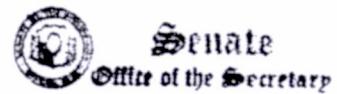


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



19 NOV -7 P450

SENATE

COMMITTEE REPORT NO. 21

RECEIVED BY:

J

Submitted by the Committees on Public Services; and Constitutional Amendments and Revision of Codes on NOV - 7 2019.

Re: Senate Bill No. 1157

Recommending its approval in substitution of Senate Bill No. 213 taking into consideration P. S Res. Nos. 55, 81 and 133.

Sponsor: Senator Grace Poe

MR. PRESIDENT:

The Committee on Public Services; and Constitutional Amendments and Revision of Codes to which was referred Senate Bill No. 213 introduced by Senator Francis "Tol" N. Tolentino, entitled:

"AN ACT

AUTHORIZING THE PRESIDENT, FOR A LIMITED PERIOD AND SUBJECT TO CERTAIN RESTRICTIONS, TO EXERCISE EMERGENCY POWERS TO EFFECTIVELY ADDRESS THE TRAFFIC AND CONGESTION CRISIS, AND APPROPRIATING FUNDS THEREFOR"

taking into consideration P. S. Res No. 55 introduced by Senator Grace Poe, entitled:

"RESOLUTION

URGING THE SENATE COMMITTEE ON PUBLIC SERVICES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE PROVINCIAL BUS BAN TO BE IMPLEMENTED WITH THE END GOALS OF ENSURING VIABILITY AND CONNECTIVITY OF THE INTEGRATED TRANSPORT TERMINALS, AND ULTIMATELY ENCOURAGING THE PUBLIC TO USE THE PUBLIC TRANSPORT"

P.S. Res. No. 81 introduced by Senator Ralph G. Recto, entitled:

**"RESOLUTION
DIRECTING THE SENATE COMMITTEE ON PUBLIC SERVICES TO CONDUCT
AN INQUIRY, IN AID OF LEGISLATION, ON THE COMPREHENSIVE TRAFFIC
PROGRAM OF THE GOVERNMENT AMID THE WORSENING TRAFFIC
GRIDLOCKS WHERE PRECIOUS RESOURCES AND MAN-HOURS ARE
WASTED, WITH THE END IN VIEW OF DETERMINING IF SUCH TRAFFIC
MANAGEMENT PLAN WOULD ACTUALLY EASE CONGESTION IN MAJOR
URBAN CENTERS AND SPEED UP THE SAFE AND EFFICIENT MOVEMENT OF
PEOPLE AND GOODS"**

P.S. Res. No. 133 introduced by Senator Ramon "Bong" Revilla Jr., entitled:

**"A RESOLUTION
URGING THE EXECUTIVE DEPARTMENT TO CONVENE A NATIONAL PUBLIC
TRANSPORT SUMMIT WITH THE END IN VIEW OF CRAFTING A
COMPREHENSIVE TRAFFIC MANAGEMENT PLAN THAT WOULD LAY DOWN
THE SHORT TERM, MEDIUM TERM AND LONG TERM PROGRAMS AND
SOLUTIONS TO THE TRAFFIC CRISIS"**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached Senate Bill No. 1157 prepared by the Committees, entitled:

**"AN ACT
CREATING THE OFFICE OF THE MOBILITY CZAR TO COORDINATE URGENT
RELATED MEASURES NECESSARY AND PROPER TO EFFECTIVELY ADDRESS
THE TRANSPORT AND TRAFFIC CRISIS AND FOR OTHER PURPOSES"**

be approved in substitution of Senate Bill no. 213 taking into consideration P.S. Res. Nos. 55, 81, and 133 with Senators Tolentino, Poe, Recto and Revilla as authors thereof.

