

SEVENTEENTH CONGRESS
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First Regular Session
HOUSE OF REPRESENTATIVES

House Bill No. 582

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Introduced by REPRESENTATIVE PIA S. CAYETANO

EXPLANATORY NOTE

Transport plays a significant role in spurring economic development and reducing poverty. Transport is a vital part of the activities, goods, and services required to support and improve people's lives. At the same time, however, it also consumes resources and imposes negative side effects. Carbon monoxide, a type of toxic gas emitted by cars and other motor vehicles, is largely responsible for the smog and air pollution in the country as well as respiratory diseases, headaches, and other ailments. The fuel used to run cars and motor vehicles is costing the Philippines more than One Billion Pesos a day. Our dependence on imported fossil fuels has a multiplier effect in the prices of basic commodities, goods and services. The heavy reliance on motor vehicles promotes an unhealthy lifestyle as the public has become sedentary, refusing to walk or bike even short distances. In practically all of the major cities of the country, this is causing terrible traffic congestion, unnecessary stress, and even countless accidents resulting in loss of life and limb.

It is high time that we revisit this way of thinking and lifestyle or else our environment and health continue to suffer. There has to be a balance that will enable people's transport needs to be met in a way that neither harms them nor depletes resources. There are different available mobility options that our government can explore in order to serve our people's changing transport needs, unclog the streets and improve our efficiency as a nation – walking, cycling, use of public transportation, etc. The government must provide for the creation of a safe, convenient, inexpensive, collective, efficient, non-congestive, non-pollutive, and healthful locomotion and transportation system for the benefit of the Filipino people.

This bill seeks to develop sustainable and alternative modes of transportation in order to reduce greenhouse gas emissions, lessen energy consumption, use precious urban area efficiently, reduce time and travel costs as well as promote an active lifestyle. It mandates the Department of Transportation and Communication (DOTC), in coordination with the National Economic Development Authority (NEDA), to develop a plan that will encourage this mode shift and promote programs and infrastructure that will pave the way for the same.

In view of the foregoing, approval of this bill is earnestly requested.

Pia S. Cayetano
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House Bill No. **582**

Introduced by REPRESENTATIVE PIA S. CAYETANO

AN ACT
PROMOTING SUSTAINABLE AND ALTERNATIVE MODES OF
TRANSPORTATION AND OTHER MOBILITY OPTIONS TO IMPROVE AIR
QUALITY, INCREASE EFFICIENCY, REDUCE CONGESTION AND CONTRIBUTE
TO POSITIVE HEALTH IMPACTS IN OUR SOCIETY

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

1 **SECTION 1. Short Title.** – The Act shall be known as the “**Sustainable**
2 **Transportation Act of 2016.**”
3

4 **SEC. 2. Declaration of Policies.** – In conformity with the provisions of the
5 Constitution to promote general welfare and social justice in all phases of national
6 development, to protect and advance the right of the Filipino people to a balanced
7 and healthful ecology in accord with the rhythm and harmony of nature, and to
8 conserve and develop the patrimony of the nation, and in consonance with signed
9 international agreements such as Aichi Statement of 2005, United Nations Economic
10 Commission for Europe (UNECE) Agreement, United Nations Framework
11 Convention on Climate Change (UNFCCC) Agreement of 1992, UNECE World
12 Forum for Harmonization of Vehicle Regulations (WP 29) and Bangkok Declaration
13 for 2020 the State hereby adopts the following policies relative to the transportation
14 system in our country, whether public or private:
15

- 16 a.) The State shall promote a shift towards a safe, cost-effective, efficient, non-
17 congestive, non-pollutive, and healthful locomotion and seamless and
18 inclusive transportation system for the benefit of all citizens, economy and
19 society;
20 b.) The State shall increase mobility options of the general public and promote
21 the use of alternative modes of transportation such as non-motorized
22 transportation, green vehicles and public transportation;
23 c.) The State shall properly plan and establish facilities and infrastructures that
24 will respond to this paradigm shift in the transportation system;
25 d.) The State shall espouse social equity and gender perspective in the
26 formulation of a Sustainable Transport plan, reinforcing existing rules,
27 regulations and laws;

- 1 e.) The State shall establish its plans and programs in conformity with the overall
2 integrated national land use plan as well as the local comprehensive land use
3 plans; and
4 f.) The State shall encourage the viable use of alternative and cleaner fuels in
5 view of vehicular modernization.
6

7 **SEC. 3. Definition of Terms.** – The following terms shall have their respective
8 meanings:
9

10 a.) "Mixed-Use Development" refers to any urban, suburban or village
11 development, or even a single building, that blends a combination of
12 residential, commercial, cultural, institutional, or industrial uses, where those
13 functions are physically and functionally integrated, and that provides
14 pedestrian connections.

