

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

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4118



Introduced by HON. HENRY R. VILLARICA
4TH DISTRICT, BULACAN

EXPLANATORY NOTE

The State must ensure its citizens a uniform standard of safeguards by preventing them from harming themselves involving culverts especially during rainwater flooding.

Presently, however, pedestrians may possibly expose themselves to accidents like this.

This bill seeks to adopt measures to mitigate or better yet prevent our citizens from untoward incidents, particularly during natural calamities.

During the 16th and 17th Congresses, this bill was filed but due to time constraints, it was not taken up. This same bill is re-filed for the consideration of the 18th Congress..

Support for the enactment of this measure is earnestly requested.

REP. HENRY R. VILLARICA



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AN ACT PROVIDING FOR SAFETY MEASURES FOR CULVERTS OR OTHER
SIMILAR FLOOD OR DRAINAGE SYSTEMS MAINTAINED BY GOVERNMENT
ENTITIES

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

SECTION 1. *Title.* – This Act shall be known as “The Culvert Safety Act”.

SEC. 2. *Declaration of Policy.* –The State shall promote the general welfare of the people. It shall therefore provide for safety measures for culverts or other similar flood drainage systems managed by governmental entities.

SEC. 3. *Specifications.* – Pursuant to the Design Guidelines, Criteria and Standards of the Department of Public Works and Highways (DGCS-DPWH) and for the safety and protection of all citizens:

(A) the intake to each culvert or other enclosed flood or drainage system shall be protected by a bar, grate, or other appropriate covering sufficient to ensure that pedestrians may not be swept into the system;

(B) a sign warning of the hazard for a pedestrian, including the danger for injury or drowning, shall be posted at the intake to each culvert or other enclosed flood or drainage system; and

(C) a hinged opening or other type of opening and closing mechanism to permit emergency services personnel to access the system must be in place.

SEC. 4. *Culvert Defined.* – A sewer or drain crossing under a road or embankment, the part of a road or embankment that passes over such a sewer or drain, or the channel or conduit for such a sewer or drain. It is a structure in the form of pipe or box below road level, for conveying storm water runoff.

SEC. 5. *Coverage.* – This Act shall apply to all existing drainage systems of public buildings and structures, notwithstanding such properties are covered by a lease contract or contractual obligations with private individuals or entities.

SEC. 6. *Penalties.* – Any person, entity or agency who fails to comply with the obligations enumerated under this Act shall be punished with a fine of not less than twenty thousand pesos (P20,000.00) but not more than sixty thousand pesos (P60,000.00) and imprisonment of not more than six (6) months. This is without prejudice to the sanctions under the administrative law, civil service law or other laws if the offender is a government official or employee.

SEC. 7. *Implementing Rules and Regulations.* – The Department of Public Works and Highways (DPWH), in coordination with the other concerned agencies shall promulgate the implementing rules and regulations to implement the provisions of this Act.

SEC. 8. *Appropriations.* – The amount necessary to carry out the implementation of this Act shall be included in the Annual General Appropriations Act of the budget of the DPWH.

SEC. 9 *Separability Clause.* – If any part or provision of this Act is held invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

SEC. 10 *Repealing Clause.* – All laws, decrees, orders, proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 11 *Effectivity* – This Act shall take effect fifteen (15) days from its publication in at least two (2) newspapers of general publication.

Approved,