

HOUSE OF REPRESENTATIVES

Quezon City

EIGHTEENTH CONGRESS

First Regular Session

1710
HOUSE BILL NO. 1710



Introduced by HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

EXPLANATORY NOTE

According to the American Chamber of Commerce, the Philippines may be completely uninhabitable by 2022¹. Our existing transportation infrastructure struggles to accommodate the steady influx of new vehicles and decries the outdated mass transportation practices that still govern the way we move and transport our goods. Invaluable resources are wasted as our people lie stuck in traffic, and our goods delayed.

It is high time that the State exercise sufficient powers to put an end to the worst woe of every Filipino commuter – a dangerous, unreliable and undignified transportation system. This Representation hereby proposes the passage of the Sustainable Transportation System Act which seeks to institutionalize healthy, environment-friendly and reliable means of public mass transportation.

Under this bill, an ultimate national traffic roadmap shall be designed and developed as the backbone of an overhauled transportation system. *Non-motorized* means of transportation such as walking and biking are hereby encouraged. In support of this, our national government shall partner with local government units and private entities to establish and maintain facilities like bike lanes and elevated walkways within their respective jurisdictions. Meanwhile, under-utilized means of *motorized* transportation shall be revived and promoted such as the use of ferry and bus rapid transit systems. A web of railway networks linking different regions of the Philippines is likewise envisioned to streamline mass movement, decongest major cities, and reduce the number of private vehicles that swarm our roads on a daily basis.

The foregoing developments provided under the proposed bill are not only protective of the environment or supportive of a healthier lifestyle for our people. They shall also incorporate policies that promote mobility for all sectors, especially Filipinos

¹ <https://www.philstar.com/headlines/2018/02/05/1784681/traffic-making-philippine-citiesuninhabitable#UCOAfAoOcsBjk7eL.99>

with disabilities. For instance, tactile paving and audio or accessible pedestrian signals shall be installed in our roads and thoroughfares.

Metro Manila traffic is the third worst in Southeast Asia according to think-tank Boston Consulting Group. On average, a commuter in Metro Manila spends 66 minutes stuck in traffic and an additional 24 minutes location a parking spot. The traffic situation is only expected to worsen unless the State does something about it.

President Rodrigo Duterte's administration has already launched the aggressive Build, Build, Build campaign with at least 75 flagship projects that include six airports, nine railways, three bus rapid transits, 32 roads and bridges, and seaports. This bill seeks to supplement this campaign to ensure that the policy of sustainable transportation is impressed in every transportation infrastructure endeavor of the State from this current administration and beyond.

In light of the foregoing premises, the passage of this bill is urgently sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
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HOUSE BILL NO. _____

Introduced by: REP. LUIS RAYMUND "LRAY" VILLAFUERTE, JR.

AN ACT
PROMOTING SUSTAINABLE AND ALTERNATIVE MODES OF
TRANSPORTATION AND OTHER MOBILITY OPTIONS TO IMPROVE AIR
QUALITY, INCREASE EFFICIENCY, REDUCE ROAD CONGESTION AND
CONTRIBUTE TO A HEALTHIER FILIPINO SOCIETY

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

CHAPTER I. GENERAL PROVISIONS

Section 1. Short Title. This Act shall be known as the "Sustainable Transportation System Act."

Section 2. Declaration of Policies. – The State avows to protect the general welfare, health and safety of its people, and shall exercise sufficient powers to establish a transportation system that is safe, efficient, universally accessible, and has the least negative impact to the environment.

Section 3. Statement of Objectives. – In light of the foregoing, the State shall provide a sustainable transportation system with the following purposes:

- a) To promote the health and welfare of the Filipino commuting public by institutionalizing a sustainable transportation system that utilizes muscular power;
- b) To ensure the safety and security of Filipinos while commuting by installing accessible audio pedestrian signals for persons with disabilities, and by securing more bike-friendly communities for cyclists;
- c) To protect the environment and reduce the emission of greenhouse gases by exploring alternative modes of transportation and renewable energy sources;
- d) To reaffirm the commitment to various international treaties for the protection and preservation of the environment; and

- e) To bolster the national economy by reducing the overall commuting time, and consequently increasing the productivity of its labor force.