15 b.) "Motor vehicle" means a self-propelled vehicle or any vehicle propelled by
16 any power other than muscular power. The term does not include an electric
17 bicycle.

18 c.) "Public transportation" refers to a shared passenger transportation service
19 which is available for use by the general public. These include buses, trams,
20 trains, rapid transit and ferries.

21 d.) "Road Safety Audit" refers to the systematic checking of the safety aspects
22 of new highway and traffic management schemes, including modifications to
23 existing layouts. The main aim is to design out safety problems from the
24 beginning and to reduce future problems. Safety audits should be included
25 during the design, construction and maintenance phases of road projects.

26 e.) "Transit-Oriented Development (TOD)" refers to a mixed-use residential
27 and commercial area designed to maximize access to public transport, and
28 often incorporates features to encourage transit ridership. A TOD
29 neighborhood typically has a center with a transit station or stop (train station,
30 metro station, tram stop, or bus stop), surrounded by relatively high-density
31 development with progressively lower-density development spreading
32 outward from the center.

33 f.) "Transportation demand management" (TDM) refers to strategies that
34 increase transport system efficiency. TDM gives priority to modes that move
35 people more efficiently and discourages the use of single occupancy vehicles
36 to reduce traffic congestion. It also includes promotion of non-motorized
37 transportation (NMT) through walking and cycling

38 g.) "Walkways" refers to a continuous way designated for pedestrians and
39 separated from the through lanes for motor vehicles by space or barrier.

40 h.) "Sustainable transport" refers to any means of transport with low impact on
41 the environment, accessible, safe, environment-friendly, and affordable. It
42 includes walking and cycling, transit oriented development, green vehicles,
43 carpooling, and building or protecting urban transport systems that are fuel-
44 efficient, space-saving and promote healthy lifestyles.
45

46 **SEC. 4. Sustainable Transport Action Plan.** – The Department of Transportation
47 and Communication (DOTC), in coordination with the Department of Environment
48 and Natural Resources (DENR), the National Economic Development Authority
49 (NEDA) and other key stakeholders from the national and local levels as may be
50 deemed necessary, shall prepare a Sustainable Transport Action Plan which aims to

1 provide a roadmap for national and local transportation system to be adhered to at
2 all levels throughout the country.

3
4 The Sustainable Transport Action Plan shall include strategies relating to the
5 inclusion of non-motorized transport, the development of a seamless and inclusive
6 public transportation system, green infrastructure and facilities, and enforcement of
7 transportation demand management measures. These will set out the actions
8 required to achieve the mode shift target over a certain period of time as identified by
9 DOTC.

10
11 **SEC. 5. *Integrated Land Use and Transportation Plan.*** – In the preparation and
12 updating of their land use plans, all local government units (LGUs) shall explore the
13 important relationship between land use and transportation and ensure that land-use
14 and transportation decisions be made in conjunction with each other to balance and
15 coordinate the mix of land uses, with the end in view of sustaining a healthy
16 economy, supporting the use of alternative transportation, and enhancing the quality
17 of life. Said plan shall include strategies to avoid unnecessary travel through transit-
18 oriented development. Further, the DOTC shall provide technical assistance to key
19 stakeholders and LGUs in the completion of these integrated land use and
20 transportation plans, upon the request of the LGUs and subject to availability of
21 resources.

22
23 **SEC. 6. *Establishment of Emission Control and Standards, Road Safety and***
24 ***Inspection and Maintenance.*** – The State shall endeavor to achieve a smoke-free,
25 accident- free and effective road safety management system. In line with this, the
26 existing motor vehicular standards set by the DOTC and the DENR on emission, fuel
27 economy and roadworthiness shall form part of the Sustainable Transport Action
28 Plan as consistent with the objectives of this Act. The DOTC, in coordination with
29 related agencies, shall strictly implement these emission standards and conduct
30 stronger road apprehension.

31
32 A. *Emission Control and Standards.* – Pursuant to Philippine Clean Air Act of
33 1999 or Republic Act No. 8749, the DOTC, through the Land Transportation
34 Office (LTO), shall conduct the vehicle test for emissions utilizing the Motor
35 Vehicle Inspection Station (MVIS) as well as establish a roadside inspection
36 system to ensure that vehicles comply with the emission standards.