RESPECTFULLY SUBMITTED:

CHAIRPERSONS:

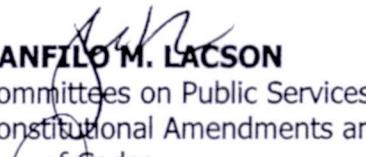
FRANCIS "KIKO" PANGILINAN
Committee on Constitutional Amendments
and Revision of Codes


GRACE POE
Committee on Public Services
Member, Committee on Constitutional
Amendments and Revision of Codes


EMMANUEL "MANNY" D. PACQUIAO
Committee on Public Services
Member, Constitutional Amendments
and Revision of Codes

VICE-CHAIRPERSONS:

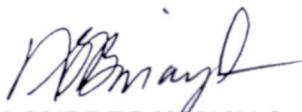
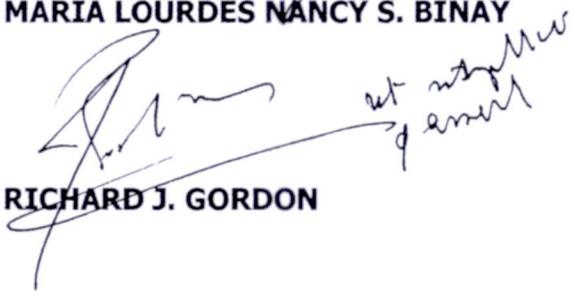

RAMON "BONG" REVILLA JR.
Committee on Public Services


PANFILO M. LACSON
Committees on Public Services; and
Constitutional Amendments and Revision
of Codes

CHRISTOPHER BONG GO


WIN GATCHALIAN
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MARIA LOURDES NANCY S. BINAY

RICHARD J. GORDON


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RISA HONTIVEROS

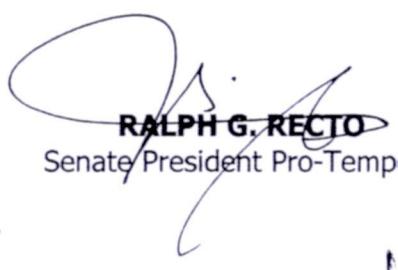
JOEL VILLANUEVA

MANUEL "LITO" M. LAPID


SONNY ANGARA

CYNTHIA A. VILLAR

Ex-Officio Members

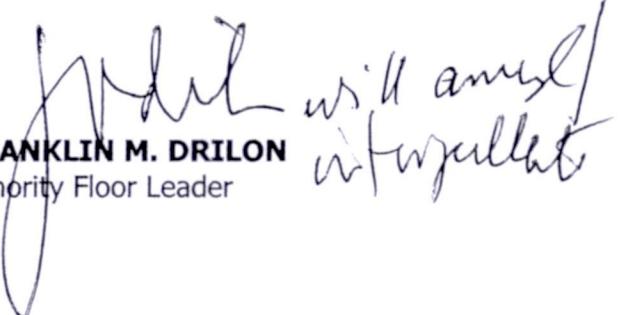


RALPH G. RECTO

Senate President Pro-Tempore



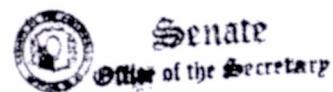
JUAN MIGUEL F. ZUBIRI
Majority Floor Leader



FRANKLIN M. DRILON
Minority Floor Leader

HON. VICENTE C. SOTTO III
Senate President

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



19 NOV -7 P 4 50

SENATE
S. No. 1157

RECEIVED BY: *J*

Prepared by the Committees on Public Services; and Constitutional Amendments, and Revision of Codes with Senators Francis "Tol" N. Tolentino, Grace Poe, Ralph G. Recto and Ramon "Bong" Revilla Jr. as authors thereof.

AN ACT
CREATING THE OFFICE OF THE MOBILITY CZAR TO COORDINATE URGENT RELATED MEASURES NECESSARY AND PROPER TO EFFECTIVELY ADDRESS THE TRANSPORT AND TRAFFIC CRISIS AND FOR OTHER PURPOSES

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

1 Section 1. *Short Title.* – This Act shall be known as the "Mobility Relief Act".
2 Sec. 2. *Declaration of Policy and the Existence of a Transport and Traffic Crisis.*
3 – The transport and traffic crisis in highly urbanized cities such as Metro Manila, Metro
4 Cebu, and Davao City, as manifested in the debilitating long hours of daily commute,
5 have assumed the nature and magnitude of a public calamity. It is a crisis of national
6 significance because losses due to traffic have amounted to billions of pesos a day,
7 thus, requiring urgent, immediate and focused actions from the government.

