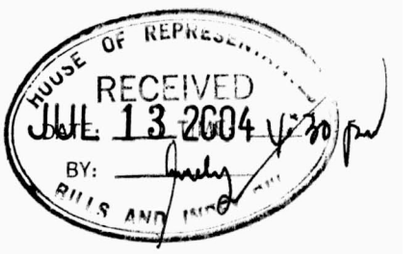
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS

First Regular Session

House Bill No. 1392

Introduced by **Honorable Rene M. Velarde and Honorable Christian M. Señeres**

EXPLANATORY NOTE

Republic Act No. 2000 was approved on June 2, 1957 when there still existed a "Department of Public Works and Communications" as in fact, the Department of Public Works and Communications" was designated under Republic Act No. 2000 to be the primary government agency authorized to implement the provisions of the same Act;

The "Department of Public Works and Communications" no longer exists and instead its former functions were developed and divided between the Department of Public Works and Highways and the Department of Transportation and Communications in order to promote and enhance government efficiency through a rational distribution of the functions of government pertaining, respectively, to public works, on one hand, and control and supervision of facilities and services related to transportation and communications, on the other;

The public good requires that there should be no wasteful duplication of functions and responsibilities to among others, avoid confusion or conflict in their respective issuance's such that the Department of Public Works and Highways and the Department of Transportation and Communications must each exercise sole and exclusive jurisdiction only over those matters pertaining to their respective specialized and particular training, competence, expertise and skills;

An effective, purposeful and unified implementation of public works projects and effective control supervision of transportation and communication facilities and services in order to accelerate the phase of national development reveals that the development, rehabilitation, improvement, construction, maintenance and repairs of ports, flood control and drainage systems, buildings, water supply system, and other public works facilities including roads and limited access facilities, involved the utilization of technologies and manpower different and distinct from those required for the control and supervision of transportation and communication facilities and services;

The Department of Public Works and Highways, whose focus is on public works and structures is ill-equipped and has neither the competence, expertise or facility to regulate transportation or, specifically, the types of vehicles that traverse or commute on such roads, limited access facilities or such other public works designed specifically to accommodate such traffic except only insofar as it pertains to the inherent limitations of the structural design of a public works infrastructure;

The State, through the Land Transportation Office under the Department of Transportation and Communications, pursuant to the provisions of the Land Transportation Code, already regulate motor vehicles by applying its stringent, universally and scientifically

sustained standards prior to the issuance of any drivers' license and/or motor vehicle registrations;

Scientific studies, international norms and standards universally recognized that limited access facilities are the safest road networks for use of all motorists so that it is wholly inconsistent with the State's jealous regard for public welfare to exclude certain motorists, including a motorcycles' drivers and operators, from utilizing a public works facility specifically designed for the safest travels of its commuters;

A great majority of Filipinos can only afford a motorcycle as opposed to a four wheeled vehicle for their daily use in commuting to and from their place of work;

In view of the foregoing, early approval of this bill is requested.

HON. RENE M. VELARDE

HON. CHRISTIAN M. SEÑERES

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 1392

Introduced by **Honorable Rene M. Velarde and Honorable Christian M. Señeres**

" AN ACT AMENDING SECTIONS 2, 3, 4 OF REPUBLIC ACT NO. 2000 ENTITLED, "LIMITED ACCESS HIGHWAYS ACT" ".

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

Section 1. Any and all reference to the "Department of Public Works and Communications" within the text of Republic Act No. 2000, otherwise known as the "Limited Access Highway Act" are hereby repealed and/or substituted with "Department of Public Works and Highways".

Section 2. Section 2 of Republic Act No. 2000, otherwise known as the "Limited Access Highway Act" is hereby amended to read, as follows:

> "For the purpose of this Act, a limited access facility is defined as a highway or street especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement or only a limited right or easement of access, light, air, or view by reason of the fact that their property abuts such limited access facility or for any other reason. Such highways or streets may be parkways, from which trucks, buses, and other commercial vehicles shall be excluded; or they may be free open to use by all customary forms of street and highway traffic **such as cars, trucks, buses, motorcycles and the like".**

Section 3. Section 3 of Republic Act No. 2000, otherwise known as the "Limited Access Highway Act" is hereby amended to read, as follow:

> "The Department of Public Works and Highways is hereby authorized to plan, designate, establish, regulate, vacate, alter, improve, maintain and provide limited access facilities for public use wherever it is of the opinion that traffic conditions, present or future, will justify such special facilities; *Provided,* that within such provinces, cities and towns, the establishment of such limited access facilities insofar as they affect provincial, city, municipal streets and plazas shall have the consent of provincial board, city, or municipal council as the case may be; Provided, further, that nothing herein shall be construed as allowing or empowering that Department of Public Works and Highways or regulate or restrict, the types of vehicles that are allowed access into any limited access facility such regulation being already addressed by the licensing and registration requirements of the Land Transportation Office except, however, in relation to the immediately preceding section 2 or in connection with allowance weight or capacity of the structure as is inherent to its structural design.

Section 4. Section 4 of Republic Act No. 2000, otherwise known as the "Limited Access Highway Act" is hereby amended to read, as follows:

" The Department of Public Works and Highways is authorized to so design any limited access and to so regulate, restrict or prohibit access as to best serve the traffic for which such facility is intended; and its determination of such design shall be final. In this connection, it is authorized to divide and separate any limited access facility into separate roadways by the constitution of raised curbings, central dividing sections, or other physical separations or by designating such separate roadways by signs, markers, stripes and other devices. No person shall have any right of ingress or egress to, from or across limited access facilities to or from abutting lands, except upon such designated points at which access may be permitted, upon such terms and conditions as may be specified from time to time. Provided, that nothing herein shall be construed as, allowing or empowering the Department of Public Works and Highways to regulate or restrict the types of vehicles that are allowed access into limited access facility such regulation being already addressed by the licensing and registration requirements of the Land Transportation Office, except, however, in relation to section 2 hereof or in connection with allowable weight or capacity of the structure as its inherent to its structural design."

Section 5. Reparability Clause - If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain and subsisting.

Section 6. Repealing Clause - Any and all laws, executive orders, decrees, issuance's, ordinance, rules and regulations or any part thereof contrary or inconsistent with the provisions of this A ct is also hereby repealed.

Section 7. Effectivity Clause - This Act shall take effect immediately upon or on the date of its approval.

Approved,

HON. RENE M. VELARDE

HON. CHRISTIAN M. SEÑERES