necessary to carry out the provisions of this Act shall be
28 included in the General Appropriations Act of the year immediately following its
29 enactment into law and every year subsequent thereto.

30
31 **SECTION 8. Implementing Rules and Regulations.** – Within ninety (90) days after
32 the effectivity of this Act, the MMDA, in full consultation with the Department of Public
33 Works and Highways, shall adopt and promulgate such rules and regulations, to carry
34 out the provisions of this Act and which shall be effective fifteen (15) days following their
35 publication in the Official Gazette or in two (2) daily newspapers of general circulation.

36
37 **SECTION 9. Separability Clause.** - If any portion or provision of this Act is declared
38 unconstitutional or invalid, the other provisions not otherwise affected shall remain in full
39 force and effect.

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41 **SECTION 10. Repealing Clause.** - All laws, executive orders, rules and regulations,
42 parts of laws, decrees, presidential issuances, proclamations, orders, ordinances, and
43 administrative regulations inconsistent with or contrary to this Act are hereby deemed
44 accordingly repealed or amended.

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SECTION 11. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,