Section 4. Definition of Terms

- a) "**Accessible Pedestrian Signals**" shall refer to visual signages or audio and vibration signals that provides information about the status and relative position of pedestrian light signals for blind or visually-impaired pedestrians.
- b) "**Alternative Fuel**" shall refer to any non-conventional energy source instead of gasoline or diesel, and other products derived from fossil fuels.
- c) "**Bicycle**" or "**Bike**" means a vehicle consisting of a light frame mounted on two wheels (one behind the other) or three wheels (the front having one wheel and the rear having two wheels that are equidistant from the center of the vehicle, or vice versa), and having a seat, handlebars for steering, brakes, and pedals.

It must be propelled by muscular energy.

- d) "**Bicycle Lanes**" shall be understood as any longitudinal strips designated for the exclusive passage of bikes.
- e) "**Carpooling**" refers to an agreement among four (4) people or more including the driver of a particular vehicle who would otherwise drive their own vehicles, to make a regular journey in a single vehicle instead.
- f) "**Cyclist**" means a person who rides a bicycle as a means of transportation.
- g) "**Elevated walkways**" which utilize air rights above the road rights-of-way (RROWS), being part of the public domain, shall be considered public spaces. Motor and non-motor vehicles are prohibited from being driven or parked on all such walkways.
- h) "**E-bike**" refers to a traditional bicycle which utilizes muscular energy but is also equipped with an electric motor to assist with pedaling. Its specifications and road-worthiness shall be determined by the Department of Transportation (DoTr) through appropriate rules and regulations, taking into account internationally accepted standards and safety considerations.
- i) "**Mixed-Use Development**" refers to any urban, suburban or village development, or even a single building, that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated, and that provides pedestrian connections.
- j) "**Motorized transportation**" refers to modes of transportation that utilize motorized vehicles or those equipped with motors and powered by non-muscular energy sources.

- k) "**Motor vehicle**" shall mean any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes.

Trailers having any number of wheels, when propelled or intended to be propelled by attachment to a motor vehicle, shall be classified as separate motor vehicle with no power rating.

- l) "**Non-motorized transportation**" refers to modes of transportation primarily reliant on muscular energy and without the use of motorized vehicles.
- m) "**Pedestrian**" means any person afoot and shall include, without limitation, persons standing, walking, jogging, running, or otherwise on foot.
- n) "**Public transportation**" refers to shared passenger transportation services which are available for use by the general public. These include buses, trams, trains, rapid transit and ferries.
- o) "**Road Safety Audit**" refers to the systematic checking of the safety aspects of new highway and traffic management schemes, including modifications to existing layouts. The main aim is to design out safety problems from the beginning to reduce future problems. Safety audits should be included during the design, construction and maintenance phases of road projects.
- p) "**Sustainable transport**" refers to any means of transport with minimal impact on the environment . It shall be accessible, safe, environment-friendly, and affordable. It includes walking, cycling, carpooling, the use of green vehicles and infrastructure, as well as transport systems that are fuel-efficient, space-saving and promote healthy lifestyles.
- q) "**Tactile Paving**" means a system of textured ground surface indicator found on footpaths, stairs and train station platforms to assist pedestrians who are visually impaired.
- r) "**Transit-Oriented Development**" (TOD) refers to a mixed-use residential and commercial area designed to maximize access to public transport, often incorporating features to encourage transit ridership. A TOD neighborhood typically has a center with a transit station or stop (train station, metro station, tram stop, or bus stop), surrounded by a relatively high-density development with progressively lower-density developments spreading outward from the center.
- s) "**Transportation Demand Management**" or "**Travel Demand Management**" (TDM) refers to the application of strategies and the execution of programs which increase transportation system efficiency by influencing and modifying travel behavior through improved travel information and access to alternative

modes of transportation, resulting in the redistribution of commuter travel, as well as the reduction of traffic congestion and travel time.

- t) "**Walkways**" refer to paved paths for pedestrians. The term shall include sidewalks, elevated walkways, and crossways.

CHAPTER II. GOVERNING AUTHORITY

Section 5. The Creation of a Sustainable Transportation System Committee (STSC). A Sustainable Transportation System Committee (STSC), with the Secretary of the Department of Transportation (DOTr) as the *de facto* Chairman, shall be the main governing body for this Act.

