

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

HOUSE BILL NO. **4309**



Introduced by Representative Florida P. Robes

EXPLANATORY NOTE

Traffic congestion has been a perennial problem, not just in Metro Manila, but of the whole country. Defined as a condition on transport networks that occurs when a volume of traffic or modal split generates demand for space greater than the available road capacity and commonly termed as saturation, it has become worse and more widespread in the country. Many accidents and crimes committed in the streets are due to road rage brought about by traffic jam.

That is why President Rodrigo Duterte asked Congress to give him emergency powers in order to bring forth solutions, either short or long term to this problem that drains time and resources. Many experts in the field of traffic management claim that there is no need to accord the President such emergency powers. Others claim that the problem roots from the attitude of our people who seem to possess lack of discipline or callous disregard to traffic rules and regulations.

So, how do we solve the problem? Are our traffic laws insufficient or inutile? I believe that this continuing traffic crisis needs more innovative and lasting strategies that will redound to the benefit of all stakeholders. Anent this, this proposal seeks to provide good alternatives to help mitigate traffic problems, not only within Metro Manila but in the whole country. These are taken from suggestions of people on how to solve traffic problems. As such, the passage of this proposal is hoped to bring solutions to the traffic woes besetting the country.


FLORIDA P. ROBES

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First Regular Session

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**AN ACT INSTITUTING POLICIES TO MITIGATE THE TRAFFIC CRISIS
IN THE COUNTRY AND FOR OTHER PURPOSES**

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

SECTION 1. Title. This Act shall be known as the "Traffic Mitigating Act."

Sec. 2. Declaration of Policy. It is hereby a declared policy of the State to provide and ensure safe and convenient travel and easy access to major thoroughfares, roads and highways by instituting efficient, unhampered and orderly traffic policies intended to curb or avert traffic congestion through a judicious, fair, participatory and informed traffic management system.

Sec. 3. Scope of Application. - This Act shall serve as a supplement to existing rules and regulation on all roads in the country, whether national or local in classification; pedestrian crossing; vehicle stops and transport terminals, and road use by all motor vehicles including motorized tricycles and pedicabs, and other forms of conveyances, whether public or private.

Sec. 4. Traffic Mitigating Policies. - The following policies shall be instituted in order to solve or diminish traffic congestion in the country and to instill discipline among drivers and pedestrians alike:

(a) Operation of Colorum Public Utility Vehicles. - The operation of all public utility vehicles which are so-called colorum shall be banned from

plying in all routes in the country. Such vehicles, if caught traversing highways and streets with passengers, shall be confiscated and impounded.

To prevent colorum vehicles from operating, a tagging system shall be instituted by attaching stickers on legitimate PUVs to enable the concerned government agency to monitor those who have not been issued franchise by the agency. The government policy that only vehicles with "yellow" plates are designated for public use shall be strictly enforced.

If found in violation of transportation laws, operators of colorum vehicles will be fined P50,000 for jeepneys, P120,000 for taxis, P200,000 for vans and truck-for hires, and P1 million for buses. Further, the penalty of seizure shall be imposed on PUVs that are operating illegally.

(b) No Registration, No Travel Policy. – No four (4)-wheeled motor vehicles, either public or private, can be used, driven or operated on the roads without being duly registered with the Land Transportation Office (LTO) pursuant to other applicable rules and regulations.

If apprehended by traffic law enforcers because the vehicle does not carry the proper car plate or no car plate is attached to it, the owner shall present any proof that it is duly registered such as current official receipt (OR); certificate of registration (CR); sales invoice of the motor vehicle, the same being dated within seven (7) days prior to the date of apprehension; Certificate of Cover (COC) of Third Party Liability (TPL) Insurance, the same being dated on or after the issuance of the above Sales Invoice; and Certificate of Stock Reported (CSR) as issued by the Land Transportation Office, the same dated on or prior to the issuance of the above Sales Invoice to avoid being penalized provided that the said vehicle has been purchased in the past seven days or the owner can prove that the release of registration was due to the negligence of LTO or LTFRB in order to absolve him from such violation.

The owner of the unregistered vehicle will be fined Ten Thousand Pesos (Php 10,000.00) while the driver who is not the owner will be charged One Thousand Pesos (Php 1,000.00); and if a motor vehicle has been unregistered

for more than 37 days, it will be impounded and released only upon registration and payment of appropriate fines and penalties;

(c) Stopping or Parking in Pedestrian Crossings. – Drivers and pedestrians shall exercise due care in use pedestrian crossings or crosswalks.

All drivers of any vehicles shall yield the right-of-way to a pedestrian crossing the roadway within marked crosswalks or within any unmarked crosswalk at an intersection, upon any sidewalk prior to driving, on pedestrian tunnel or overhead pedestrian crossing so near as to constitute an immediate hazard. They shall reduce the speed of the vehicle or take precautionary measures to safeguard the wellbeing of the pedestrians. Whenever any vehicle has stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

Pedestrians shall yield the right-of-way to all vehicles upon the roadway so near as to constitute an immediate hazard, PROVIDED that the driver of a vehicle shall continue to exercise due care for the safety of any pedestrian upon a roadway. Between adjacent intersections controlled by traffic control signal devices or by police officers, they shall not cross the roadway at any place except in a crosswalk. They shall not suddenly leave a curb or other place of safety or walk or run into path of a vehicle to constitute an immediate hazard or to unnecessarily stop or delay traffic while in a marked or unmarked crosswalk.

