



SENATE
S. No. 588

'19 JUL 17 P5:56

Introduced by Senator Grace Poe

RECEIVED BY:

AN ACT
TO PROMOTE THE USE OF BICYCLES AS AN ALTERNATIVE MODE OF
TRANSPORTATION, ESTABLISHING APPROPRIATE INFRASTRUCTURE AND
FACILITIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

Explanatory Note

Cycling or biking is the use of bicycles for transport, recreation, or sport. The possible benefits of the establishment of a nationwide bicycle program would be vast. Cycling has the following advantages compared to the use of motor vehicles:

- (a) Bicycles do not contribute to air or noise pollution;
- (b) Bicycles do not consume fossil fuels;
- (c) The use of bicycles leads to a marked reduction in traffic congestion, easier parking, and greater maneuverability; and
- (d) It provides the cyclist with exercise and relieves stress; it is cheaper and there is negligible damage to roads.

To support such a program, the proper infrastructure must be established. Without it, biking on Philippine roads, which are dominated by motor vehicles, remains dangerous to cyclists. Furthermore, road sharing arrangements are necessary, as less than 2% of Filipinos own cars, yet all roads are dedicated to private vehicles.¹ The tragic death of Mr. Mark Vicent Garalde is only one of many deaths of bicyclists in the roads of Metro Manila. Around 196 bicyclists have died in the roads of Manila in the past ten years, with 26 accounted for in 2015 alone.²

This bill seeks to establish bike-friendly environments throughout the Philippines. Bicycle friendly cities are those that are most accommodating to cyclists. Thoroughfares are considered to be bicycle friendly when they: (a) create a safe and

¹ Nicholls, AC. "Road-sharing advocates push for bike and walk-friendly roads" *CNN Philippines*. Retrieved from: <http://cnnphilippines.com/news/2016/02/07/road-sharing-scheme-advocates-metro-manila-traffic-woes-mmda.html><http://cnnphilippines.com/news/2016/02/07/road-sharing-scheme-advocates-metro-manila-traffic-woes-mmda.html>

² Legaspi, A. "Truck runs over cyclist on Marikina bike lane" *GMA News* (January 06, 2016). Retrieved from <http://www.gmanetwork.com/news/story/550238/news/metro/truck-runs-over-cyclist-on-marikina-bike-lane>

easy environment for cycling; (b) educate the community on bicycle safety and laws; and (c) enforce rules and regulations surrounding traffic and marked lanes.

Bike-friendly environments can only be established through smart engineering and proper planning. Some examples of cities around the world that have successfully created bike-friendly communities are Amsterdam, Barcelona, Basel, Berlin, Beijing, Strasbourg, and several states in the U.S. such as New York, California, and Oregon. Portland, Oregon has been voted the most bike-friendly city because of the city's plans for a committed bike-focused infrastructure.

Establishing a nation-wide bicycle program would empower citizens by providing them with a concrete, cheap and accessible alternative means of commuting from one city to another. Integrating bicycles into our national transport system and establishing bike-friendly environments are the first steps towards a public transportation network which exhibits the principle of "inclusive mobility" wherein those who have less in wheels, must have more in roads;

Finally, this bill also seeks to direct the Secretary of Transportation to develop a comprehensive plan and program to ensure the safety of cyclists and all other commuters.

Immediate approval of this measure is eagerly sought.



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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 "Bicycle Friendly
2 Communities Act of 2019."

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote
4 environmentally sound and affordable means of transportation for its citizens that
5 shall serve as an alternative to vehicles which consume fuel. It is also the policy of
6 the State to protect the welfare and safety of the commuting public and all road
7 users.

8 Towards this end, the State shall promote biking as a means of transport by
9 establishing a comprehensive network of bike lanes and bike facilities, and a road
10 safety program. The State shall ensure that the needs and safety of all road users,
11 particularly the pedestrians and cyclists, are fully integrated into the planning,
12 design, operation, and maintenance of the country's transportation system.

13 Sec. 3. *Definition of terms.* – For purposes of this Act:

14 (a) *Bike or Bicycle* - means a non-motorized vehicle consisting of a light frame
15 mounted on two wire-spoked wheels, one behind the other, and having a
16 seat, handlebars for steering, brakes, and two pedals;

17 (b) *Cyclist* - means a person who rides a bicycle;

1 (c) *Secretary* means the Secretary of the Department of Transportation and
2 Communication.

3 Sec. 4. *Establishing a National Bicycle Friendly Communities Program.* – There
4 is hereby established a national bicycle friendly communities program (“the
5 Program”) under the Department of Transportation (DOTr) which shall promote safe
6 biking in all towns and cities. The program shall include the construction and
7 maintenance of bicycle lanes, parking, and support facilities. The Secretary of the
8 DOTr shall also formulate an educational and awareness program on traffic safety.
9 The Secretary may enlist the assistance of other departments or government
10 agencies to carry out this section.