8 Thus, it is hereby declared the policy of the State to adopt adequate,
9 responsive, comprehensive and effective measures that will immediately address the
10 crisis. The State shall promote a shift towards safe, secure, efficient, viable,
11 competitive, dependable, integrated, environmentally sustainable, people-oriented,
12 and inclusive transportation system for the benefit of all citizens, the economy, and
13 society.

14 The State shall also adopt the use of information and communications
15 technology (ICT) as a tool to manage and mitigate the imbalance in travel and demand
16 and transport supply that is at the core of urban immobility.

17 Sec. 3. *Objectives and Scope.* – The objectives of this Act are:

- 1) To create the Office of the Mobility Czar who will be ultimately responsible for
2 transportation and traffic related functions which shall be national in scope;
- 3) To put in place an institutional set-up to address severe traffic congestion in
4 large urban areas, specifically in the three large urban areas of Metro Manila,
5 Metro Cebu, and Davao City;
- 6) To come up with Mobility Action Plans which sufficiently detail the concrete
7 steps to be taken to immediately and effectively alleviate the mobility
8 constraint in the identified Metropolitan Areas under a Transport and Traffic
9 Situation;
- 10) To provide for the establishment of a single transport and traffic management
11 unit in each city; and
- 12) To initiate the formulation of transport and traffic management plans in every
13 city as part of its Comprehensive Land Use Plan (CLUP), Comprehensive
14 Development Plan (CDP), and Executive Legislative Agenda (ELA). These
15 transport and traffic management plans shall be based on the planning
16 principle of "moving persons rather than vehicles", and shall conform to the
17 following guidelines:
 - 18 a) Public transport shall be given priority over private transport to maximize
19 the use of road space, taking advantage of the existence of a hierarchy of
20 public transport services enabling the assignment of the most appropriate
21 modes to various routes or areas of operation. The inclusion of public
22 transport in the number coding scheme in Metro Manila is contrary to this
23 policy and is hereby immediately lifted.
 - 24 b) Considering the widening gap between transportation supply and demand,
25 road infrastructure projects shall be considered, not forgetting that PUVs
26 also run on roads, especially where there is a clear need for additional
27 roads to establish a road hierarchical system and/or to address major
28 bottlenecks and missing links. However, priority shall be given to low cost
29 traffic engineering and management measures over high-cost
30 infrastructure facilities.

- 1 c) The provision of non-motorized transport, such as pedestrian facilities and
2 cycle ways shall be considered an integral part of the urban transport
3 system.
- 4 d) Interconnectivity among transport modes shall be of prime consideration
5 for the development of the urban transport system through the provision
6 of modal interchange areas to facilitate the transfer of passengers from
7 one mode to another.
- 8 e) The needs of freight transportation should be given due consideration in
9 view of their contribution to the national economy. The provision of truck
10 routes should be considered and application of truck bans should be well
11 studied and carefully balanced with the role of trucks in the country's
12 economic system.
- 13 f) In large urban areas, where transport capacity expansion is no longer
14 sufficient to narrow the gap between supply and demand, the application
15 of transport demand management (TDM) measures such as traffic
16 restraint and use of audio-video communications shall be seriously
17 considered. The number coding scheme of Metro Manila as a form of
18 traffic restraint is counter-productive and should be replaced with a more
19 effective scheme such as road pricing.
- 20 g) An integrated approach to land use and transport is necessary in order to
21 achieve a more effective management of urban growth through the
22 adoption of land use strategies such as transit-oriented development
23 (TOD) and mixed- use development. A Traffic Impact Assessment (TIA)
24 system shall be institutionalized to put in place a more effective
25 development control mechanism.

26 Sec. 4. *Definition of Terms.* – For purposes of this Act, the following terms shall

27 mean:

- 28 a) "Comprehensive Development Plan" (CDP) shall refer to the planning
29 document prepared by local government units (LGUs) that pertains to the
30 multi-sectoral plan which embodies the vision, sectoral goals, objectives,
31 development strategies, and policies of the LGUs;
- 32 b) "Comprehensive Land Use Plan" (CLUP) shall refer to the planning

