

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3125



Introduced By Representative ALLAN BENEDICT S. REYES

EXPLANATORY NOTE

Improving mobility propels economic growth and reduces inequality. Mobility allows access to food, water, healthcare, education, and economic opportunities. The lack of proper connectivity is therefore more than an issue of congestion or inaccessibility. It limits opportunities and stunts growth, especially for those who are already marginalized and disadvantaged.

Unfortunately, Filipinos have long suffered mobility issues. This disproportionately affects the most vulnerable in the country: the young and the elderly, the women, the poor, the working class, and the persons-with-disabilities who mostly rely on public transportation and active transport in every part of the country whether in urban or rural areas.

In Metro Manila alone, the inequality in mobility can be seen in the number of registered vehicles and the amount of road space given to public transport vis a vis the travel mode used by everyday Filipinos. While 80% of daily trips are made either through public transport or walking (JICA, 2014), public transport is only given 20% of the road space (Regidor and Javier, 2015). These data clearly reveal that private vehicle owners are prioritized over the majority who are commuters. This prioritization, seen in the current land use model throughout the country, is not sustainable. The private vehicle is not the transport mode of the majority, it contributes greatly to pollution and emissions, and its low passenger capacity ultimately leads to more congestion.

This inequality is further exacerbated by poor infrastructure planning and operations. Travelling by private motorized vehicle is an inefficient use of scarce public space compared to more sustainable modes such as the high-occupancy public transport or the space-efficient walking and cycling. Road transport services (i.e. buses and jeepneys) are still operating individually in a boundary and commission-based revenue system. This business model force drivers to compete for passengers and follow unsafe driving practices. For the commuter, this means increased travel times, stress, and safety risks.

What little pedestrian and cycling facilities are provided are usually either in poor conditions or lacking, especially for persons-with-disabilities. At least 32 people are dying every day due to road crashes (PSA, 2016), a huge percentage of which are pedestrians. In addition, landscapes, townscapes, and natural resources are exploited and destroyed to make way for highways.

Air quality is also worsening due to the increase in cars. According to the World Health Organization (WHO, 2018), there were about 45.3 deaths per 100,000 individuals due to outdoor air pollution in the Philippines, ranking third worldwide. Additionally, the transport sector produces 23% of global energy-related CO₂ emissions and is the fastest-growing sector in terms of greenhouse gas emissions (International Energy Agency, 2016). All of these issues point to the urgent need to improve the welfare and lives of commuters.

This bill aims to enumerate and uphold the rights of the commuting public. These rights range from public transportation services to safe and accessible infrastructure to clean air during travel and to commuter representation and participation. Ultimately, this Magna Carta calls for a shift from car-centric public policy and infrastructure to sustainable transport and mobility, one that provides safe access and mobility to all, promotes economic development, protects and preserves the environment, and uplifts the life of the Filipino commuter.

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

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Introduced By Representative ALLAN BENEDICT S. REYES

**AN ACT
CREATING A MAGNA CARTA OF COMMUTERS**

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 Magna Carta of Commuters*”.

SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to guarantee the rights of all sectors, including the commuter sector to participate in the policy and decision making processes affecting their rights, welfare, and privileges. Mobility is a basic human need; commuters have rights to travel safely, conveniently, and reliably. Without mobility, citizens are unable to access basic services such as healthcare and education, or enjoy fundamental freedoms. Moreover, mobility should be enjoyed by people of all ages, abilities, gender, and regardless of their economic status.

To attain the foregoing policy, the State shall provide the necessary mechanisms, human and financial resources, and legal measures to enable its citizens to enjoy fully the rights embodied in this Act. The State also reaffirms the right of all citizens to participate in the policy formulation, planning, implementation, management, monitoring and evaluation of all institutions, programs, projects and services related to upholding the rights of commuters.

In all decisions related to the provision of mobility infrastructure and transportation services, the welfare of the commuter shall be of paramount concern.

