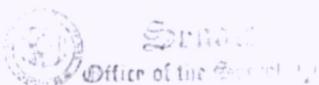


EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*



SENATE  
S. No. 319

19 JUL 10 A9:46

RECEIVED BY *J*

Introduced by Senator Grace Poe

**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**

*Explanatory Note*

In 2009, the organizers of the UN Climate Change Conference wanted to illustrate what one metric tonne of carbon dioxide ( $\text{CO}_2$ ) looked like. This was important, as greenhouse gas emissions are measured in million tonnes of carbon dioxide ( $\text{MtCO}_2$ ). As it turned out, one tonne of  $\text{CO}_2$  would roughly fill up a cube sized twenty-seven cubic feet- roughly the size of a three-story building.<sup>1</sup>

In 2013, the World Resources Institute estimated the carbon footprint of the Philippine transport sector at 25.56  $\text{MtCO}_2$ .<sup>2</sup> In terms of the imagery used above, this would be equivalent to 25 million cubes of  $\text{MtCO}_2$  the size of three-story buildings, floating into the atmosphere every year. In 2010, road transport in Metro Manila was estimated to have produced 7.98 million tonnes of  $\text{CO}_2$  equivalent ( $\text{MtCO}_{2\text{eq}}$ ).<sup>3</sup>

The picture is even direr when we factor in air pollution. In 2010, it was estimated that motor vehicles in Metro Manila produced 1.029 tons of carbon monoxide, 118,524 tons of nitrogen oxide, and 6,616 tons of sulfur oxide.<sup>4</sup> In concrete terms, breathing the air in EDSA-Timog, Quezon City for one hour and forty minutes is equivalent to smoking 2 cigarettes.<sup>5</sup> How ironic: we have taxed and spent so much to prevent people from killing themselves with cigarettes, only for them to

<sup>1</sup> <http://obscuradigital.com/work/c02-cube>

<sup>2</sup> World Resources Institute. Historical Emissions Data, 2013.

<sup>3</sup> USAID. Annex 2, Climate Change and Clean Energy Project. Cited in Japan International Cooperation Agency, *Roadmap for Transport Infrastructure Development for Metro Manila and its Surrounding Areas (Region III and IV-A)*. Retrieved from [http://www.neda.gov.ph/wp-content/uploads/2015/03/FR-MAIN-TEXT-12149605\\_01.pdf](http://www.neda.gov.ph/wp-content/uploads/2015/03/FR-MAIN-TEXT-12149605_01.pdf)

<sup>4</sup> *Ibid.*

<sup>5</sup> Cruz, J. "Why we should raise fuel taxes" *Business World* (10 July 2017). Retrieved from <http://www.bworldonline.com/content.php?section=Opinion&title=why-we-should-raise-fuel-taxes&id=14/994>

commit slow-motion suicide by breathing in the air in Manila. This is not an exaggeration. According to the World Bank, air pollution-related deaths in the country reached 57,403 in 2013, costing \$2.8 billion in foregone labor output.<sup>6</sup>

It can be argued that air pollution only affects those who commute. After all, 6.17 million person-trips in Manila are done via air-conditioned private vehicles.<sup>7</sup> Yet those who are fortunate enough to own private vehicles have no respite. On average, all Filipinos (car drivers included) waste around 28,000 hours- or a staggering 3 years- of their lives in traffic. That's equivalent to 3 years not spent resting or bonding with family.<sup>8</sup> 3 years of our lives, "Packed like lemmings into shiny metal boxes/Contestants in a suicidal race."

It is clear that moving around Metro Manila is a stressful, polluted, and neurotic experience. Ant this is why this representation earnestly seeks enactment of this measure- the proposed *Sustainable Transport Act*. This measure seeks to mandate the Department of Transport and related agencies to prepare a Sustainable Transport Plan. The Plan shall include non-motorized transport, the development of a seamless and inclusive public transportation system, green infrastructure and facilities, and enforcement of transportation demand management measures. In addition, the DOTr shall develop policies and guidelines that promote non-motorized transportation such as walking and bicycling to meet public transportation demand.

In view of the foregoing, immediate approval of this measure is sought.



GRACE POE

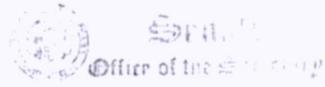
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<sup>6</sup> Talavera, C. "Air pollution deaths cost PH \$2.8B in 2013" *Manila Times* (09 September 2016). Retrieved from <http://www.manilatimes.net/air-pollution-deaths-cost-ph-2-8b-in-2013/284792/>

<sup>7</sup> JICA Dream Plan.

<sup>8</sup> Ordinario, C. "Pinoys waste 28,000 hours in 'traffic'" *Business World* (5 March 2015). Retrieved from <http://www.businessmirror.com.ph/pinoys-waste-28000-hours-in-traffic/>

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**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 2019".