- document that rationalizes the allocation and proper use of land resources of the LGU;
- c) "Covered Agencies" shall refer to any and all government agencies, offices, bureau, and units tasked or empowered by law or regulation to control, oversee, regulate or manage any aspect of land-based traffic and/or road use in any or all of the Metropolitan Areas;
 - d) "Executive Legislative Agenda" (ELA) shall refer to the unifying document that is developed and mutually agreed upon by both the executive and legislative departments of a local government unit which supports the existing LGU planning process and adds greater value to the CLUP and CDP by moving them forward to getting implemented and monitored;
 - e) "Greater Metro Manila" shall mean the National Capital Region (NCR) of the Philippines and its nearby localities, such as, Antipolo, Taytay, Binangonan, and Angono in the province of Rizal; San Pedro, Biñan, Sta. Rosa, Cabuyao, and Calamba in the province of Laguna; Bacoor, Imus, Kawit, Noveleta, and Cavite City in the province of Cavite; San Jose del Monte, Obando, Marilao, Meycauayan, and Bocaue in the province of Bulacan;
 - f) "Metro Cebu" shall refer to the cities of Cebu, Mandaue, Talisay, Danao, and Lapu-Lapu; and the municipalities of Carcar, San Fernando, Naga, Minglanilla, Consolacion, Liloan, Compostela, and Cordova;
 - g) "Metropolitan Areas" shall refer to the Greater Metro Manila Area, Metro Cebu and Davao City, as the case may be;
 - h) "Mobility Action Plan" shall refer to the planning document which sufficiently details the concrete steps to be taken to immediately and effectively alleviate the mobility constraint in the identified Metropolitan Areas under a Transport and Traffic Situation;
 - i) "Transport and traffic crisis" shall refer to the prevailing crippling and exponentially worsening land traffic congestion and gridlock; and infrastructure and mass transportation shortage.

Sec. 5. *Establishment of the Office of the Mobility Czar.* – A single transport and traffic authority called the Office of the Mobility Czar shall be created under the Office of the President. The Mobility Czar shall have the following powers and functions:

- 1 1) Identify transport and traffic problems areas in the three large urban areas
2 of Metro Manila, Metro Cebu, and Davao City, wherein mobility is severely
3 curtailed as indicated by less than 20 kph average operating speed and/or
4 travel time of more than one hour;
- 5 2) Be responsible for the formulation of a Mobility Action Plan in each
6 metropolitan area;
- 7 3) Coordinate with covered agencies to implement components of the
8 transport and traffic action under their jurisdiction or responsibility;
- 9 4) Appoint, hire, contract experts and qualified personnel as may be
10 necessary, but not otherwise available in the cooperating agencies;
- 11 5) Create such inter-agency task forces, comprising of personnel and resources
12 from national and local government units and agencies, as may be
13 necessary to achieve specific goals within specified time frames;
- 14 6) Re-structure the routes and operating protocols imposed on road-based
15 public transport service providers, encompassing provincial and intra-city
16 buses, jeepneys, taxis, shared taxis, garage-to-terminal express, and similar
17 categories;
- 18 7) Recommend the modification, revision, amendment, substitution,
19 suspension or revocation of franchises issued by the LTFRB and those issued
20 by local government units for tri-mobiles;
- 21 8) Review the existing provisions of the laws relating to traffic management;
22 and issue an updated list of all rules, regulations, ordinances, and orders
23 duly issued and enacted by the covered agencies and local government units
24 in order to maintain in each of the urbanized areas: (i) a unified system for
25 traffic violations; and (ii) a comprehensive and unified traffic plan; and if
26 necessary, suspend, modify, revise or amend any affected local ordinances
27 or existing traffic regulations; *Provided*, that in crafting the Traffic Code, the
28 Mobility Czar shall coordinate with all concerned local government units and
29 pertinent agencies;
- 30 9) Propose a list of priority infrastructure projects for the short, medium and
31 long-term that shall be implemented by national and/or local agencies

- 1 responsible for roads, railways, traffic engineering, public transport facilities
2 such as terminals, stations, and passenger interchange structures;
- 3 10) Appoint, hire, contract experts and qualified personnel as may be
4 necessary, but not otherwise available in the cooperating agencies;
- 5 11) Facilitate the receipt and acceptance of donations in cash or in kind by any
6 of the covered agencies, from any source, public or private, local or foreign,
7 for any tasks or activities undertaken for this Act. These donations shall be
8 exempted from any taxes, and maybe disbursed or utilized by the covered
9 agencies under the conditions stipulated by the donor without need of an
10 appropriations act; and
- 11 12) Exercise other powers as may be necessary to fulfill the declaration of policy
12 of this Act.