CHAPTER II

DEFINITION OF TERMS

SECTION 3. *Definitions.* – For purposes of this Act, the following terms shall mean:

(a) *Active Transport*- refers to non-motorized means of travel, including walking or using a bicycle.

- 1 (b) *Activity Center*- refers to a place in a city or municipality where people gather
2 regularly for work, worship, education, social events, trade, exercise,
3 leisure or other common interests and purposes.
- 4 (c) *Advance Notice* refers to the provision of early information regarding any
5 consultations with stakeholders, for which the period from the
6 announcement or delivery of the invitation to the consultation event will be
7 a minimum of 10 working days.
- 8 (d) *Commuter*- refers to a person that needs to travel from one place to another,
9 often using a combination of transportation modes to get to his/her
10 destination.
- 11 (e) *Greenway*- refers to a road, street, or path with ample greenery and shade
12 where private motorized transport is not allowed, that also serves as
13 recreational space or a public park, in order to welcome and encourage
14 environmentally sustainable transportation modes, especially walking and
15 cycling.
- 16 (f) *High-Volume Transport Corridor*- refers to walkways, paths, roads, bridges,
17 streets or mass transportation terminals where the flow of people is at least
18 2,000 persons per hour per direction during peak travel periods.
- 19 (g) *Micromobility*- refers to travel using electronic or non-motorized vehicles
20 weighing not more than 100 kg.
- 21 (h) *Mobility*- refers to the ability of a person to travel from one place to another
22 to conduct daily and extraordinary activities and business.
- 23 (i) *Mobility Infrastructure*- refers to physical facilities, such as foot paths,
24 bicycle lanes, roads, PUV loading/unloading bays, PUV terminals, and
25 public transport systems, that support and enhance a person's mobility.
- 26 (j) *Private Motorized Transport*- refers to motorized vehicles weighing more
27 than 100 kg.
- 28 (k) *Public Transport*- refers to public sector and franchised private sector
29 services that transport people over land or water, including jeepneys, UVs,
30 buses, minibuses, railways, ferries, taxis and tricycles.
- 31 (l) *Public Transport Stations*- refers to duly authorized and designated stops
32 and/ or terminals for franchised jeepneys, UVs, buses, minibuses, railways,
33 ferries, taxis and tricycles and others that in the future may be authorized
34 by law.
- 35 (m) *Urbanized Municipality*- refers to a municipality in the Philippines where the
36 aggregate area in the municipality zoned as residential, commercial or
37 industrial exceeds 40% of the total land area of the municipality.

40

41 **CHAPTER III**
42 RIGHTS OF COMMUTERS

43

44 **SECTION 4. Right to Public Transportation Services that Satisfy Commuters'**
45 **Mobility Requirements.** – The State shall ensure that adequate public
46 transportation services are available to meet the needs of its citizens. Public
47 transportation services and infrastructure plans and programs should be
48 prepared and updated on an annual basis in order to satisfy the evolving
mobility requirements in our communities, especially in urban areas.

49 It will be the responsibility of metropolitan authorities and local government
50 units to measure, analyze and update the mobility requirements in each locality. The
51 development of plans and programs to address and update the mobility requirements
52

1 shall be done by the metropolitan authorities and local government units in
2 coordination with the concerned stakeholders.

5 The State shall ensure that:

- 6 (i) Every town and municipality will have an integrated and interconnected
7 network of safe sidewalks, bicycle lanes, and roads to enable travel
8 around the city entirely by foot, bicycle or by other forms of light mobility;
- 9 (ii) Public Transport stations are available within 500 meters from any
10 residence or activity center in a city;
- 11 (iii) Public Transport services are connected to other public transport
12 stations within 300 meters in order to promote seamless connectivity;
- 13 (iv) Public Transport services are in sufficient quantity and frequency so that
14 commuter waiting time at public transport stations do not exceed 10
15 minutes during peak demand periods;
- 16 (v) Public Transport is accorded priority in the use of road space and traffic
17 signal operations;
- 18 (vi) Public Transport services are supported by properly equipped,
19 adequately-sized and well-maintained terminals and stops, with
20 attention to the safety and comfort of commuters;
- 21 (vii) All road networks other than expressways and toll ways shall feature
22 dedicated pedestrian infrastructure, in the form of an unobstructed
23 walking path of at least 2.5 meters wide in each direction as well as a
24 bike lane wide enough to comfortably accommodate at least two bikes
25 side by side.