37 B. *Road Safety Program.* – The existing road safety program shall be enhanced
38 and strictly enforced, by adopting a zero-fatality policy, implementing
39 appropriate speed controls and imposing a regular Road Safety Audit (RSA)
40 to influence safety performance on an ongoing basis. The Department of
41 Public Works and Highways (DPWH) shall identify the roads and highways to
42 be audited and shall be responsible for the conduct of the RSAs.

43
44 **SEC. 7. *Use of Alternative Energy and Cleaner Fuels.*** – The Department of
45 Energy (DOE), in coordination with the DOTC and the DENR shall formulate
46 strategies towards vehicular modernization and use of alternative energy and
47 cleaner fuels, such as but not limited to Compressed Natural Gas (CNG) fueled
48 Buses and Electric Motor Powered Vehicles, pursuant to the Philippine
49 Standardization Law or Republic Act No. 4109, Philippine Clean Air Act of 1999 or
50 Republic Act No. 8749 and the Biofuels Act of 2006 or Republic Act No. 9367. The

availability, viability, safety, sustainability, energy resilience and fuel efficiency of these alternative energy and cleaner fuels shall be taken into consideration, as well as transparency and route measured capacity in relation to the issuance of provisional authorities or franchises.

SEC. 8. *Non-Motorized Transportation.* – The DOTC shall develop policies and guidelines that promote non-motorized transportation such as walking and bicycling, and variants such as the use of strollers, small-wheeled transport (skates, skateboards, push scooters and hand carts) and wheelchair travel to meet public transportation demand. Said policies and guidelines shall include design principles for supporting facilities and infrastructures that will espouse a seamless transportation system such as, but not limited to, exclusive pedestrian and bike lanes, safe street crossings and access ramps for persons with disabilities (PWDs) to ensure inclusive non-motorized transportation.

A. *Installation of Walkways.* – Each LGU shall maintain adequate sidewalk areas on roads frequented by pedestrians as walkways to allow safe pedestrian passage and for the safe and convenient use of wheelchairs, strollers and similar instruments. For primary and secondary roads, there shall be allotted three (3) meters for the sidewalks. If there is no space allocated for such and the implementation will prove difficult, in lieu thereof, either an elevated footbridge or underground walkway must be installed.

B. *Designation of Bike Lanes.* – Each LGU shall designate a bike lane measuring at least one (1)-meter wide on the rightmost portion of major roads within its jurisdiction which shall be clearly marked as such and segregated from all vehicular traffic lanes by a yellow dividing line. Currently designated bike lanes shall be assessed for safety and connectivity and shall be subject to measures that will improve the same.

The designated bike lanes shall be for the preferential or exclusive use of bicycles. All motorized vehicular traffic shall not be allowed to use the bike lane at any time of the day. The right of way of bikers shall be paramount at all times and may not be obstructed by a parked or standing motor vehicle or other stationary object, even in intersections.

C. *Provision of Bicycle Parking Spaces and Bike Racks.* – The DOTC shall establish guidelines on the minimum supply of bicycle parking spaces and bike racks in buildings and other facilities, taking into consideration the population of the short-term or long-term dwellers in the area. The owners of these establishments shall be required to provide for such.

SEC. 9. *Public Transportation.* – The DOTC shall provide guidelines that will promote a shift towards seamless and inclusive public transportation as a primary mobility option to the general public, especially the poor, including the elderly, PWDs, women, youth, and children. Better public transportation initiatives shall be studied and implemented in an effort to reduce the impact of fossil fuel on our environment and financial markets, provide high quality but affordable transport services as well as help reduce energy costs and pollution. Further, a unified and automated fare collection shall, as much as possible, be established amongst all the available forms of public transportation.

1 The DOTC shall conduct a Land Transportation Rationalization Study which will
2 scientifically determine the actual need for public transportation in the various routes.
3 This study shall objectively determine the actual number of public buses, jeeps, taxis
4 and other public utility vehicles (PUVs) needed by the public in a certain route, road,
5 street, locality or area. After completion, the study will be used as the basis for the
6 Land Transportation Franchising and Regulatory Board's (LTFRB) issuance of the
7 franchises for all the PUVs and grant of authority to operate as a vehicle for hire.
8

9 A. *Commissioning of a "Bus Rapid Transit (BRT) System."* – The DOTC shall
10 prepare a study commissioning the creation of a Bus Rapid Transit (BRT) System
11 which will organize buses into one efficient long-distance transportation system with
12 coordinated schedules, rates, routes, and pick-up and drop-off points. The LGU and
13 the private sector, including but not limited to mall owners and bus companies, may
14 be tapped in order to put up or use existing facilities such as parks, parking lots, and
15 bus depots that will serve as large collective transportation terminals where people
16 can park their cars and bikes and take the buses to their destinations.
17

