

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**House Bill No. 6006**



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Introduced by CIBAC Party-List Representatives  
Eduardo "Bro. Eddie" C. Villanueva and Domingo C. Rivera

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**AN ACT ENHANCING THE SAFETY OF PEDESTRIANS, FURTHER  
AMENDING REPUBLIC ACT NO. 4136, AS AMENDED, OTHERWISE  
KNOWN AS LAND TRANSPORTATION AND TRAFFIC CODE AND  
FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The current crisis faced by the Philippines in the realm of public transportation involves a wide array of stakeholders, and an even wider array of concerns. Specifically, the government must pay particular concern to the majority of the Filipino population that are directly affected by the use of roads and traffic routes: the pedestrian.

Indeed, protection of Filipino pedestrians should be of paramount concern. In 2018, the World Health Organization (WHO) released its Global Status Report on Road Safety, which found that incidents of road traffic deaths continue to rise in the Philippines. The WHO found that 12,690 road traffic deaths occurred in the country in 2016, and that about half of these road traffic deaths involved vulnerable road users such as motorcyclists, cyclists and pedestrians.<sup>1</sup>

In addition to establishing sufficient infrastructure, systems and programs to alleviate traffic, institutionalizing "right-of-way" culture in the use of roads, walkways and other means for pedestrian access will greatly help in lessening the number of road traffic deaths. This bill seeks to enhance the country's traffic laws by (a)

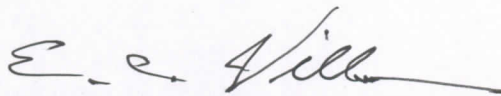
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<sup>1</sup> <https://news.abs-cbn.com/news/12/21/18/road-traffic-deaths-continue-to-rise-in-the-philippines-who-report> (date last accessed: June 24, 2019)

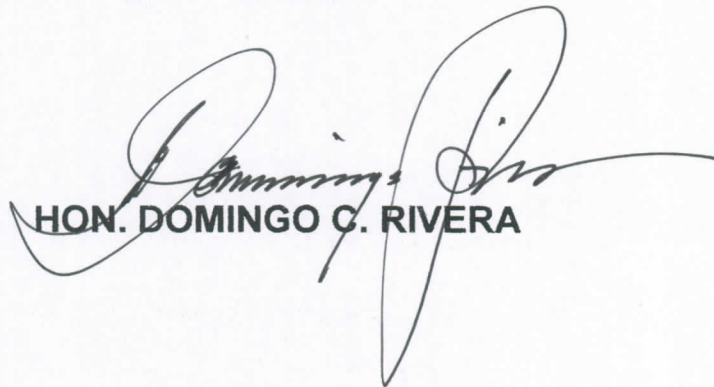
respecting the rights of pedestrians, (b) clarifying the rules on when a pedestrian should yield to a driver, or vice versa, (c) penalizing any person who violates the right-of-way of pedestrians; and (d) mandating the training of erring drivers and pedestrians.

The passage of this measure will not only ensure safety of our pedestrians, it will also provide a comprehensive solution to the country's persistent traffic problems, especially in Metro areas, by mandating a system of behavior and accountability for the commuting public, including both drivers and pedestrians.

The immediate passage of this bill is earnestly sought.



**HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA**



**HON. DOMINGO C. RIVERA**



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

House Bill No. 6008

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Introduced by CIBAC Party-List Representatives  
Eduardo "Bro. Eddie" C. Villanueva and Domingo C. Rivera

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**AN ACT ENHANCING THE SAFETY OF PEDESTRIANS, FURTHER  
AMENDING REPUBLIC ACT NO. 4136, AS AMENDED, OTHERWISE  
KNOWN AS LAND TRANSPORTATION AND TRAFFIC CODE AND  
FOR OTHER PURPOSES**

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

1 **SECTION 1. Title.** – This Act shall be known as the "*Pedestrian Safety Act.*"  
2

3 **SECTION 2. Declaration of Policy.** – It is hereby declared the policy of the State to  
4 provide and ensure safe and convenient pedestrian travel and access, whether by  
5 foot, wheelchair, walker, stroller or any other means. To this end, the State shall  
6 provide convenient and safe passage for pedestrians on and across all streets and  
7 highways, increase levels of walking and pedestrian travel, and reduce pedestrian  
8 fatalities and injuries.  
9