13 Sec. 6. *Special Institutional Set-up in Three Largest Urban Areas.* – In view of
14 the severe traffic congestion experienced in the Greater Metro Manila, Metro Cebu,
15 and Davao City, the following institutional set-up is hereby prescribed:

- 16 1) The Office of the Mobility Czar shall be supported by a technical secretariat
17 for the three largest urban areas as follows: Metro Manila Development
18 Authority, with the support of the Metro Manila Council, for Metro Manila;
19 Metropolitan Cebu Development and Coordinating Board for Metro Cebu;
20 and Office of the Davao City Mayor for Davao.
- 21 2) A Mobility Action Plan shall be formulated and implemented for each of the
22 identified Metropolitan Areas under a Transport and Traffic Situation. The
23 Mobility Czar shall be responsible for the coordination, preparation and
24 execution of the plan for each area.
- 25 3) The Mobility Czar may proclaim other highly urbanized areas in the country
26 under a Transport and Traffic Crisis situation; *Provided*, these areas have a
27 combined population of 500 hundred thousand or more, and exhibits an
28 average commute time exceeding 60 minutes.

29 Sec. 7. *Establishment of Transport and Traffic Units in All Other Units.* – Each
30 city government is hereby directed to establish a transport and traffic management
31 unit to discharge the functions mandated in the Local Government Code in the areas
32 of transport planning, and traffic engineering and management.

1 Sec. 8. *Formulation of Short-Term Mobility Action Plans.* – The Mobility Czar, in
2 conjunction with the technical secretariats, shall formulate a Mobility Action Plan in
3 each problem area, which shall sufficiently detail the concrete steps to be taken to
4 immediately and effectively alleviate the mobility constraint in the area. The Mobility
5 Action Plans shall include the following components:

- 6 1) Short-list of infrastructure projects for the short, medium, and long-term
7 which shall be culled from the preceding roadmaps approved by the NEDA.
8 The short-term list projects shall be limited to projects that need to, and
9 can be, implemented in the next 3 years;
- 10 2) Plan for the route rationalization of public utility vehicles (PUVs) in
11 consultation with the Local Government Units (LGUs) affected which shall
12 be the basis for the issuance of new franchises or CPCs by LTFRB. The plan
13 shall include the building of support infrastructure such as bus stops,
14 modal-interchange areas, transport terminals or hubs by parties best-
15 equipped to do so;
- 16 3) Identification of friendship routes and private village/subdivision roads to
17 serve as alternate or secondary routes;
- 18 4) Removal of traffic signs and PUV stops which block or encroach upon the
19 right of way to or along major thoroughfares;
- 20 5) Clearing of sidewalks and identification of need for elevated crosswalks;
- 21 6) A system to expedite the reporting and clearing of vehicular accidents,
22 which shall include the admissibility of videos and digital photographs of
23 the accident as sufficient and acceptable basis of any police report and
24 insurance claims; and
- 25 7) Upgrade the drainage systems of affected areas and improve surface
26 pavements of major streets.
- 27 8) Maximization of the productivity of existing public and private roads, by
28 way of, but not limited to, the following:
 - 29 a. Effective and coordinated traffic management and enforcement;
 - 30 b. Traffic engineering and management solutions, including expanding
31 the coverage and upgrading of existing computerized and coordinated
32 traffic signaling systems;

