

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1836

INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

The proliferation of motorcycles and bicycles plying along national roads and highways should be regulated and made subject to stringent rules, if only to protect both motorists and pedestrians from any road accidents, occasioned by the inherent nature of these vehicles.

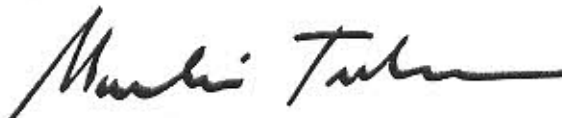
According to the World Health Organization, road accidents are the 4th leading cause of deaths worldwide and 70% of these are related to either motorcycle or bicycle use. In the Philippines, it is estimated that an average of one person dies everyday from road mishap, the victim usually a pedestrian or a motorcycle or bicycle operator.

It is unfortunate that albeit these staggering statistics, there are no sufficient rules and regulation governing use of motorcycles and bicycles, which could partly explain the seeming unabated occurrence of motorcycle or bicycle based road accidents.

While it is not realistic to ban outright the use of motorcycles or bicycles along national roads and highways, given the dearth of private vehicles and apparent lack of mass transport system in the country, a codified set of rules must be set in place to minimize, if not outright eradicate, the problem.

The purpose of this measure is to precisely pursue this objective by providing for separate or segregated lanes or facilities for motorcycles and bicycles, establishing specific traffic rules and regulations governing their use and providing for penalties for violations thereof.

This is the only way to possibly arrest road problems relating to motorcycle and bicycle use. Hence, its immediate enactment is earnestly sought.



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INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

AN ACT
PROVIDING FOR SEGREGATED CYCLE LANES OR FACILITIES ON
ALL MAIN ROADS AND HIGHWAYS THROUGHOUT THE COUNTRY,
ESTABLISHING APPROPRIATE TRAFFIC RULES AND REGULATIONS
AND PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR
OTHER PURPOSES

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

Section 1. Short Title. – This Act shall also be known as the "Segregated Cycle Lanes Act of 2010."

SEC. 2. Establishment of Segregated Cycle Lanes or Facilities. - The Department of Public Works and Highways (hereinafter referred to as the department) shall provide for segregated cycle lanes or facilities on all main roads and highways throughout the country.

For purposes of this Act, the phrase "segregated cycle lanes or facilities" may consist of separate roads, tracks, paths or lanes designated for use by operators of manual bicycle or motorcycles and from which motorized traffic is generally excluded

SEC. 3. Marking Requirements. – The department's district engineers shall place marks on existing main roads and highways to indicate lanes for motorcycles. Such lane shall be shown by a solid white line along either side of the street, four or more feet from the curb.

Any new road or highway constructed after the effectivity of this Act shall not be approved and constructed without the required motorcycle lanes.

SEC. 4. Use of Motorcycle or Bicycle. - Every person riding a bicycle upon a street or highway has all the rights and is subject to all the duties applicable to the driver of a vehicle, including the provisions of law dealing with driving under the influence of alcoholic beverages or drugs, except those provisions which by their very nature can have no application; Provided further that drivers of motorcycles should use such lanes carefully to avoid accidents with bicyclists

SEC. 5. Duties of Motorcycle or Bicycle Operators.- a) Any person operating a motorcycle or bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at such time shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

1. When overtaking and passing another bicycle or motor vehicle proceeding in the same direction.
2. When preparing for a left turn at an intersection or into a private road or driveway.
3. When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.

b) Any person operating a motorcycle or bicycle on a one-way street or highway with two or more marked traffic lanes, may ride as near the left-hand curb or edge of such roadway as practicable.

SEC. 6. Hitching Rides. - No person riding upon any motorcycle, motorized bicycle, bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or themselves to any streetcar or vehicle on the roadway.

SEC. 7 Riding on Bicycle or motorcycle. - a) No person operating a motorcycle or bicycle on a highway shall ride other than on a permanent and regular attached seat.

b) No such person shall allow anyone to ride as a passenger other than on a separate attached seat. If the passenger is four years old or younger or weighs 40 pounds or less, the seat shall adequately retain the passenger in place and protect him/her from the bicycle's moving parts.