10 **SECTION 3. Definition of Terms.** – For the purposes of this Act, the following terms  
11 shall be defined as follows:  
12

13 (a) Crosswalk is the part of the roadway set aside for pedestrian traffic;  
14

15 (b) Intersection is any place where one line of roadway meets another roadway.  
16 Intersections include cross streets, side streets, alleys, freeway entrances,  
17 and any other location where vehicles traveling on different highways or roads  
18 join each other;  
19

- 1 (c) Pedestrian is a person on foot or who uses a conveyance such as roller  
2 skates, skateboard, etc., other than a bicycle. A pedestrian can also be a  
3 person with a disability using a tricycle, quadricycle, or wheelchair for  
4 transportation.  
5

6 **SECTION 4. *Repeal of Certain Provisions.*** – Section 42(c) of Republic Act No.  
7 4136, otherwise known as Land Transportation and Traffic Code, as amended, is  
8 hereby repealed.  
9

10 **SECTION 5. *Right of Way of Pedestrians.*** – A new Article III-A of the Land  
11 Transportation and Traffic Code, as amended, is hereby provided to read as follows:  
12  
13

14 **ARTICLE III-A**  
15 **RIGHTS OF WAY OF PEDESTRIANS**  
16

17 **SECTION 44-A. *RIGHT OF WAY OF PEDESTRIANS.*** –  
18

- 19 (a) THE DRIVER OF A VEHICLE SHALL YIELD THE RIGHT-OF-WAY TO A  
20 PEDESTRIAN CROSSING THE ROADWAY WITHIN ANY MARKED  
21 CROSSWALK OR WITHIN ANY UNMARKED CROSSWALK AT AN  
22 INTERSECTION, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION.  
23  
24 (b) THE DRIVER OF A VEHICLE APPROACHING A PEDESTRIAN WITHIN  
25 ANY MARKED OR UNMARKED CROSSWALK SHALL EXERCISE ALL DUE  
26 CARE AND SHALL REDUCE THE SPEED OF THE VEHICLE OR TAKE ANY  
27 OTHER ACTION RELATING TO THE OPERATION OF THE VEHICLE AS  
28 NECESSARY TO SAFEGUARD THE SAFETY OF THE PEDESTRIAN.  
29  
30 (c) NOTWITHSTANDING ANYTHING TO THE CONTRARY, THIS SECTION  
31 SHALL NOT RELIEVE:  
32  
33 (1) A PEDESTRIAN FROM THE DUTY OF USING DUE CARE FOR HIS  
34 OR HER SAFETY. NO PEDESTRIAN SHALL SUDDENLY LEAVE A  
35 CURB OR OTHER PLACE OF SAFETY AND WALK OR RUN INTO  
36 THE PATH OF A VEHICLE THAT IS SO CLOSE AS TO CONSTITUTE  
37 AN IMMEDIATE HAZARD. NO PEDESTRIAN SHALL ALSO  
38 UNNECESSARILY STOP OR DELAY TRAFFIC WHILE IN A MARKED  
39 OR UNMARKED CROSSWALK; AND  
40  
41 (2) A DRIVER OF A VEHICLE FROM THE DUTY OF EXERCISING DUE  
42 CARE FOR THE SAFETY OF ANY PEDESTRIAN WITHIN ANY  
43 MARKED CROSSWALK OR WITHIN ANY UNMARKED CROSSWALK  
44 AT AN INTERSECTION.  
45

46 **SECTION 44-B. *REMOVAL OF CROSSWALKS.*** –  
47

- 48 (a) AN EXISTING MARKED CROSSWALK MAY NOT BE REMOVED UNLESS  
49 NOTICE AND OPPORTUNITY TO BE HEARD IS PROVIDED TO THE  
50 PUBLIC NOT LESS THAN 30 DAYS PRIOR TO THE SCHEDULED DATE