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

14      a.) The State shall promote a shift towards a safe, cost-effective, efficient, non-  
15       congestive, non-pollutive, and healthful locomotion and seamless and  
16       inclusive transportation system for the benefit of all citizens, economy and  
17       society;

- 1        b.) The State shall increase mobility options of the general public and promote  
2                  the use of alternative modes of transportation such as non-motorized  
3                  transportation, green vehicles and public transportation;  
4        c.) The State shall properly plan and establish facilities and infrastructures that  
5                  will respond to this paradigm shift in the transportation system;  
6        d.) The State shall espouse social equity and gender perspective in the  
7                  formulation of a Sustainable Transport plan, reinforcing existing rules,  
8                  regulations and laws;  
9        e.) The State shall establish its plans and programs in conformity with the overall  
10                 integrated national land use plan as well as the local comprehensive land use  
11                 plans; *and*  
12       f.) The State shall encourage the viable use of alternative and cleaner fuels in  
13                 view of vehicular modernization.

14               Sec. 3. *Definition of Terms.* – The following terms shall have their respective  
15               meanings:

- 16        a.) *Mixed-Use Development* refers to any urban, suburban or village  
17                 development, or even a single building, that blends a combination of  
18                 residential, commercial, cultural, institutional, or industrial uses, where  
19                 those functions are physically and functionally integrated, and that  
20                 provides pedestrian connections;
- 21        b.) *Motor vehicle* means a self-propelled vehicle or any vehicle propelled by  
22                 any power other than muscular power. The term does not include electric  
23                 bicycles;
- 24        c.) *Public transportation* refers to a shared passenger transportation service  
25                 which is available for use by the general public. These include buses,  
26                 trams, trains, rapid transit and ferries;
- 27        d.) *Road Safety Audit* refers to the systematic checking of the safety aspects  
28                 of new highway and traffic management schemes, including modifications  
29                 to existing layouts. The main aim is to design out safety problems from  
30                 the beginning and to reduce future problems. Safety audits should be  
31                 included during the design, construction and maintenance phases of road  
32                 projects;

- 1           e.) *Transit-Oriented Development* or *TOD* refers to a mixed-use residential  
2           and commercial area designed to maximize access to public transport, and  
3           often incorporates features to encourage transit ridership. A *TOD*  
4           neighborhood typically has a center with a transit station or stop (train  
5           station, metro station, tram stop, or bus stop), surrounded by relatively  
6           high-density development with progressively lower-density development  
7           spreading outward from the center;
- 8           f.) *Transportation demand management* or *TDM* refers to strategies that  
9           increase transport system efficiency. *TDM* gives priority to modes that  
10          move people more efficiently and discourages the use of single occupancy  
11          vehicles to reduce traffic congestion. It also includes promotion of non-  
12          motorized transportation (*NMT*) through walking and cycling;
- 13          g.) *Walkways* refers to a continuous way designated for pedestrians and  
14          separated from the through lanes for motor vehicles by space or barrier;  
15          and
- 16          h.) *Sustainable transport* refers to any means of transport with low impact on  
17          the environment, accessible, safe, environment-friendly, and affordable. It  
18          includes walking and cycling, transit oriented development, green vehicles,  
19          carpooling, and building or protecting urban transport systems that are  
20          fuel-efficient, space-saving and promote healthy lifestyles;

21           Sec. 4. *Sustainable Transport Action Plan.* – The Department of  
22          Transportation (DOTr), in coordination with the Department of Environment and  
23          Natural Resources (DENR), the National Economic Development Authority (NEDA)  
24          and other key stakeholders from the national and local levels as may be deemed  
25          necessary, shall prepare a Sustainable Transport Action Plan which aims to provide a  
26          roadmap for national and local transportation system to be adhered to at all levels  
27          throughout the country.

28           The Sustainable Transport Action Plan shall include strategies relating to the  
29          inclusion of non-motorized transport, the development of a seamless and inclusive  
30          public transportation system, green infrastructure and facilities, and enforcement of  
31          transportation demand management measures. These will set out the actions

1 required to achieve the mode shift target over a certain period of time as identified  
2 by DOTr.

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

14         Sec. 6. *Establishment of Emission Control and Standards, Road Safety and*  
15 *Inspection and Maintenance.* – The State shall endeavor to achieve a smoke-free,  
16 accident- free and effective road safety management system. In line with this, the  
17 existing motor vehicular standards set by the DOTr and the DENR on emission, fuel  
18 economy and roadworthiness shall form part of the Sustainable Transport Action  
19 Plan as consistent with the objectives of this Act. The DOTr, in coordination with  
20 related agencies, shall strictly implement these emission standards and conduct  
21 stronger road apprehension.

22             a.) *Emission Control and Standards.* – Pursuant to Philippine Clean Air Act of  
23 1999 or Republic Act No. 8749, the DOTr, through the Land  
24 Transportation Office (LTO), shall conduct the vehicle test for emissions  
25 utilizing the Motor Vehicle Inspection Station (MVIS) as well as establish a  
26 roadside inspection system to ensure that vehicles comply with the  
27 emission standards.

28             b.) *Road Safety Program.* – The existing road safety program shall be  
29 enhanced and strictly enforced, by adopting a zero-fatality policy,  
30 implementing appropriate speed controls and imposing a regular Road  
31 Safety Audit (RSA) to influence safety performance on an ongoing basis.  
32 The Department of Public Works and Highways (DPWH) shall identify the

1                   roads and highways to be audited and shall be responsible for the conduct  
2                   of the RSAs.

