

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

EIGHTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 2364

Introduced by **Representative Manuel Luis T. Lopez**

EXPLANATORY NOTE

In a study conducted by the MMDA in 2016, the amount of vehicles registered in NCR was about 2.5 Million vehicles. This represents 28.73 percent of all registered vehicles in the Philippines. The study further showed that around seven thousand five hundred (7,500) vehicles pass through EDSA every hour in each direction or one thousand five hundred (1,500) vehicles higher than its maximum capacity of six thousand (6,000) vehicles per hour per direction. About 75 percent of vehicles passing through EDSA are private cars while 25 percent are public.

In another study conducted by the MMDA, it is said that the Annual Average Daily Traffic ("AADT") in Metro Manila and along EDSA was 2,575,896. The study further shows that in terms of growth rate, there was a 12.5% increase in the AADT in Metro Manila from 2010 to 2014 while there was an 11.6% increase in the AADT along EDSA from 2010 to 2014.

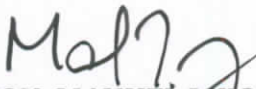
One solution that has been proposed to solve the worsening traffic situation in the Philippines was the adoption of a carpool scheme wherein during certain hours of the day, only vehicles with 3 or more passengers can traverse major thoroughfares. A similar program is being implemented in California and according to California state law, "the law states that High Occupancy Vehicle ("HOV") lane is used "to stimulate and encourage the development of ways and means of relieving traffic congestion on California highways

and, at the same time, to encourage individual citizens to pool their vehicular resources and thereby conserve fuel and lessen emission of air pollutants.”

The adoption of a carpool scheme in major thoroughfares with at least 4 lanes in the Philippines would greatly ease traffic congestion as it will greatly reduce the number of vehicles using the roads, which would only be effective for a certain time within a day so as not to totally burden other individual motorists. This program would not only result in less vehicular traffic, but will also reduce emissions of harmful gases that cause climate change and will enable the people to be more productive and contribute to the progress of the country.

This measure was first filed in the 17th Congress by this representation and has been pending with the Committee on Transportation since September 5, 2017.

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


HON. MANUEL LUIS T. LOPEZ
Representative
1st District, City of Manila

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AN ACT

MANDATING ALL LOCAL GOVERNMENT UNITS AND THE APPROPRIATE DEPARTMENTS AND AGENCIES TO DESIGNATE ONE CARPOOL LANE IN ALL ROADS OR THOROUGHFARES WITH AT LEAST FOUR VEHICULAR LANES WITHIN ITS JURISDICTION AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Carpool Lane Scheme of
2 2019."

3
4 **SEC. 2. *Declaration of Policy.*** - The 1987 Constitution provides that "the State
5 shall promote a just and dynamic social order that will ensure the prosperity and
6 independence of the nation and free the people from poverty through policies that
7 provide adequate social services, promote full employment, a rising standard of living,
8 and an improved quality of life for all."

9
10 Consistent with this Constitutional Principle, it is the declared policy of the State,
11 to create programs and policies that will create the least burden upon the citizenry which
12 in turn would enable them to be more productive members of society and eventually
13 contribute to nation building.

14
15 **SEC. 3. *Definition of Terms.*** - As used in this Act, the following terms are defined
16 as follows:

- 17 a. *Carpool Vehicle Lane*- refers to a restricted traffic lane reserved at peak
18 travel times or longer for the exclusive use of vehicles with a driver and
19 two or more passengers;
20
21 b. *Major Thoroughfares*- includes but is not limited to all roads, streets,
22 highways, and expressways with at least four lanes for vehicles and is
23 traversed by vehicles with four (4) wheels or over;
24
25 c. *Peak Hours* - refers to the time during the beginning and end of the

work/school day wherein there is a high volume of vehicles traversing all major thoroughfares and alternate roads usually between 6am-10am and 5pm-9pm. However, this schedule may be changed from time to time depending on the prevailing circumstances;

- d. *Lightly tinted vehicle*- refers to a tinted vehicle wherein law enforcers or any individual may determine the number of passengers inside the vehicle by merely looking from the outside.

SEC. 4. Coverage. – All existing major thoroughfares as well as those that may be constructed in the future shall reserve and designate one lane as the carpool lane which shall be used only by a vehicle with 3 or more passengers. This scheme will be implemented during peak hours at any given day as may be implemented by the appropriate agency or Local Government Unit (“LGU”) concerned.

SEC. 5. Carpool Lane Hours. – Subject to the determination by the appropriate implementing agencies and LGUs, the designated carpool lanes shall be reserved for vehicles with at least 3 or more passengers during the hours of 6am-10am and 5pm-9pm except on Sunday’s, holidays, and other occasions as may be deemed necessary.

SEC. 6. Prohibition on heavily tinted vehicles. – All vehicles seeking to use the carpool lane must only have a light tint on their vehicle such that law/traffic enforcers as well as the closed-circuit television (“CCTV”) cameras operated on these major thoroughfares may be able to determine the number of individuals inside the vehicle.

SEC. 7. Enforcement. – In accordance with its mandate to “set the policies concerning traffic in Metro Manila, and coordinate and regulate the implementation of all programs and projects concerning traffic management, specifically pertaining to enforcement, engineering and education”, the Metro Manila Development Authority (“MMDA”), shall be the lead agency in implementing the provisions of this Act in Metro Manila. As to the other major thoroughfares located outside Metro Manila, the Department of Transportation (“DOTr”) and the concerned LGUs shall provide the necessary enforcement mechanisms to ensure that the provisions of this Act are strictly complied with.

SEC. 8. Penalties. – A fine of Two Thousand Pesos (P2000) shall be imposed upon any person found violating the provisions of this Act for the first offense.

A fine of Five Thousand Pesos (P5000) and a suspension of the license of the driver for a period of 6 months shall be imposed if the same is person is found in violation of this Act for the second time.

Any person found violating this Act for the third offense shall be imposed a fine of Fifteen Thousand Pesos (P15,000) with the additional penalty of perpetual revocation of his/her license.

SEC. 9. Transitory Provision. – All existing roads, streets, and highways with at least four vehicular lanes shall be subject to the implementation of the carpool lane during peak hours. The MMDA, DOTr, and all LGUs are mandated to strictly enforce this

1 Act by ensuring that only qualified vehicles are allowed to pass through the carpool lane.

2
3 **SEC. 10. *Implementing Rules and Regulations and Standard Forms.*** - Within
4 sixty (60) days from the promulgation of this Act, the necessary rules and regulations for
5 the proper implementation of its provisions shall be formulated by the appropriate
6 government office or agency in coordination with all the stakeholders, LGUs, and other
7 sectors affected.

8
9 **SEC. 11. *Repealing Clause.*** - All laws, ordinances, executive orders,
10 administrative orders, rules, regulations, decrees, and other issuances or parts thereof,
11 which are inconsistent with the provisions of this Act are hereby revoked, repealed, or
12 modified accordingly.

13
14 **SEC. 12. *Separability Clause.*** - If any provision of this Act is held unconstitutional
15 or invalid, the other provisions not affected thereby shall continue in operation and
16 remain in full force and effect.

17
18 **SEC. 13. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
19 publication in a newspaper of general circulation or the Official Gazette.

20
21 Approved,