26 The State will ensure that transport services are inclusive, so that they are
27 accessible to persons of all ages and abilities. Public Transport infrastructure and
28 vehicles shall be designed and implemented so that persons with disabilities or special
29 needs are not excluded from their use.

30 The State shall ensure that in all constructions and rehabilitations of
31 infrastructure projects, the travel time impact on Public Transport, bicycles, and
32 pedestrians shall be of minimal inconvenience.

33 **SECTION 5. Right to Safe, Convenient and Affordable Public Transport**
34 Services. – The State shall ensure that Public Transport services are safe, dignified,
35 convenient, comfortable and reliable, while remaining affordable to the general
36 public.

37 The State shall ensure that it is more economical for commuters to use Active
38 Transport or Public Transport more frequently than to use private motorized transport.

39 The State will promote safe and efficient driving behavior by Public Transport
40 drivers through mandatory trainings and more stringent licensing. Streets must be
41 designed in accordance with international best practices in road safety design to
42 reduce the occurrence of dangerous driving behavior.

43 **SECTION 6. Right to Infrastructure for Pedestrians, Cyclists and Persons**
44 **with Disabilities.** – The State shall accord priority to the development of
45 adequate sidewalks and networks of bicycle lanes that encourage Active
46 Transport and that provide safe and direct access to priority destinations such
47 as housing, education, and business centers as well as Public Transport

1 Stations.

2

3 The State shall ensure that all Public Transport Stations are accessible to
4 persons with disabilities and impaired movement. The State shall ensure that ease of
5 access by pedestrians especially at Public Transport Stations and government
6 facilities is prioritized.

7

8 The State shall ensure that safe and adequate walking and cycling
9 infrastructure is incorporated in the design and implementation of road transport
10 projects at national and local government levels. The State shall ensure that the
11 Comprehensive Land Use Plan of every city includes the development of a city-wide
12 network of safe sidewalks, bicycle lanes, and roads lanes to enable travel around the
13 city entirely by foot, bicycle or by other forms of light mobility.

14

15 The State shall ensure that travel by walking or cycling is no less direct to
16 destinations than travel by private motorized transport. No commuter shall be made to
17 travel above or below street level to cross any street or intersection if it is possible to
18 implement an at-grade crossing.

19 In Philippine cities and urbanized municipalities, the State shall ensure that the
20 infrastructure of each barangay includes:

- 21 (i) safe foot paths or sidewalks, free of obstructions, well-protected from
22 automobiles, compliant with universal design guidelines, and accessible
23 by pregnant women, elderly, and persons with strollers or wheelchairs;
- 24 (ii) networks of greenways to encourage active transport modes (walking
25 and cycling);
- 26 (iii) proper lighting on all roads and footpaths to allow safe travel even after
27 dark;
- 28 (iv) tactile paving on sidewalks of high-volume transport corridors for the
29 benefit of pedestrians who are blind; and
- 30 (v) bicycle racks in every transportation hub or terminal and in every
31 commercial, community and activity center. Such racks shall be provided
32 at street level if possible, and at most one level above or below the street.
- 33 (vi) Safe intersections and pedestrian crossings such as provision of raised
34 pedestrian platforms, highly visible advance warning signages,
35 adequate street lighting, mid crossing refuges, traffic calming for
36 motorized vehicles and curb outstands to reduce road pavement
37 crossing width.