Section 6. Powers and Duties of the STSC. The STSC shall be empowered to perform the following functions:

- a. It shall oversee the creation of an overall Sustainable Transport Action Plan, in coordination with other government agencies, local government units (LGUs), and other key stakeholders.

A Sustainable Transport Action Plan shall provide a roadmap for national and local transportation systems to be adhered to at all levels throughout the country. It shall include strategies and programs prioritizing the use of mass public transport and non-motorized transport that is seamless and inclusive, the construction of green transport infrastructure and facilities, as well as the use of TOM, and will set forth the actions required to achieve the mode shift target over a reasonable period of time as identified the STSC.

- b. It shall formulate the implementing rules and regulations (IRR) of this Act for its efficient and consistent implementation, and shall also be empowered to amend the same from time to time, or whenever the STSC deems it necessary.
- c. It may delegate tasks it deems necessary to certain government agencies and private parties to ensure the full and effective implementation of this Act.
- d. It shall lead the formation a Traffic and Health Impacts Task Force aimed to reduce the negative health effects of poor transportation system to commuters, as well as the damages to the environment.
- e. It shall monitor the implementation of this Act, and must submit an annual status report to the Secretary of the DOTr. Upon the approval of its Executive Board, the STSC may also issue recommendations to the legislative branch of government, and impose orders upon offices and agencies consisting the STSC to ensure the top-notch and consistent implementation of this Act.

Section 7. Composition of the STSC. The STSC shall be composed of the following:

- a) The Secretary of the Department of Transportation (DOTr) who shall be the *de facto* Chairman of the STSC, and head of its Executive Board;
- b) The Secretary of the Department of Environment and Natural Resources (DENR);
- c) The Secretary of the Department of Public Works and Highways (DPWH);
- d) The Director General of the National Economic Development Agency (NEDA);
- e) The Department of Education (DepEd) who shall make up the Executive Board of the STSC.

Other members of the STSC shall be the representatives from the:

- f) The Land Transportation Franchising & Regulatory Board (LTFRB) Authority;
- g) The Commission on Higher Education (CHED);
- h) The Metropolitan Manila Development Authority (MMDA);
- i) The University of the Philippines School of Urban and Regional Planning (UP SURP);
- j) The Union of Local Authorities of the Philippines (ULAP); and
- k) Representative from the civil society sector.

Section 8. Sustainable Transport Action Plan. – The Sustainable Transport Action Plan include programs specifically covering the following:

a. *Sustainable Motorized Transport Program.* The STSC shall provide guidelines that will promote a shift towards seamless and inclusive motorized mass public transportation to reduce the impact of fossil fuels 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 mass public transportation.

b. *Sustainable Non-Motorized Transport Program.* The STSC shall develop policies and guidelines that shall encourage and accommodate non-motorized transportation to meet the scientifically calculated public transportation demand. Said policies and guidelines shall include design principles for supporting facilities and infrastructure that will espouse a seamless and coordinated 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.

c. Emission and Control Standards. The existing motor vehicular standards set by the DOTR and the DENR on emission, fuel economy and roadworthiness shall form part of the Sustainable Transport Action Plan as consistent with the objectives of this Act. The STSC, in coordination with related agencies, shall strictly implement these emission standards and recommend stronger road apprehension measures.

d. Road Safety Program. The STSC shall adopt a zero-fatality policy in all its transport plans and methods, implementing appropriate speed controls, and imposing a regular Road Safety Audit (RSA) to influence safety performance on an ongoing basis. The Department of Public Works and Highways (DPWH) shall identify the roads and highways to be audited and shall be responsible for the conduct of the RSAs.

The Road Safety Program shall include Roadsharing Guidelines for motorists, cyclists, pedestrians, as well as traffic enforcers to ensure the safety of all road users, and to maintain the smooth flow of traffic at all times. Such guidelines shall incorporate provisions on passing distance and passing speed, among others.

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

f. Education Research Programs. The STSC shall conduct studies and researches, and supply information to the car-owning and riding public on aspects of sustainable transport that are relatively new.