18 B. *Establishment of a Water Ferry System.* – As much as practicable, the national
19 agencies and water regulatory bodies in charge of a water body led by the DENR, in
20 coordination with the DOTC, shall study and initiate the establishment of a ferry
21 system in navigable bodies of water which may be operated by the said authority or
22 bid out to a private contractor.
23

24 **SEC. 10. *Transportation Demand Management Programs.*** – The DOTC, in
25 coordination with the Department of Labor and Employment (DOLE), Department of
26 Education (DepEd), Department of Trade and Industry (DTI) and one representative
27 each from the civil society, transport sector and the youth, shall come up with
28 guidelines on transport demand management programs that will reduce the volume
29 of cars and motorized transport in the roads as well as enhance and encourage
30 students and workers to use the public transport system. These shall include, but is
31 not limited to, the following:
32

- 33 a.) carpool, vanpool, or car-share projects;
- 34 b.) car ownership policies in relation to parking and air pollution;
- 35 c.) congestion pricing measures;
- 36 d.) programs to promote telecommuting;
- 37 e.) flexible work schedules, or satellite work centers;
- 38 f.) transport program for government employees; and
- 39 g.) intelligent transportation systems.
40

41 **SEC. 11. *Facilities.*** – The DOTC, in coordination with the DPWH and the LGUs
42 concerned, shall carry out an investment program that will encourage a shift to
43 sustainable transport within selected communities by providing safe and convenient
44 options to bicycle and walk for routine travel, and for other purposes. Transit-oriented
45 development, supporting facilities for non-motorized transportation, intermodal
46 connectivity and public transportation shall be developed in accordance with the land
47 use and transportation plan.
48

49 **SEC. 12. *Public Health Program.*** – An Inter-Agency Taskforce composed of the
50 DOTC and the DOH shall be created to lead the formation and the implementation of

1 a Transportation and Health Impacts Program. The taskforce shall formulate
2 strategies for the reduction of the negative health and environmental impacts of
3 transportation to road users. These strategies shall include but not be limited to
4 strengthening of public health services, formulation of the necessary department
5 administrative orders and required regular general and audio- logical check up for
6 road users and affected communities. Further, the taskforce shall regularly monitor
7 and evaluate these strategies.

8
9 **SEC. 13. Education and Research Programs.** – The DOTC and the NEDA shall
10 conduct studies and researches, and eventually supply information to the car-owning
11 and -riding public as well as commuters on aspects of sustainable transport that are
12 relatively new. Technical assistance may be provided to other government agencies
13 and private sector representatives involved in the transport system.

14
15 The DOTC shall also conduct a continuous public consultations and social impact
16 assessments amongst stakeholders affected by as the Sustainable Transport Action
17 Plan. Social safety nets shall be carefully studied, formulated and implemented, as
18 needed.

19
20 **SEC. 14. Financing.** – The DOTC, in coordination with the key stakeholders
21 deemed necessary, shall explore the possibility of accessing a growing range of
22 global environment funds in order to be able to assist in the funding of sustainable
23 public transport systems. Public-private partnerships shall also be encouraged in the
24 development of transportation improvements.

25
26 Further, seventy- five percent (75%) of the seven and one half percent (7.5%)
27 allotted in the Special Vehicle Pollution Control Fund (SVPCF) provided for in
28 Section 7 of Republic Act No. 8794 or An Act Imposing A Motor Vehicle User's
29 Charge On Owners Of All Types Of Motor Vehicles And For Other Purposes shall be
30 retained by the DOTC for the implementation of this Act.

31
32 **SEC. 15. Implementing Agency.** – The DOTC shall be the main implementing
33 agency for this Act.

34
35 **SEC. 16. Separability Clause.** – Should any provision herein be subsequently
36 declared invalid or unconstitutional, the same shall not affect the validity or the
37 legality of the other provisions not so declared.

38
39 **SEC. 17. Repealing Clause.** – All laws, presidential decrees, executive orders, rules
40 and regulations, other issuances, and parts thereof, which are inconsistent with the
41 provisions of this Act, are hereby repealed and modified accordingly.

42
43 **SEC. 18. Effectivity.** – This Act shall take effect fifteen (15) days after publication in
44 at least (2) newspapers of general circulation.

Approved,