38

39 The State shall promote light mobility by requiring that buildings provide bicycle
40 racks that can accommodate 10% of the anticipated users of any building.

41

42 The State shall adopt the Vision Zero in road safety and ensure that road
43 crashes are eliminated particularly those of vulnerable road users. The State shall
44 implement a comprehensive road safety program and will allocate funding to
45 implement activities under the five pillars of the Philippine Road Safety Action Plan
46 namely Road Safety Management, Safer Roads, Safer Vehicles, Safer Road Users,
47 and Post-Crash Response. The State must also create a National Road Safety Unit
48 under the Department of Transportation and must also implement a national road
49 crash database for road safety planning.

1
2 **SECTION 7. Right to a Fair Share of Public Road Space.** – The State will
3 ensure that public road space is used in a manner that delivers the greatest socio-
4 economic benefit. The State shall employ treatments to the design, engineering and
5 operation of road infrastructure in order to achieve the goal of road safety and access
6 for non-motorized and vulnerable users.
7

8
9 The State will ensure that there is no private appropriation of public road space
10 and foot paths for parking, commerce or other activities that will restrict public use of,
11 or access to, the road.

12
13 **SECTION 8. Right to Breathe Clean Air During Travel.** -- The State shall take
14 measures to ensure that commuters are able to travel using Public Transport or active
15 transport (walking or cycling) without compromising their health.

16
17 The State shall ensure that all Public Transport vehicles comply with the
18 emission standards set by the Department of Environment and Natural Resources
19 (DENR), Department of Trade and Industry (DTI), and/or the Land Transportation
20 Franchising and Regulatory Board (LTFRB), whichever is more stringent.

21
22 The State shall provide programs which reduce the volume of motorized
23 vehicles to reduce vehicle-related pollution emissions. The State shall also provide
24 facilities and programs which support and incentivize the use of cleaner alternative
25 fuels. Recognizing that non-exhaust emissions make up a significant portion of total
26 pollutant emissions and that the levels of such emissions are dependent on vehicle
27 weight, the State shall provide programs that encourage the reduction of average
28 vehicle weight and encourage citizens to commute using cycling or other lighter
29 vehicles.

30
31 The State will measure air quality along the major transport corridors in all cities
32 and provide this information to the public in real time. When air quality exceeds safe
33 levels according to internationally-accepted standards, particularly from the World
34 Health Organization, the State will activate emergency procedures with the aim of
35 reducing the exposure of the public, especially the young and the elderly, to unclean
36 air.

37
38 **SECTION 9. Right to Information for Efficient and Convenient Travel.** – The
39 State will provide timely and adequate information so that commuters are able to make
40 good travel plans and choices about modes and routes. The State shall make publicly
41 available information on all Public Transport services, including route maps, fares,
42 schedules, and real time vehicle location and availability, for the convenience of
43 commuters. The State shall ensure that such information is prominently displayed at
44 all stops of public transport services and at other locations deemed necessary or
45 beneficial to commuters.

46
47 The State will establish technical standards and regulations for the display of
48 street maps at strategic locations in each neighborhood, for the reference of residents
49 and visitors.

50
51 The State will ensure that, at all ports, airports, and terminals, a 24-hour
52 information/assistance counter will be available to serve the needs of travelers.
53

The State shall establish a National Transport Data and Planning Center (NTDPC) which will collect and process the mobility data for evidence-based transport planning which can quickly adapt to the evolving mobility requirements in our communities. The NTDPC shall ensure that data in aid of policy and research on mobility be open and be made available to the public.

SECTION 10. Right to Special Attention During Service Breakdowns and to Compensation for Deficiencies in Service. – The State shall ensure that, in case of a breakdown in a Public Transport service, passengers will be entitled to receive from the transport operator a full refund of the fare he/she has paid.