The STSC shall also conduct public consultations and social impact assessments amongst affected stakeholders as the Sustainable Transport Action Plan is being rolled out.

g. Facilities and Infrastructure. The STSC, in coordination with the LGUs concerned, shall carry out an investment program that will encourage a mode shift to sustainable transport within selected communities by providing safe and convenient options to bike and walk for routine travel, and for other purposes. Also, supporting facilities for non-motorized transportation, intermodal connectivity and public transportation, in accordance with the land use and transportation plan, shall be developed built.

Section 9. Integrated Land Use and Transportation Plan. – All Local Government Units (LGUs) shall submit an integrated land use and transportation plan formulated in consonance with the Sustainable Transport Action Plan. The plan shall focus on measures to address traffic congestion, such as the removal of road and sidewalk obstructions and urban planning strategies to avoid unnecessary travel, among others. Furthermore, the STSC shall provide technical assistance to key stakeholders and LGUs to facilitate the completion of these land use and transportation plans.

A Facilities and Infrastructure Design shall be included in this plan to identify the areas and outline the facilities and infrastructure to be built on such public spaces.

CHAPTER III. SUSTAINABLE MOTORIZED TRANSPORTATION

Section 10. Shift to Sustainable and Inclusive Public Transportation. – This Act shall be deemed to incorporate any and all existing transport policies consistent with the promotion of a sustainable and inclusive mass public motorized transportation system.

Section 11. Use of Alternative Energy and Cleaner Fuels. – The STSC, in close coordination with the Department of Energy (DOE) and the Department of Environment and Natural Resources (DENR), shall formulate strategies towards vehicular modernization and use of alternative energy and cleaner fuels, consistent with Republic Act No. 4109, otherwise known as the "Philippine Standardization Law", Republic Act No. 8749, otherwise known as the "Philippine Clean Air Act of 1999", and Republic Act No. 9367, otherwise known as the "Biofuels Act of 2006". The DOTr shall take into consideration the availability and viability of these alternative energy sources and cleaner fuels.

Section 12. Promotion of Private Carpooling. – Various incentives enumerated under Section 31 of this Act shall be granted to any private vehicle that carries at least four (4) passengers to promote shared usage of private vehicles.

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

Section 14. Establishment of a Water Ferry System. – As much as practicable, the national agencies and water regulatory bodies in charge of a water body led by the DENR and DOTr, in coordination with the STSC, shall study and initiate the establishment of a ferry system in navigable bodies of water which may be operated by the said Authority, LGUs or bid out to a private contractor/s.

Section 15. Development of a National Mass Rail Transit Network. – The Sustainable Transport Action Plan shall prioritize the development of a rail transit network which shall connect cities and provinces through modern mass and high-speed railways. It shall include the upgrade and modernization of existing railways to meet international safety and performance standards.

CHAPTER IV. SUSTAINABLE NON-MOTORIZED TRANSPORTATION

Section 16. Strengthening and Promotion of Non-Motorized Transportation. The STSC, along with all government agencies, local government agencies, and private parties shall ensure the adoption of the Sustainable Transport Action Plan in the design of all their buildings and premises, especially the construction of necessary facilities that promote walking and biking as primary modes of transportation.

A. WALKING

Section 17. Installation of Elevated Walkways. – There shall be designated elevated walkways in Epifanio de los Santos Avenue, commonly referred to by its acronym “EDSA”, which shall traverse Metro Manila, and in all major public thoroughfares in high density urban areas, consisting of enclosed or covered footbridges serving as exclusive access-ways for pedestrians, under the parameters set forth in this Act.

Section 18. Elevated Walkways Design. – The design, purposes, and specifications of elevated walkways to be established under this Act shall be governed by the following standards:

- (a) *Continuous flow* – Elevated walkways must maintain a continuous flow of pedestrian movement throughout the day and night, allowing pedestrians to move freely without vehicular congestion and interruptions from traffic lights and intersections. Way-finding provisions and directional signages shall facilitate flow within the system;
- (b) *High density* – The design and location of elevated walkways must maximize the use of high density areas in order to relieve pressure from overcrowded streets by catering to the largest percentage of pedestrians throughout urban areas at any given time, displacing ground-level pedestrian movement to several levels, and enhancing movement within city centers;
- (c) *Temperature control* – Elevated pedestrian routes must provide climatically controlled continuous spaces, provide relief from extreme temperatures associated with hot, humid, and wet climates, distance pedestrians from vehicular pollution and vehicular contact, and adopt measures that maximize the use of shaded, cool, open-air zones. Both passive cooling techniques and artificial ventilation devices shall be used in a sustainable manner;
- (d) *Connectivity* – Elevated walkways must be interlinked in a manner that connects pedestrian movement to retail, residential, commercial, and business activities, as well as adopt essential access points that facilitate pedestrian entry to and exit from ground (grade) level walkways;
- (e) *Safety* – Elevated walkways must directly address issues of pedestrian safety, including the separation of pedestrians from vehicular traffic, exposure to natural hazards, and compliance with disaster resilience and mitigation standards;

- (f) *Environmental sustainability* – The Program must maintain adequate spatial standards between the existing environment and all urban intervention under this Act; address potential ground floor decay and abandoned space; provide necessary safeguards and protection to walkway users who will be exposed to both air and noise pollution; and establish public address systems designed to warn all users of encountering such pollution upon entering and using the walkways. Energy and water conservation as well as solid waste management shall be the key sustainability features of the system;
- (g) *Social inclusivity* – Elevated walkway networks must be socially inclusive by addressing potential social separation caused by the introduction of aerial walkways in areas of different income classes, and by accommodating persons with disability (PWDs) through the installation of structural and vertical access facilities that reasonably enhance their mobility consistently with existing disability laws, including, without limitation, *B.P. Blg. 344*, otherwise known as the Accessibility Law, and R.A. No. 7277, as amended, otherwise known as the Magna Carta for Disabled Persons;
- (h) *Right-of-way interfacing* – The design and establishment of elevated walkways must consider affected portions of the road right-of-way and other key portions of the public domain. Of particular importance are the interfaces with grade level sidewalks allotted for exclusive use by pedestrians, for the elevated walkway supports/foundation and for the vertical access system; air rights directly above the sidewalks; required space for connectors that shall utilize air rights above the carriageway portion allotted for the exclusive use of vehicles using the road right-of-way; connection of air rights above the sidewalks at opposite sides of the road right-of-way; legal easements and their air rights along waterways in a manner that would enable such easements to host elevated walkways consistent with P.D. No. 1067 (s. 1976), otherwise known as the Water Code, and R.A. No. 10752, otherwise known as the “The Right-of-Way Act”.
- (i) *Vertical Access System* – As elevated walkways may have finished floor elevations above sidewalk surfaces, vertical access systems shall be established to connect the walkways to ground level pedestrians. Vertical access systems established under this Act shall include, without limitation, elevators, stairs, and escalators that shall be gender-sensitive, socially-inclusive, elongated and appropriately sloped, and constructed in a manner that will not unduly constrict connecting sidewalks. Sidewalks adjacent to elevated walkways shall give way to pedestrian drop-off areas catering to public transport commuters and private vehicle riders who desire to avail of vertical access systems to reach elevated walkway systems;
- (j) *Support facilities* – Elevated walkway systems shall include the construction and maintenance of support facilities, such as bicycle parking lots, adequate lighting, crime prevention facilities and well-lit patrolling space for law enforcement personnel, closed-circuit television (CCTV) camera systems, access to restrooms, and adequate drainage. The maintenance of

- pedestrian infrastructure and functional public spaces above the street level shall be a requisite for sustainable elevated walkways;
- (k) *Active policing* – Elevated walkway networks established under this Act must provide for the administration of active policing and law enforcement coordination to prevent obstructions, nuisances
- (l) *Adaptability to future technology* – Elevated walkway structures shall be designed in ways that will render them adaptable to future technology and technological capacity, including the capacity to be later fitted with walkalators to increase pedestrian capacity; and
- (m) *Expandability* – Elevated walkway networks must provide for both horizontal and vertical expandability to accommodate increases in capacity.

Section 19. Preservation and Maintenance of Elevated Walkways. – Any and all infrastructure created in line with the mandate and for the purposes of this Act is deemed owned by the Republic of the Philippines, unless otherwise specified or excluded by Congress.

Hence, all elevated walkways shall be free of illegal structures, blockages and other occupants that obstruct the free flow of transportation, unnecessarily densify these spaces, and/or endanger the safety of motorists, commuters and pedestrians.

