

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

5495

HOUSE BILL NO. _____



Introduced by Honorable Diego "Nonoy" C. Ty

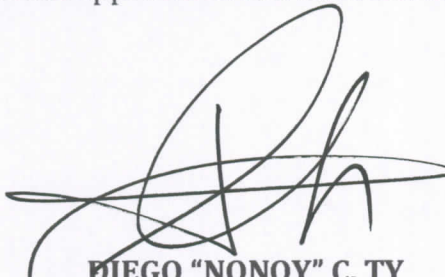
EXPLANATORY NOTE

The use of bicycles, motorcycles and tricycles is not uncommon to Filipinos. In fact, they have been the primary means of transportation for many who cannot afford to buy cars. These vehicles prove to be easy to be driven, does not cost as much and are fuel-efficient.

Despite these, the use of these vehicles has often been tightly regulated. There are several rules and regulations that ban these vehicles in national roads all over the country and thus impede the transport of thousands of Filipinos. In particular, DILG Memorandum Circular No. 2007-01 dated January 2, 2007 states that "the unregulated proliferation of tricycles and pedicabs would pose hazards that might lead to the loss of lives and limbs of the riding public and the public pedestrians" as such, "[f]or safety reasons, no tricycle or pedicab should operate on national highways". This was again reiterated in DILG Memorandum Circular No. 2011-68 where "all local authorities are reminded to strictly adhere to the guidelines and standards provided by [DILG Memorandum Circular No. 2007-01]".

To address these growing issues, this bill proposes the creation of alternate roads throughout the country for these vehicles where they can safely and securely travel. The Department of Public Works and Highways shall be the lead agency tasked to implement the provisions of this Act.

It is for these foregoing premises that the approval of this bill is earnestly sought.



DIEGO "NONOY" C. TY
1st District, Misamis Occidental

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HOUSE BILL NO. 5495

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AN ACT

PROVIDING FOR ALTERNATE ROADS FOR TRICYCLES, MOTORCYCLES AND BICYCLES AS PRIORITY PROGRAM OF THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the “Alternate Roads Act”.

SEC. 2. *Declaration of Policy.* – It is the policy of the State to afford and promote safety and security to its citizens especially those who are road users as they are the most vulnerable to accidents and mishaps. It is hereby declared a policy of the State to safeguard the sanctity of life and ensure every human being is safe and secure in its territories.

Towards this end, the State shall adopt a system to ensure that motorcycle, tricycle and bicycle user citizens are provided adequate roads to safely traverse the country and not put themselves in danger as they are not allowed to pass by national roads under existing rules and regulations.

SEC. 3. *Definition of Terms.* – As used in this Act:

- a) *Bicycle* refers to a human-powered, pedal-driven, single track vehicle having two wheels attached to a frame, one behind the other.
- b) *DPWH* refers to the Department of Public Works and Highways.
- c) *LGUs* refer to local government units and shall include provinces, cities, municipalities, barangays and autonomous areas in the Philippines.
- d) *Motorcycle* refers to a motor-powered, single track vehicle with two wheels and has no pedals.

- e) *Motorized Pedicab* refers to originally, a pedicab but is mounted with a converted engine operated to render transport services to the general public.
- f) *Pedicab* refers to a human-powered, pedal-driven vehicle composed of a bicycle with a single-wheel side car or a bicycle with a two-wheel sidecar operated to render transport services for the general public.
- g) *Tricycle* refers to a human-powered or motor-powered single-track vehicle that is similar to a bicycle but having three wheels instead, usually two at the back and one at the front. It is fitted with a side-card and operates to render transport services to the general public.

SEC. 4. Alternate Roads. – There shall be a priority program of the DPWH which shall construct alternate roads that cater to bicycle, motorcycle, motorized pedicab, pedicab, and tricycle users in the all areas in the Philippines. The District Engineers shall place marks and study the feasibility of having these alternate roads alongside national roads in the Philippines.

SEC. 5. Appropriations. – The amount necessary for the construction of alternate roads shall be charged against the budget of the DPWH for the current fiscal year. Thereafter, the amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year immediately following its enactment into law and subsequent thereto.

SEC. 6. Responsibility for Administration and Enforcement. – After completion of the alternate roads, it shall be the primary duty of the LGUs to effectively enforce the provisions of this Act.

It shall also be the responsibility of such LGUs to maintain and keep the cleanliness and orderliness of the aforementioned alternate roads. Furthermore, the LGUs shall perform such other functions as may be necessary for the preservation of such roads.

SEC. 9. Implementing Rules and Regulations. – Within ninety (90) days from the DPWH shall adopt and promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 10. Periodic Review. – The DPWH shall submit an annual report to Congress on the progress in the implementation of this Act.

SEC. 11. Repealing Clause. – All laws, decrees, executive orders, and proclamations, rules and regulations or parts thereof inconsistent with this Act, are hereby amended or modified accordingly.

SEC. 13. Separability Clause. – If any provision of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,