SEC. 8. Carrying Articles. - No person operating a bicycle shall carry any package, bundle, or article which prevents the operator from keeping at least one hand upon the handlebars.

SEC. 9. Parking. - No person shall leave a motorcycle or bicycle lying on its side on any sidewalk, or shall park the same on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic. Local authorities may prohibit bicycle parking in designated areas of the public highway, provided appropriate signs are erected.

SEC. 10. Obstruction of lanes. - No person shall place or park a bicycle or vehicle so as to impede or block the normal and reasonable movement of any bicyclist or motorcyclist on a path or trail unless the placement or parking is necessary for safe operation or otherwise in compliance with the law.

SEC. 11. Motorcycling or Bicycling Big Highways and Expressways. - a) The Department of Transportation and

Communications, in coordination with local authorities may prohibit or restrict the use of big highways such as EDSA and expressways or any portion thereof by motorcycles or bicycles.

b) Such prohibitory regulations shall be effective when appropriate signs giving notice thereof are erected upon the freeway and the approaches thereto.

SEC. 12. Headsets and Earplugs. - No person operating any motorcycle or bicycle shall wear any headset covering, or any earplugs in, both ears. There are exceptions for any person wearing personal hearing protectors designed to attenuate injurious noise levels and which do not inhibit the wearers' ability to hear a siren or horn from an emergency vehicle or horn from another motor vehicle, and for any person using a prosthetic device which aids the hard of hearing.

SEC. 13. Equipment Requirements. - a) No person shall operate a motorcycle or bicycle on a roadway unless it is equipped with a brake which will enable the operator to make one braked wheel skid on dry, level, clean pavement.

b) No person shall operate on the highway any motorcycle or bicycle equipped with handlebars so raised that the operator must elevate their hands above the level of their shoulders in order to grasp the normal steering grip area.

c) No person shall operate upon any highway a motorcycle or bicycle which is of such a size as to prevent the operator from safely stopping the motorcycle or bicycle, supporting it in an upright position with at least one foot on the ground, and restarting it in a safe manner.

d) Every bicycle operated upon any highway during darkness shall be equipped with the following:

1. A lamp emitting a white light which illuminates the highway and is visible from a distance of 300 feet to the front and the sides of the motorcycle or bicycle.
2. A red reflector mounted on the rear of the motorcycle or bicycle and visible from 500 feet to the rear of the bicycle.
3. In the case of bicycles, a white or yellow reflector mounted on each pedal visible 200 feet to the front and rear of the bicycle and a white or red reflector on each side to the rear of the center of the bicycle, except bicycles which are equipped with reflectorized tires on the front and the rear need not be equipped with side reflectors.

e) A lamp or lamp combination, emitting a white light, attached to the operator and visible from a distance of 300 feet in front and from the sides of the motorcycle or bicycle, may be used in place of a lamp attached to the bike.

SEC. 14 Penalties. - Any motorcyclist or bicyclist or any other person who violates any of the provisions of this Act, as appropriate, shall

be punished by a fine of not less than Thirty Thousand Pesos (P30,000.00) nor more than Fifty Thousand Pesos (P50,000.00) or suspension from work in the case of government employees or officers, including revocation of license and other papers, as the case maybe.

SEC. 15. Appropriations. - The amount necessary for the marking of existing main roads and highways shall be charged against the appropriations of the Department of Public Works and Highways under the current General Appropriations Act. Thereafter, the amount necessary for the maintenance of the lanes shall be included in the annual General Appropriations Act.

SEC. 16. Separability Clause. -Any part or provision of this Act shall be held to be invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 17. Repealing Clause. - All laws, rules, regulations, orders, memoranda or circulars inconsistent with this Act are hereby repealed or modified accordingly.

SEC 18. Effectivity. - This Act shall take effect fifteen (15) days after publication in the Official Gazette or in any two (2) national newspapers of general circulation.

Approved,