Section 20. Incorporation of Tactile Paving. – Pedestrians with disabilities especially those who are blind and deaf shall be assured independent mobility through the incorporation of tactile paving and warning signals in all public highways, roads, pavements, footways, footpaths, stairs, footbridges, sideways, rail platforms, bus stops, pedestrian crossings, and all other public spaces and infrastructure according to internationally accepted standards and safety considerations.

The STSC shall conduct earnest efforts to reconstruct or retrofit existing public spaces and infrastructure to incorporate tactile paving.

Section 21. Installation of Accessible Pedestrian Signals (APS). – Accessible Pedestrian Signals shall be installed in all crosswalks and other intersections as per international safety standards, and as endorsed by the STSC.

B. BIKING

Section 22. Incorporation of Biking in Public Transportation. – The State, through the STSC and other government units, shall endeavor to incorporate biking as a Filipino commuter's way of life and primary mode of transportation.

Section 23. Rights and Duties of a Cyclist. –

- a) Cyclists must obey all traffic rules and regulations except those which are not applicable to bicycles.
- b) Cyclists operating a bicycle inside a bike lane shall remain inside such lane, and shall exercise due diligence when passing a standing vehicle or a vehicle proceeding in the same direction.
- c) Cyclists shall be required to bike within the lanes, unless no bike lanes have been designated on such roads yet.
- d) A cyclist may leave his lane under the following circumstances only:
 - i. Whenever overtaking or passing another bicycle, vehicle or pedestrian within the lane or about to enter the lane if such overtaking or passing cannot be done safely within the lane; or
 - ii. When preparing for a turn at an intersection or into a private road or driveway; or
 - iii. When reasonable necessary to leave the bicycle lane to avoid debris or hazardous conditions.
- e) A cyclist must make the appropriate hand signals in every turn which shall be given not less than 100 feet from turn and while stopping or waiting to turn.
- f) A cyclist must make audible signals before overtaking;
- g) A cyclist must yield the right-of-way to all traffic on such roadway whenever entering or about to enter or to cross a roadway;
- h) A cyclist must exercise proper precautions upon observing any child or persons with disability upon a road especially on pedestrian crossing;
- i) Cyclists shall not carry any person, animal or object that prevents them from seeing the road or from having complete control of the bicycle;
- j) Cyclists shall maintain at least one hand on the handlebar at all times;
- k) Cyclists must wear appropriate biking gear; and,
- l) Bicycles must be equipped with the following safety features:
 - i. A white front light and a red rear light or reflector when riding between half hour before sunset and half hour after sunrise;
 - ii. White reflective tape in front and red reflective tape at the back of the bicycle frame;
 - iii. Working rear brakes; and
 - iv. A bell or horn.

Section 24. Bike Lanes and Other Infrastructure. – There shall be designated bicycle lanes, as identified in the Bike Transport Action Plan, which shall serve as exclusive passage for cyclists. Motor vehicles are prohibited from being driven or parked on any bike lane.

The bike lanes shall be separated by a physical barrier and shall be clearly identified with signs and/or pavement markings. In cases where the installation of a physical barrier is not feasible, the lane for bicycles shall be identified through reflectorized yellow painted lines.

Other bike infrastructure facilities shall include, but are not limited, to the following:

- A. Sidewalk improvements;
- B. Traffic calming and speed reduction improvements;
- C. Pedestrian and bicycle crossing improvements;
- D. Traffic signage pertaining to bicycles;
- E. Off-street pedestrian and bicycle facilities; and
- F. Traffic diversion improvements.

Section 25. Bike Parking and other bike parking facilities. – All public places, government offices, schools, major business establishments, including malls, banks, restaurants, hospitals, and the like, are hereby required to provide adequate bicycle racks for bike parking and other infrastructure as far as practicable.

Section 26. Bike Parks. – Each city or municipality shall create a bicycle park where provisions for bicycles are present such as but not limited to bikeways, bicycle parking areas, and similar infrastructure. Such bicycle parks shall be funded by the City or Municipal government by allocating thirty (30) percent of their respective revenues raised from the miscellaneous activities like parking and license fees.

A Local Bikeways Office, under the local government unit, shall designate the area for the bicycle parks.