11 Sec. 5. *Bicycle Lanes.* – There shall be designated bicycle lanes in all primary
12 and secondary roads that shall serve as exclusive lanes for bicycle riders. Motor
13 vehicles are prohibited from being driven or parked on said bicycle lane.

14 The bicycle lanes shall be separated by a physical barrier and shall be clearly
15 identified with signs and/or pavement markings. In cases where the installation of a
16 physical barrier is not feasible, the lane for bicycles shall be identified through
17 reflectorized orange painted lines. Bicycle lanes must never compromise the mobility
18 and safety of pedestrians. The bicycle lanes should traverse across all towns and
19 cities and connect to all major forms of transport, including airports and piers.
20 Cyclists shall be required to bike within said lanes, unless no bike lanes have been
21 designated on such roads yet.

22 Sec. 6. *Bicycle Parking.* – All public places, government offices, schools, major
23 business establishments, including malls, banks, restaurants, hospitals, and the like,
24 are hereby required to provide bicycle racks for bicycle parking. Bicycle parking
25 should be secure, visible, accessible, and not in the way of pedestrians or motor
26 vehicles

27 Sec. 7. *Bicycle Infrastructure.* – In addition to the bicycle lanes and bicycle
28 parking areas, support facilities shall be established to ensure that cyclists and their
29 bicycles can travel safely and to lessen the possibility of collisions with pedestrians.
30 These facilities include, but are not limited, to the following:

31 (a) Sidewalk improvements;

32 (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.

Sec. 8. *Educational Program.* – The Secretary, in cooperation with the Department of Education (DepEd), the Commission on Higher Education (CHED), and local governments, shall establish an educational program to increase awareness on bike safety and road sharing. The program shall be designed for traffic enforcers, motorists, cyclists, and the commuting public. The program shall include:

- (a) Traffic education and enforcement;
- (b) Motorist Awareness and Road-Sharing; and
- (c) Bicycle and pedestrian safety.

Sec. 9. *Carless Day.* – To promote the use of bicycles, the country shall participation in the annual celebration of World Car-Free Day. Pursuant thereof, the second Sunday of September is hereby designated as Carless Day. The Secretary is hereby mandated to determine the primary and secondary roads which shall be carless during this annual celebration.

Sec. 10. *Bike to Work.* – The DOTC 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.

Sec. 11. *Penalties.* –

- (a) Any person or establishment who violates the provisions of this Act shall be punished by a fine not exceeding one thousand pesos (Php 1,000.00). When the offender is a corporation, the officers responsible for the violation shall be meted said penalties.
- (b) Any public works official who fails or refuses to mark the existing main roads and highways or approve the construction of main roads or highways without the required bicycle lanes in their designs shall be punished by a fine of not less than ten thousand (Php10,000.00) pesos nor more than thirty thousand (Php30,000.00) pesos or suspension, or both, if found guilty in an appropriate administrative investigation.

1 Sec. 12. *Implementing Rules and Regulations.* – Within thirty (30) days after
2 this Act takes effect, a committee composed of the following members shall be
3 created to formulate the implementing rules and regulations of this Act:

4 (a) The Secretary of Transportation and Communication, or an authorized
5 representative, who shall serve as chair of the committee;

6 (b) A representative from the Department of Public Works and Highways;

7 (c) A representative from the Department of Environment and Natural
8 Resources;

9 (d) A representative from the Metro Manila Development Authority;

10 (e) A professor from the University of the Philippines School of Urban and
11 Regional Planning;

12 (f) Two (2) representatives from various bicycle organizations; and

13 Within six (6) months after this Act takes effect, the Secretary of
14 Transportation and Communication shall promulgate and disseminate the
15 implementing rules and regulations.

16 Sec. 13. *Appropriations.* – To carry out the provisions of this Act, such
17 amount as may be necessary is hereby authorized to be appropriated from the
18 National Treasury. Thereafter, the amount necessary for the continuous operation of
19 the Bike Program shall be included in the annual appropriation of the DOTC.

20 Sec. 15. *Separability Clause.* – If any provision or part hereof is held invalid or
21 unconstitutional, the remainder of the law or the provision not otherwise affected
22 shall remain valid and subsisting.

23 Sec. 16. *Repealing Clause.* – Any law, presidential decree or issuance,
24 executive order, letter of instruction, administrative order, rule or regulation contrary
25 to or is inconsistent with the provision of this Act is hereby repealed, modified, or
26 amended accordingly.

27 Sec. 17. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
28 its publication in at least two (2) newspapers of general circulation.

Approved,