- 1 c. Traffic education, particularly drivers of public transport conveyances
2 and traffic enforcers;
 - 3 d. Adoption of administrative and/or economic measures to ration the use
4 of scarce road space efficiently and equitably in favor of mass transit
5 and other high-occupancy vehicles.
- 6 7) Making public transport the preferred mode of travel within the urban areas
7 by transforming their service delivery model into an inter-connected, low
8 emission, comfortable, convenient, integrated and reliable mode of
9 transport offering a diverse range of services that are priced according to
10 their value proposition, by way of but not limited to the following:
- 11 a. Restructuring of current bus and jeepney routes and operations;
 - 12 b. Replacing current public transport vehicles ill-suited for urban use and
13 are not compliant with technical standards on emission, noise,
14 configuration, safety, and energy efficiency;
 - 15 c. Establishment of a regime of integrated operations among transport
16 service providers, either through consolidation into one entity,
17 association, consortium, or cooperation under a unified transport
18 network management system.
- 19 8) Upgrading the capacities of existing rail-based mass transit system and
20 fast-track the implementation of mass transit projects in the priority list of
21 the applicable master plans for the urban areas;
- 22 9) Review of the regulations and operations of tricycles and, if appropriate,
23 order their modifications to ensure adherence to the Guidelines issued on
24 the devolution to LGUs of franchising for tricycles following the Local
25 Government Code, and to enhance road safety and improve traffic flow on
26 urban roads;
- 27 10) Fast tracking the implementation of new roads and road-related projects
28 in the priority list of the applicable master plans for the urban areas,
29 including advancing the completion of projects with subsisting contracts;
- 30 11) Adoption of such other measures related to and supportive of the above
31 steps, including formulation of plans and adoption of remedial steps
32 towards the following:

- a. Minimization or reduction of port-related truck traffic thru decongestion and other measures at the Port of Manila for Greater Metro Manila, at the Port of Cebu for Metro Cebu, and at Sasa Wharf for Davao City;
- b. Harmonization of traffic rules and regulations among local government units, where appropriate;
- c. Reduction of car-based trips by private and public employers, as well as educational institutions with high concentration of student population, by implementing appropriate and voluntary telecommuting and tele-education arrangements; and
- d. Submission to Congress of proposed amendments or revisions to the charters of the transport and traffic agencies, or the creation of new organizations, that will pursue the above measures in a sustainable and systematic manner.

Except for the Route Rationalization plan for public utility vehicles, which must be studied and completed within six (6) months from the approval of this Act, the Mobility Action Plans for the three largest urban areas must be completed and submitted to the Congressional Oversight Committee within thirty (30) calendar days from approval of this Act. The Mobility Action Plans for additional areas, as may be declared by the Mobility Czar to be under a Transport and Traffic Crisis situation, must be completed within thirty (30) days from such declaration.

Sec. 9. Long-Term Road Map. – The Mobility Czar shall also cause the adoption of a long-term master plan or a 20-year road map for the entire country, based on available plans and studies and after consultations with various stakeholders. A major component of this road map shall be the development of mass transit systems.

Sec. 10. Supporting Programs. – In support of the implementation of the Mobility Action Plans, the following programs shall be implemented:

- 1) *Traffic Education.* – The DOTR, LTO, LTFRB, DepEd, and TESDA shall jointly develop a program for driver's education and road and pedestrian etiquette education that shall be incorporated as a mandatory subject in the Senior High School curriculum.
- 2) *Capacity Building.* – The Mobility Czar shall promote and encourage capacity-building and the sharing of best practices with local government units and other

1 government agencies with regard to transportation planning, and traffic
2 management, and enforcement.

- 3) Modernization of Public Transport. – To make public land transportation safer,
4 more comfortable, and environmentally sustainable for the riding public, public
5 transport shall be modernized. Recognizing that a good public transport system
6 benefits Society, the State shall subsidize the modernization of public transport.
7 The Mobility Czar shall formulate a rolling 3-year budget for providing subsidy
8 to operators in the acquisition of new vehicles compliant with the nationally-
9 prescribed technical standards and in the scrappage of obsolete vehicles.
- 10) Compensation to PUV Operators. – Public transportation operators affected by
11 projects or policies carried out pursuant to this Act that lead to a revocation of
12 franchise, shortening of routes, or reduction of covered PUV units shall be justly
13 and humanely compensated.
- 14) Social Support Mechanisms. – Drivers, driver's assistants, mechanics, and other
15 employees of the PUV operators affected by a revocation or modification of
16 franchise shall be entitled to financial assistance in the following forms:
- 17 a) Department of Social Welfare and Development using Conditional
18 Cash Transfer (CCT) funding. The identified employees shall be
19 included and immediately be classified as qualified persons under the
20 CCT program;
 - 21 b) Displaced employees shall be entitled to separation pay as mandated
22 under the Labor Code of the Philippines;
 - 23 c) The Technical Education and Skills Development Authority (TESDA)
24 shall prioritize the affected employees in its training courses;
 - 25 d) The Department of Labor and Employment and Philippine Overseas
26 Employment Agency shall obtain a list of professional drivers and
27 mechanics and shall assist them in looking for employment, whether
28 here or abroad; and
 - 29 e) The legal dependents of affected employees shall be qualified for
30 scholarships from the Government, in accordance with the applicable
31 rules and regulations of the DSWD, Department of Education, or
32 TESDA.