Section 27. Local Bikeways Office (LBO). – A Local Bikeways Office (LBO) under the supervision of the city or municipal government shall be created to oversee bike infrastructure in the locality.

Section 28. Powers and Functions of the Local Bikeways Office. –

- a) Prepare plans, specifications, manage the construction and maintenance of bike lanes on all thoroughfares and roads in the locality.
- b) Identify areas, oversee the construction and maintenance of bike parks in the city or municipality.
- c) Establish the provision of safe and strategic parking facilities for bicycles.
- d) Conduct education and information drives for the benefits of using the bicycles in coordination the STSC, DepEd, CHED, and other pertinent government agencies to promote the usage of the same.

- e) Encourage partnership with local and foreign organizations to facilitate access to bicycles.

Section 29. Traffic Enforcement and Management Guidelines for Cyclists. – A uniformed police officer or any deputized traffic officer may stop, inspect, and test drive a bicycle that is suspected to be unsafe or to have improper equipment. He may also stop any cyclist operating a bicycle in such a manner as to pose danger to others.

Section 30. Carless Day. – To promote the use of bicycles, the country shall participate in the annual celebration of World Car-Free Day every second Sunday of September. The country shall also observe the second Sunday of April as the National Car-Free Day. The Secretary is hereby mandated to determine the primary and secondary roads to be carless during these annual celebrations.

CHAPTER V. TAX INCENTIVES AND OTHER BENEFITS

Section 31. Tax Incentives and Other Benefits of Sustainable Transport Practices.

A. Carpooling

- i. Any private vehicle which carries at least four (4) passengers shall get free parking fees in any establishment run by or under a contract with the government and any of its agencies or instrumentalities including government owned and controlled corporations.
- ii. Any private vehicle which carries at least four (4) passengers shall be exempted from any Vehicle Reduction Scheme being implemented by the Metropolitan Manila Development Authority (MMDA) or by any local government unit (LGU).

B. Biking

- i. Subject to Section 32 of this Act on Substantiation, employees who shall regularly and mainly use bicycles as means of transportation to and from their places of work shall be entitled to an annual tax deduction of Two Thousand Five Hundred Pesos (PhP 2,500.00) from their gross income. The said tax deduction shall be reviewed and updated every three years by the STSC.
- ii. Expenses incurred by employers or schools in providing their employees or students by way of benefits, bicycles, eligible equipment, and bike-friendly facilities shall be deductible in full from their gross income.
- iii. Expenses incurred by companies, business establishments, and other institutions as a result of their bike-friendly programs and facilities shall be deductible in full from their gross income.

- iv. Bicycles granted by employers to its managerial and supervisory employees in compliance with this act shall not be taxable and fringe benefits as provided under Republic Act No. 8424.
- v. The STSC shall establish a program that gives incentives to private and government offices that encourage their employees to ride their bicycles to work by providing for bicycle facilities within their establishments, lockers and showers.

Section 32. Substantiation Requirements.

For Section 29. A. of this Chapter, the free parking fees and other discounts shall be availed only after upon presentation by the driver of a private car of his or her valid driver's license.

For Section 29.B. of this Chapter, the qualified persons, companies, institutions desiring to avail of the benefits of this Act shall substantiate their claim for incentives with sufficient evidence, such as logbook entries, official receipts, affidavits or other adequate records.

CHAPTER VI. PENAL PROVISIONS

Section 33. Prohibited Acts and Penalties.

A. *Biking Violations* shall be as follows:

- a. No cyclist/biker shall drive under the influence of alcohol;
- b. No bicycle shall carry more than its allowable limit as per its build and design;
- c. No rider shall cling to another vehicle while in the designated bikeway;
- d. No rider shall operate a bicycle at a speed greater than reasonable and prudent under the conditions then existing;
- e. No cyclist/biker shall text or use any hand-held electronic gadget while biking; and
- f. No person shall use the designated bike lanes for rallies, peaceful concerted activities or other related events except, for religious processions or activities supported with the necessary permit.