1 OF REMOVAL. IN ADDITION TO ANY OTHER PUBLIC NOTICE  
2 REQUIREMENTS, THE NOTICE OF PROPOSED REMOVAL SHALL BE  
3 POSTED AT THE CROSSWALK IDENTIFIED FOR REMOVAL.  
4

5 (b) THE NOTICE REQUIRED BY SUBSECTION (A) ABOVE SHALL INCLUDE,  
6 BUT NOT BE LIMITED TO, NOTIFICATION TO THE PUBLIC OF THE  
7 FOLLOWING:  
8

9 (1) THAT THE PUBLIC MAY PROVIDE INPUT RELATING TO THE  
10 SCHEDULED REMOVAL; AND  
11

12 (2) THE FORM AND METHOD OF PROVIDING THE INPUT  
13 AUTHORIZED UNDER PARAGRAPH (1) ABOVE.  
14

15 **SECTION 44-C. NO OVERTAKING AT INTERSECTIONS.** – WHENEVER ANY  
16 VEHICLE HAS STOPPED AT A MARKED CROSSWALK OR AT ANY UNMARKED  
17 CROSSWALK AT AN INTERSECTION TO PERMIT A PEDESTRIAN TO CROSS  
18 THE ROADWAY, THE DRIVER OF ANY OTHER VEHICLE APPROACHING FROM  
19 THE REAR SHALL NOT OVERTAKE AND PASS THE STOPPED VEHICLE.  
20

21 **SECTION 44-D. SIDEWALKS.** – THE DRIVER OF ANY MOTOR VEHICLE, PRIOR  
22 TO DRIVING OVER OR UPON ANY SIDEWALK, SHALL YIELD THE RIGHT-OF-  
23 WAY TO ANY PEDESTRIAN APPROACHING THEREON.  
24

25 **SECTION 44-E. UNDERPASS AND OVERPASS.** – WHENEVER ANY  
26 PEDESTRIAN CROSSES A ROADWAY OTHER THAN BY MEANS OF A  
27 PEDESTRIAN TUNNEL OR OVERHEAD PEDESTRIAN CROSSING, IF A  
28 PEDESTRIAN TUNNEL OR OVERHEAD CROSSING SERVES THE PLACE  
29 WHERE THE PEDESTRIAN IS CROSSING THE ROADWAY, SUCH PEDESTRIAN  
30 SHALL YIELD THE RIGHT-OF-WAY TO ALL VEHICLES ON THE HIGHWAY SO  
31 NEAR AS TO CONSTITUTE AN IMMEDIATE HAZARD.  
32

33 NOTWITHSTANDING ANYTHING TO THE CONTRARY, THIS SECTION SHALL  
34 NOT BE TAKEN AS A PROHIBITION AGAINST THE INSTALLATION OF  
35 CROSSWALKS WHERE A PEDESTRIAN TUNNEL OR OVERHEAD CROSSING  
36 EXISTS, SHOULD PUBLIC NECESSITY AND SAFETY DICTATE.  
37

38 **SECTION 44-F. INSTANCES WHERE PEDESTRIANS SHALL YIELD TO**  
39 **VEHICLES.** – EVERY PEDESTRIAN UPON A ROADWAY AT ANY POINT OTHER  
40 THAN WITHIN A MARKED CROSSWALK OR WITHIN AN UNMARKED  
41 CROSSWALK AT AN INTERSECTION SHALL YIELD THE RIGHT-OF-WAY TO  
42 ALL VEHICLES UPON THE ROADWAY SO NEAR AS TO CONSTITUTE AN  
43 IMMEDIATE HAZARD, PROVIDED THAT, THE DRIVER OF A VEHICLE SHALL  
44 CONTINUE TO EXERCISE DUE CARE FOR THE SAFETY OF ANY PEDESTRIAN  
45 UPON A ROADWAY.  
46

47 **SECTION 44-G. CROSSING ON CROSSWALKS.** – BETWEEN ADJACENT  
48 INTERSECTIONS CONTROLLED BY TRAFFIC CONTROL SIGNAL DEVICES OR  
49 BY POLICE OFFICERS, PEDESTRIANS SHALL NOT CROSS THE ROADWAY AT  
50 ANY PLACE EXCEPT IN A CROSSWALK.