The penalty for the violation of this provision shall be:

(a) The driver of a vehicle shall be punished by a fine ranging from Php 10,000.00 to php 100,000.00; and

(b) A pedestrian found to be violating this provision shall be punished by a fine ranging from Php1,000.00 to Php 10,000.00.

(d) Operation of Three-Wheeled Vehicles. - The three-wheeled vehicles such as tricycles, pedicabs, as well as padyak and kuligligs used as PUVs shall be prohibited on major roads and thoroughfares in order to decongest traffic and protect the safety of the commuting public . They can only be used or driven as a public utility in specific routes which are free of the many hazards or obstructions that may lead to vehicular accidents. They must have a valid registration and franchise to operate as PUVs.

The owner of these vehicles will be fined Ten Thousand Pesos (Php 10,000.00) while the driver who is not the owner will be charged One Thousand Pesos (Php 1,000.00). Further, a ten (10) day imprisonment shall be imposed on violators.

(e) Salary Standardization – A fixed salary system for drivers of all forms of public transport instead of a boundary system shall be instituted to encourage them to drive in accordance to traffic rules, decrease exploitation, and to promote safe driving.

(f) Regulation of Franchising Scheme– The franchise and operation of public transport vehicles shall be regulated by dismantling competition and the awarding of a monopoly franchise in a specific route shall be mandated. The government shall study the possibility of providing for government-owned and operated buses. Revenues will directly go to the government coffers.

(g) Transport Association. – Since association membership encourages cooperation, single transport association shall be encouraged to enable it to create self-policing among its members, to utilize the normative force of honor and shame to compel members to behave in appropriate manner.

(h) Loading and Unloading Zones. – All vehicles, either public or private, shall load or unload passengers in designated zones or stops.

(i) No Garage, No Car. – No person shall be allowed to purchase or own a car unless he can show proof that he has a legal parking space or garage to

prevent him to encroach on public spaces or sidewalks; and to use major roads or streets as parking space.

(j) Traffic Enforcers. - Traffic enforcers shall be endowed with police powers and fully trained in traffic management and the enforcement of traffic laws. The Highway Patrol Group of the Philippine National Police shall be deputized to strictly enforce traffic laws.

(k) Car Pooling. - Car pooling among all employees in the government and private sector shall be highly encouraged in order to mitigate tragic problems. Not only does car pooling reduce fuel consumption, or prevent air pollution, it saves money and reduces the number of vehicles plying on major routes, especially on rush or peak hours, thus, diminish traffic congestion. Companies promoting car pooling shall be given incentives.

(l) Roadside Parking. - Roadside parking shall be prohibited in major roads and thoroughfares.

(m) Stations and Terminals. - The establishment and operation of station and terminals shall be prohibited in major roads and thoroughfares. They shall be situated in areas that will not cause traffic congestion. Existing stations and terminals shall be reduced.

(n) Regulation of Passenger Jeepneys - The operation of passenger jeepneys in major roads and thoroughfares shall be regulated by diverting their routes in accordance with the convenience of the riding public.

(o) Taxes on Car Purchases - Taxes on car purchases shall be increased to curb excessive vehicle purchases. A limit on car ownership shall be recommended. The tax percentage shall be studied by the Department of Finance.

(p) Work from Home. - A work from home shall be promoted and encouraged. Companies which have a well-developed work from home scheme shall be given appropriate incentives.

(q) Prohibited Acts. It shall be prohibited to use of roads and streets as playground, basketball court or stage and to establish a business or commercial stalls that encroach sidewalks.

Sec. 5. Penalty – Violations of any provisions of this Act, except those specifically provided, shall be provided in the Implementing Rules and Regulation and determined in accordance with existing penal laws and upon discretion of the Court.

Sec. 6. Exemptions For Emergency Vehicles. – The driver of any emergency vehicle may, when expedient and safe to do so, pass a traffic control signal; proceed contrary to the direction or instruction of any traffic control devices or any part of a road or overtake or pass on either side of another vehicle; stop, leave waiting or park the vehicle at any place at any time; or exceed the speed limits prescribed under existing law.

Sec. 7. Implementing Rules and Regulations. The Department of Transportation and its attached agencies, the Land Transportation Office and Land Transportation Franchising Regulatory Board, Metro Manila Development Authority, in coordination with the league of provinces, cities and municipalities, shall formulate and issue the implementing rules and regulations ninety (90) days after the effectivity of this Act.

SEC. 8. Separability Clause. – If any provision of this Act is found to be unconstitutional, the remainder of this Act shall remain valid and subsisting.

SEC. 9. Repealing Clause. - All laws, decrees, executive orders, and rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 10. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.