3                   *Sec.7. Use of Alternative Energy and Cleaner Fuels.* – The Department of  
4                   Energy (DOE), in coordination with the DOTr and the DENR shall formulate  
5                   strategies towards vehicular modernization and use of alternative energy and cleaner  
6                   fuels, such as but not limited to Compressed Natural Gas (CNG) fueled Buses and  
7                   Electric Motor Powered Vehicles, pursuant to the Philippine Standardization Law or  
8                   Republic Act No. 4109, Philippine Clean Air Act of 1999 or Republic Act No. 8749 and  
9                   the Biofuels Act of 2006 or Republic Act No. 9367. The availability, viability, safety,  
10                  sustainability, energy resilience and fuel efficiency of these alternative energy and  
11                  cleaner fuels shall be taken into consideration, as well as transparency and route  
12                  measured capacity in relation to the issuance of provisional authorities or franchises.

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

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

30

31                  b.) *Designation of Bike Lanes.* – Each LGU shall designate a bike lane  
32                  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 DOTr 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 DOTr 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.

The DOTr 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.

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

10          b.) *Establishment of a Water Ferry System.* – As much as practicable, the  
11           national agencies and water regulatory bodies in charge of a water body  
12           led by the DENR, in coordination with the DOTr, shall study and initiate  
13           the establishment of a ferry system in navigable bodies of water which  
14           may be operated by the said authority or bid out to a private contractor.

15          Sec. 10. *Transportation Demand Management Programs.* – The DOTr, in  
16           coordination with the Department of Labor and Employment (DOLE), Department of  
17           Education (DepEd), Department of Trade and Industry (DTI) and one representative  
18           each from the civil society, transport sector and the youth, shall come up with  
19           guidelines on transport demand management programs that will reduce the volume  
20           of cars and motorized transport in the roads as well as enhance and encourage  
21           students and workers to use the public transport system. These shall include, but is  
22           not limited to, the following:

- 23           a.) Carpool, vanpool, or car-share projects;
- 24           b.) Car ownership policies in relation to parking and air pollution;
- 25           c.) Congestion pricing measures;
- 26           d.) Programs to promote telecommuting;
- 27           e.) Flexible work schedules, or satellite work centers;
- 28           f.) Transport program for government employees; *and*
- 29           g.) Intelligent transportation systems.

30  
31          Sec.11. *Facilities.* – The DOTr, in coordination with the DPWH and the LGUs  
32           concerned, shall carry out an investment program that will encourage a shift to

1 sustainable transport within selected communities by providing safe and convenient  
2 options to bicycle and walk for routine travel, and for other purposes. Transit-  
3 oriented development, supporting facilities for non-motorized transportation,  
4 intermodal connectivity and public transportation shall be developed in accordance  
5 with the land use and transportation plan.

6         *Sec. 12. Public Health Program.* – An Inter-Agency Taskforce composed of the  
7 DOTr and the DOH shall be created to lead the formation and the implementation of  
8 a Transportation and Health Impacts Program. The taskforce shall formulate  
9 strategies for the reduction of the negative health and environmental impacts of  
10 transportation to road users. These strategies shall include but not be limited to  
11 strengthening of public health services, formulation of the necessary department  
12 administrative orders and required regular general and audio- logical check up for  
13 road users and affected communities. Further, the taskforce shall regularly monitor  
14 and evaluate these strategies.

15         *Sec. 13. Education and Research Programs.* – The DOTr and the NEDA shall  
16 conduct studies and researches, and eventually supply information to the car-owning  
17 and -riding public as well as commuters on aspects of sustainable transport that are  
18 relatively new. Technical assistance may be provided to other government agencies  
19 and private sector representatives involved in the transport system.

20         The DOTr shall also conduct a continuous public consultations and social  
21 impact assessments amongst stakeholders affected by the Sustainable Transport  
22 Action Plan. Social safety nets shall be carefully studied, formulated and  
23 implemented, as needed.

24         *Sec. 14. Financing.* – The DOTr, in coordination with the key stakeholders  
25 deemed necessary, shall explore the possibility of accessing a growing range of  
26 global environment funds in order to be able to assist in the funding of sustainable  
27 public transport systems. Public-private partnerships shall also be encouraged in the  
28 development of transportation improvements.

29

30         Further, the revenues collected pursuant to Republic Act No. 8794, as  
31 amended, shall be used for the implementation of this Act.

1           Sec. 15. *Implementing Rules and Regulations.* – The DOTr shall be the main  
2 implementing agency for this Act.

3           Sec. 16. *Separability Clause.* – Should any provision herein be subsequently  
4 declared invalid or unconstitutional, the same shall not affect the validity or the  
5 legality of the other provisions not so declared.

6           Sec. 17. *Repealing Clause.* – All laws, presidential decrees, executive orders,  
7 rules and regulations, other issuances, and parts thereof, which are inconsistent with  
8 the provisions of this Act, are hereby repealed and modified accordingly.

9           Sec. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after  
10 publication in at least (2) newspapers of general circulation.

*Approved,*