Any person who violates items (a-f) above shall be penalized as follows:

- a. First Offense – A fine of Three Hundred Pesos (P 300.00);
- b. Second Offense – A fine of Five Hundred Pesos (P 500.00);
- c. Third Offense – A fine of One Thousand Pesos (P 10,000.00) or 30 hours of community service, or both;
- d. The abovementioned penalties shall be applicable notwithstanding the application of the New Civil Code and the Revised Penal Code on the damage or injury committed to persons or property and the existing regional and local traffic rules and regulations already implemented.

B. *Carpooling Violation.* It shall be unlawful for any person who is not engaged in the business of or registered to operate any public utility to demand any kind of payment from his or her passengers in direct circumvention of this Act.

Any person who will be found guilty of this offense shall be meted with a fine of not less than P5,000.00 but not more than P10,000.00 and/or suffer an imprisonment of not less than six (6) months at the sound discretion of the Court.

C. *APS Violation.* The unauthorized, indiscriminate and vexatious use of the APS Push Button, which is only for the exclusive use of PWDs, the elderly and pregnant women, is prohibited.

Any person found guilty of committing the aforementioned violation may suffer:

- a) First Offense – Fine of Five Hundred Pesos (P500.00);
- b) Second Offense – Fine of Two Thousand Five Hundred Pesos (P2,500.00); and
- c) Third Offense – Fine of Ten Thousand Pesos (P 10,000.00) and/or one (1) day to thirty (30) days of imprisonment.

D. *Sustainable Transport Action Plan.* Any person or establishment that deliberately and maliciously violates provisions and guidelines in infrastructure and facilities design, as well as construction and maintenance provisions under any of the programs and/or plans as provided by the Sustainable Transport Action Plan of the STSC shall be punished by a fine not exceeding one hundred thousand pesos (P 100,000.00).

When the offender is a corporation, the officers responsible for the violation shall be meted said penalties.

E. *Preservation and Management of Sustainable Transportation Infrastructure.* No person shall vandalize, deface, or destroy any and all infrastructure built pursuant to this Act.

Illegal vending and other forms of informal and unlawful occupation of the infrastructure and related spaces created under this Act are strictly prohibited.

Section 34. Liability of Public Officers. – It shall be unlawful for any public works official to commit any of the following acts:

- a) Failure or refusal to mark the existing main roads and highways as per the Sustainable Transport Action Plan guidelines; and
- b) Approval of construction plans of main roads, highways, buildings and any other infrastructure when the same are not in accordance with guidelines of the Sustainable Transport Action Plan.

Any public works official found guilty of committing the immediately preceding aforementioned prohibited acts shall be punished by a fine of not less than ten thousand pesos (P10,000.00) or more than thirty thousand pesos (P30,000.00), or suspension, or both, at the sound discretion of the Court.

Section 35. Enforcement. – The STSC is hereby empowered to design a schedule of penalties and designate the appropriate agencies to ensure the strict implementation of this Chapter.

A public officer's failure or refusal to perform his duties and responsibilities under this Act and its Implementing Rules and Regulations shall be deemed gross negligence of duty punishable under existing laws.

CHAPTER VII. MISCELLANEOUS PROVISIONS

Section 36. Appropriation. – To carry out the provisions of this Act, such amount as may be necessary is hereby authorized to be appropriated from the National Treasury.

Thereafter, the amount necessary for the continuous operation of STSC shall be included in the annual appropriation of the DOTr.

Section 37. Financing. – The DOTr, in coordination with the DENR, shall explore the possibility of accessing a growing range of global environment funds in order to be able to assist in the funding of sustainable public transport systems and less polluting energy supplies. Public-private partnerships shall also be encouraged in the development of transportation improvements.

Any fines or penalties that may be collected for the violations under this Act shall also be appropriated for the continuance of the measures under this Act.

Section 38. Implementing Rules and Regulations (IRR). – The STSC, in coordination with government agencies, local government units, and private parties it deems necessary, shall come up with an overall IRR to ensure the consistent and efficient implementation of this Act.

The STSC shall present the IRR to the DOTr not later than six (6) months after the implementation of this Act. The DOTr shall approve the final IRR not later than 18 months from the effectivity of this Act.

Section 39. Separability Clause. – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 40. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rules and regulations contrary to or is inconsistent with in the provision of this Act is hereby repealed, modified or amended accordingly.

Section 41. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in at least two (2) papers of general circulation.

Approved,