1 The Mobility Czar may recommend additional compensation that will be
2 provided through the General Appropriations Act after consultation with the
3 NEDA, DBM, and LTFRB.

4 Sec. 11. *Roads Not Generally Accessible to Motorists.* – Private roads fenced
5 off from other motorists and within villages and subdivisions may be opened for public
6 use subject to conditions and limitations that shall be agreed upon between the
7 Mobility Czar, the relevant LGU, and the appropriate residential association. The road
8 or section thereof must improve overall network connectivity and provide alternative
9 route and relief to traffic bottlenecks in surrounding areas. In case of refusal of the
10 appropriate residential association, or failure to agree within thirty (30) calendar days,
11 the government may proceed to acquire the same in accordance with R.A. No. 10752.

12 The Mobility Czar may, after due notice, cause the immediate opening of
13 public roads needed by the exigency of traffic management but fenced off from other
14 motorists by neighborhood associations and/or barangay officials notwithstanding the
15 provisions of R.A. No. 9904. Conditions and limitations for the use thereof may be
16 imposed by the Mobility Czar *motu proprio*, without need of public hearing.

17 Sec 12. *Alternative Methods of Procurement.* – In view of the transport and
18 traffic crisis, the Alternative Methods of Procurement provided in Article XV of Republic
19 Act No. 9184 and Rule XVI of its Implementing Rules and Regulations may be invoked
20 by any implementing agency whose projects are in the short-term Priority List.

21 The benefits of shorter completion time may, at the discretion of the Head of
22 the Procuring Entity concerned, be applied in the determination of the Lowest
23 Calculated Bid or Highest Rated Responsive Bid. The Approved Budget for Contract
24 (ABC) under R.A. No. 9184 shall incorporate such premium for shorter completion
25 period. The amount stipulated for penalties of delay in the Contract of Award shall
26 also be the same amount for incentive bonus of early completion, which shall be
27 explicitly indicated in the contract. The operationalization of this premium for shorter
28 completion time scheme shall be handled by the GPPB and the NEDA.

29 Unsolicited proposals may be accepted, in accordance with the Implementing
30 Rules and Regulations (IRR) of the BOT Law, by the Mobility Czar for projects not
31 included in the short-term priority list. Rule 9 of the same IRR may be invoked but
32 only for contractual arrangements not involving sovereign guarantees, schedule of

1 payments from the government, subsidy or viability gap funding, and/or guaranteed
2 rates of return.

3 *Sec. 13. Acquisition of Rights-of-Way, Project Sites, and Relocation Sites.* –
4 In the implementation of Priority Projects covered by this Act, the Mobility Czar or the
5 implementing agency concerned is hereby authorized to acquire rights-of-way, project
6 sites and relocation sites through negotiated sale as provided in Section 5 of Republic
7 Act No. 10752. For expediency, and until a final price is established under RA 10752,
8 an initial offer price shall be based on value of similar transactions on adjacent lands
9 that occurred in the most recent 6-month period, or in its absence, at twice the
10 updated zonal value on the property. The amount shall be deposited in escrow with
11 the Land Bank of the Philippines.

12 In the case of land with conflicting claims, or whose owner cannot be located
13 after 30-days notice in a publication of national circulation, possession of the property
14 may commence after deposit in escrow of the initial offer price with the Land Bank of
15 the Philippines.

16 In the case of land occupied by informal settler families (ISFs), the
17 implementing agency shall not take possession of the property until such ISFs shall
18 have been humanely transferred to a temporary or permanent relocation site. The
19 implementing agency may provide temporary accommodation in mobile houses
20 located as near as possible to their original site.