1 **SECTION 44-H. ROADWAYS. –**

2  
3 (a) NO PEDESTRIAN MAY WALK UPON ANY ROADWAY OUTSIDE OF A  
4 BUSINESS OR RESIDENTIAL DISTRICT OTHERWISE THAN CLOSE TO  
5 HIS OR HER LEFT-HAND EDGE OF THE ROADWAY.

6  
7 (b) A PEDESTRIAN MAY WALK CLOSE TO HIS OR HER RIGHT-HAND EDGE  
8 OF THE ROADWAY IF A CROSSWALK OR OTHER MEANS OF SAFELY  
9 CROSSING THE ROADWAY IS NOT AVAILABLE OR IF EXISTING  
10 TRAFFIC OR OTHER CONDITIONS WOULD COMPROMISE THE SAFETY  
11 OF A PEDESTRIAN ATTEMPTING TO CROSS THE ROAD.

12  
13 **SECTION 44-I. SOLICITATION OF RIDES. –** NO PERSON SHALL STAND IN A  
14 ROADWAY WHICH IS NOT AN AUTHORIZED LOADING AND UNLOADING ZONE  
15 FOR THE PURPOSE OF SOLICITING A RIDE FROM THE DRIVER OF ANY  
16 VEHICLE.

17  
18 **SECTION 44-J. PENALTY. –**

19  
20 (a) THE DRIVER OF A VEHICLE THAT VIOLATES THE PROVISIONS OF THIS  
21 ACT SHALL BE PUNISHED BY A FINE RANGING FROM PHP2,000.00 TO  
22 PHP20,000.00;

23  
24 (b) A PEDESTRIAN FOUND TO BE VIOLATING THE PROVISIONS OF THIS  
25 ACT SHALL BE PUNISHED BY A FINE RANGING FROM PHP1,000.00 TO  
26 PHP10,000.00.

27  
28 THE FINES IMPOSED HEREIN SHALL BE WITHOUT PREJUDICE TO ANY  
29 OTHER CRIMINAL, CIVIL AND ADMINISTRATIVE CASE THAT MAY BE FILED  
30 AGAINST THE OFFENDER.

31  
32 **SECTION 44-K. TRAINING WITH TESDA. –** ANY PERSON WHO HAVE  
33 VIOLATED THE PROVISIONS OF THIS ACT SHALL BE REQUIRED TO  
34 UNDERGO THE APPROPRIATE TRAINING OR REFRESHER COURSE WITH  
35 THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY  
36 (TESDA).

37  
38 **SECTION 6. Information Campaign. –** The Department of Transportation shall  
39 conduct sustained information and education drives aimed at enhancing pedestrian  
40 and driver education.

41  
42 The Department of Transportation and the Land Transportation Office shall also  
43 closely coordinate with TESDA for the establishment of a training program for drivers  
44 and motorists consistent with the provisions of this Act.

45  
46 **SECTION 7. Implementing Rules and Regulations and Standard Forms. –** Within  
47 sixty (60) days from the approval of this Act, the Department of Transportation, in  
48 consultation with the appropriate stakeholders and in coordination with different  
49 government agencies that regulate traffic, shall promulgate the implementing rules  
50 and regulations of this Act.

1  
2 **SECTION 8. *Funding*** – Congress shall allocate adequate funding for the proper  
3 implementation of this Act. In addition, 10% of the Special Road Support Fund  
4 created under Republic Act No. 8794 shall be allocated for the programs, activities  
5 and projects of the Department of Transportation geared towards pedestrian safety  
6 and driver education.  
7

8 **SECTION 9. *Separability Clause***. – If any provision of this Act is declared  
9 unconstitutional or invalid, the other provisions not affected thereby shall continue to  
10 be in full force and effect.  
11

12 **SECTION 10. *Repealing Clause***. – All laws, proclamations, executive orders, rules  
13 and regulations or parts thereof inconsistent with this Act are hereby repealed,  
14 modified or amended accordingly.  
15

16 **SECTION 11. *Effectivity Clause***. – This Act shall take effect fifteen (15) days  
17 following its publication in the Official Gazette or two (2) newspapers of general  
18 circulation.  
19

20  
21 **Approved,**