SECTION 11. Right to Representation and Participation. -- The State shall ensure that the welfare and interest of commuters are considered in all decision-making related to mobility and transportation services. To this end, commuters have a right to advance notice and information on any proposed policy, regulation, project or service at local or national level that affect their mobility.

If a public consultation will be held regarding any initiative affecting the mobility of commuters, the consultation meeting shall be held at a time, even on a weekend or after office hours, and at a convenient and accessible venue that will maximize the participation and feedback from affected commuters.

CHAPTER III INSTITUTIONAL MECHANISMS

SECTION 12. Establishment of the Office of Commuter Affairs -- An Office of Commuter Affairs shall be established at the Department of Transportation (DOTr) at the national level, as well as in all city and municipal government units. The Office of Commuter Affairs shall be under the direct supervision of an Assistant Secretary at the national level, and a city/municipal administrator at the local level.

SECTION 13. Functions and Responsibilities of the Office of Commuter Affairs
-- The Office of Commuter Affairs shall be tasked to perform the following functions and responsibilities:

1. Coordinate with the respective government agencies dealing with road, rail, air, and maritime transportation policy to ensure safe, efficient and comfortable travel of commuters;
 2. Operate Help Desks for the riding public;
 3. Assist the commuters whenever the safety and efficiency of travel is compromised;
 4. Undertake massive commuter education programs for the travelling public to know their rights and responsibilities;
 5. Ensure legal assistance for commuters, when necessary; and
 6. Ensure adequate representation of commuters in any public consultation that will impact on the welfare and interest of commuters.

SECTION 14. Implementing Agencies. — The Department of Transportation (DOTr), the Department of Public Works and Highways (DPWH), the Department of Interior and Local Government (DILG), the Metropolitan Manila Development Authority (MMDA), Department of Environment and Natural Resources (DENR), Department of Trade and Industry (DTI), and concerned local government units shall be the

1 Implementing Agencies for this Act, with DOTr as the lead implementing agency with
2 responsibility for coordinating and monitoring all implementation activities.

3
4 The State shall ensure that the core concepts of this framework is integrated in
5 the annual government budget process. The State shall ensure that compliance with
6 the provisions of this Act are included in the annual performance targets of all relevant
7 national and local government agencies. The State shall ensure that the Implementing
8 Agencies will annually be allocated budget to strengthen organizational capacities and
9 to sufficiently fund the establishment and operations of the NTDPC, the Offices of
10 Commuter Affairs, and other related offices. The State shall ensure that relevant
11 technical standards, guidelines, and manuals of national and local agencies are
12 amended to incorporate all requirements under this Act.

13
14 **SECTION 15. *Implementing Rules and Regulations.*** – Within one hundred
15 and eighty (180) days from the effectivity of this Act, the DOTr and the other
16 implementing agencies will prepare the implementing rules and regulations (IRR) of
17 this Act, with the participation of non-government organizations, civil society
18 organizations and academic institutions that champion the welfare of commuters.

19
20 **SECTION 16. *Penal Provisions.*** -- Any person or government agency who has
21 found to be in violation of any of the provisions of this Act shall be fined not less than
22 Two Hundred Thousand Pesos (P200,000) but not more than Five Hundred Thousand
23 Pesos (P500,000).

24
25 **SECTION 17. *Separability Clause.*** -- Any portion or provisions of this Act that
26 may be declared unconstitutional or invalid shall not have the effect of nullifying other
27 portions or provisions hereof as long as such remaining portions or provisions can still
28 subsist and be given effect in their entirety.

29
30 **SECTION 18. *Repealing Clause.*** -- All laws, presidential decrees, executive
31 orders, memoranda, circulars and other issuances or parts thereof, which are
32 inconsistent with this Act, are hereby repealed or modified accordingly.

33
34 **SECTION 19. *Effectivity.*** -- This Act shall take effect fifteen (15) days after its
35 publication in at least two (2) newspapers of general circulation.

36
37
38 Approved,