21 Additional funding for the relocation of ISFs to be given to the implementing
22 agency or LGU shall be through a special budget enacted by Congress or shall be
23 sourced from any savings from the Special Purpose Funds of the President as provided
24 for in this Act.

25 *Sec. 14. Relocation of Utilities.* – In the event that the right of way acquisition
26 entails also the relocation of existing utilities, such as electric poles and cables, water
27 pipes, and telecommunication facilities, the implementing agency shall work out a
28 relocation timetable with the concerned utility entity within 30 days. The utility entity
29 shall be responsible for implementing the relocation works per agreed timetable and
30 be entitled to re-imbursement out of project costs. If there is unreasonable delay in
31 the relocation, as maybe determined by the Mobility Czar, the cost shall be borne by
32 the concerned utility entity without prejudice to the implementing agency to undertake

1 the same.

2 Sec. 15. *Congressional Oversight Committee.* – There is hereby created a
3 Congressional Oversight Committee (COC) involving both Houses of Congress, which
4 shall monitor the implementation of this Act and the exercise of the powers herein
5 granted. The Committee shall be composed of the Chair of the Senate Committee on
6 Public Services; the Chair of the House of Representatives Committee on
7 Transportation; and two (2) other members from each House, to be designated by
8 the Senate President, in the case of the Senate, and the Speaker, in the case of the
9 House of Representatives.

10 The Chair of the Senate Committee on Public Services and the Chair of the
11 House of Representatives Committee on Transportation shall constitute an Executive
12 Committee, to be headed by an Executive Director, who will oversee day-to-day
13 coordination with the concerned officials and stakeholders affected by this Act.

14 Funding for the Executive Committee shall be sourced from the Motor Vehicle
15 User's Charge Fund. The COC shall approve funding requested by the Mobility Czar
16 that is sourced from the MVUC.

17 The Mobility Czar shall submit a monthly report to the COC on the efficiency
18 and effectiveness of the measures undertaken to implement this Act and alleviate the
19 Traffic Crisis. The COC shall conduct ocular inspections of the Priority Projects at least
20 once per quarter.

21 Sec. 16. *Penalties.* – Any violation of or non-compliance with any provision of
22 this Act shall be considered a violation of Section 3 of Republic Act No. 3019 or the
23 Anti-Graft and Corrupt Practices Act and shall be penalized with imprisonment of not
24 less than one (1) year nor more than ten (10) years and perpetual disqualification
25 from holding any public office.

26 The violation under this Section proven in a proper administrative proceeding
27 shall be sufficient cause for removal or dismissal of a public officer, even if no criminal
28 prosecution is instituted against him.

29 Any other act in violation of any provision of this Act that qualifies as an
30 offense under the Revised Penal Code or any other special act shall be subject to the
31 penalties of imprisonment and/or fines as stipulated in such laws; *Provided* that the
32 maximum applicable penalty shall be imposed and convicted public officials shall be

1 further removed from office and subject to perpetual disqualification from holding any
2 public office.

3 Sec. 17. *Funding*. – The amount needed for the implementation of this Act
4 shall be sourced from the following:

- 5 a. The Motor Vehicle User's Charge Fund under R.A. No. 8794, as amended
6 by R.A. No. 11239;
- 7 b. The General Appropriations Act;
- 8 c. By way of a special budget enacted by Congress;
- 9 d. Special appropriations from local government units in support of projects
10 and measures within their respective jurisdictions;
- 11 e. Any savings and/or unexpended portion from the Special Purpose Funds of
12 the President, for other expenses and/or to augment the preceding items;
13 and
- 14 f. Official Development Assistance loans, where applicable.

15 Sec. 18. *Separability Clause*. – In the event that any provision of this Act is
16 declared unconstitutional, invalid, or illegal, the constitutionality, validity, or legality
17 of the remainder of the provisions of this Act shall not be affected thereby.

18 Sec. 19. *Repealing Clause*. – All laws, presidential decrees, letters of
19 instructions, executive orders, rules, regulations, and other issuances or parts thereof
20 which are contrary to or inconsistent with the provisions of this Act are hereby
21 revoked, repealed, amended or modified accordingly.

22 Sec. 20. *Effectivity*. – This Act shall take effect fifteen (15) days following the
23 completion of its publication in two (2) newspapers of general circulation.

24 *Approved*.