

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

First Regular Session
SIXTEENTH CONGRESS

House Bill No. 3952



Introduced by. Hon. Karlo Alexei B. Nograles

EXPLANATORY NOTE

It is the policy of the state to protect and promote the right to health of the people and instill health consciousness. It is also the duty of the state to protect the environment to a balance and healthful ecology.

Bicycle riding not only promotes health and leisure but will also provide alternative solution to the high prices of fuel, increasing fares, traffic, noise and air pollution, and the high cost of vehicles. Biking is an alternative way of physical exercise that has long been promoted not only in the Philippines but also globally.

Under this Bill, all main roads and highways shall be provided with bicycle lanes or bike ways identified by the Local Bikeways Office (LBO). The LBO is the agency which will be in charge of implementing the policies, rules and regulations pertinent to the Bicycle Act including the registration of bicycles using the bikeways. This agency will be under the supervision of the City or Municipal Engineering Office.

This bill seeks to provide a framework for a bicycle law on a national level so that commuters may find a cheaper alternative to get to their destination while saving the environment from harmful emissions.

The passage of this bill is earnestly sought.


KARLO ALEXEI B. NOGRALES

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**AN ACT FOR THE CREATION OF LOCAL BIKEWAYS OFFICE (LBO), ESTABLISHING
INFRASTRUCTURE IN RELATION THERETO AND PROVIDING FOR BICYCLE RIGHTS
AND FOR OTHER PURPOSES**

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

Section 1. Short Title. – This Act shall be known as the “Bicycle Act of 2014”.

Section 2. Declaration of Policy. – It is hereby declared the policy of the State to protect and promote the right to health of the people, instill health consciousness among them and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. The State recognizes the need for cheap and alternative means of transportation and encourages friendly modes of transportation.

Section 3. Definition of Terms. – For the purposes of this Act, the following terms are defined, thus,

- a.) **Bicycle** - a vehicle composed of two wheels held in a frame one behind the other, propelled by pedals and steered with handlebars attached to the front wheel and having a seat height of 25 inches or greater when the seat is in the lowest possible position.
- b.) **Local Bikeways Office (LBO)** - refers to the agency in charge of implementing policies, rules and regulation in accordance with this Act.
- c.) **Bicycle Rider**- a person who rides or travels by bicycle.

- d.) **Bicycle lane**- any longitudinal strips designated for the passage of bicycle.
- e.) **Department** – shall refer to the Department of Public Works and Highways.

Section 4. *Creation of Bikeways.* - All main roads and highways shall be provided with Bicycle lanes or Bikeways identified by the Local Bikeway Office under the supervision of the City or Municipal Engineers Office and in coordination of the Land Transportation Office and the Department of Public Works and Highways.

Section 5. *Powers and functions of the Local Bikeways Office.*

- a.) Prepare plans, specifications, manage the construction and maintenance of a bikeway on all thoroughfares and roads.
- b.) Responsible for development, management, and implementation of the project with the coordination with the DPWH, LTO and other government agencies concerned.
- c.) Establish provision of safe and strategic parking facilities, road signages.
- d.) Conduct education and information drives for the benefits of using the bicycles in coordination with the LTO in order to promote the usage of the same.
- e.) Maintain and keep a bicycle registry where the LBO, within sixty(60) days from approval of this Act, shall formulate a system of procedure pertinent to bicycle registration
- f.) Encourage partnership with local and foreign organization to facilitate easy access to bicycles.

Section 6. *Bicycle Park.* - Each city or municipality shall create through the LBO and the city or municipal engineering office, a Bicycle park where provisions for bicycles are present such as but not limited to bikeways, bicycle parking areas and similar infrastructure. Such Bicycle parks shall be funded by the City or Municipal by allocating thirty (30%) percent of their respective revenues raised from the miscellaneous activities like parking and license fees.

SECTION 7. *Rights, Duties and Obligation of Cyclist.* - The following shall be the rights, duties and obligation of cyclist.

- a. Ride on any public road or street provided that it has been designated as a bikeway except on highways or where signs prohibiting bikes have been posted.
- b. Person riding a bicycle on designated bikeways shall be granted all the rights and shall be subject to all duties applicable to drivers of motorized vehicles except those which by nature are inapplicable.
- c. All bicycle riders must wear all appropriate safety gears when riding.
- d. Cyclist when riding at night shall equip their bicycle with reflective materials visible from both side, a white front headlight and a red reflective light at the rear.
- e. A cyclist shall not carry anything on the bicycle unless it is in a basket, bag, rack or trailer designed for that purpose.

SECTION 8. *Restrictions.* - The following are restrictions imposed upon cyclist and the right to use a bicycle:

- a. No person shall carry more persons that it was designed to carry except when another regular seat or trailer towed by the bicycle is present.
- b. Person riding a bicycle shall not cling to another vehicle while in the designated bikeways.
- c. Bicycle may not be parked in area other than those specifically designated as such by the LBO.
- d. A cyclist shall not ride a bicycle on a sidewalk or crosswalk.
- e. No person shall operate a bicycle at a speed greater than what is reasonable and allowed.

SECTION 9. *Obedience to traffic laws and devices.* - Any person operating a bicycle shall obey the all official traffic control signs and other control devices applicable to vehicles, unless otherwise directed by a police officer. Whenever authorized signs are posted, a person operating a bicycle shall disobey the direction of such sign except when that person dismounts from the bicycle, in which case such person shall then obey the regulations applicable to pedestrians. No person shall ride or operate a bicycle in any direction except permitted for vehicular traffic travelling on the same side of the bikeway.

SECTION 10. *Flagging by a Police Officer.* - A uniformed police officer or any deputized traffic officer may stop, inspect, and test drive a bicycle that is suspected to be unsafe or to have improper equipment. He may also stop any cyclist operating a bicycle in such a manner as to pose danger to others.

SECTION 11. *Riding on Bicycle Lanes.* - Every person operating a bicycle upon a designated bikeways shall remain inside such lane, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction. When a person operating a bicycle upon a bikeway at a speed less than the normal speed of traffic, such person may move out of the lane under any of the following circumstances:

- a. Whenever overtaking or passing another bicycle, vehicle or pedestrian within the lane or about to enter the lane if such overtaking or passing cannot be done safely within the lane;
- b. When preparing for a turn at an intersection or into a private road or driveway;
- c. When reasonably necessary to leave the bicycle lane to avoid debris or hazardous conditions.

SECTION 12. *Motor Vehicle in Bikeways.* - Whenever a bikeway has been established on a road, any person operating a motor vehicle on such road shall not be drive in the bikeway except to park when parking is permitted, to enter or leave the road or prepare for a turn.

SECTION 13. *Exercise of Due Care.* - Every cyclist shall exercise due care to avoid colliding with any pedestrian, or any person operating a bicycle or other device propelled by human or animal power, upon any road and shall give warning by sounding the horn when necessary and shall exercise proper precautions upon observing any child or any incapacitated person a road.

SECTION 14. *Penalties.* - Any person who violates any person of the provision of this Act shall be subject to the penalty of a fine of not less than Five Thousand Pesos (P5, 000.00) but not more than Ten thousand Pesos (P10, 000.00). If such violation causes damage or injury to person or property then the appropriate provisions of the Civil Code and the Revised Penal code shall take effect.

SECTION 15. *Separabilty Clause.*- If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 16. *Repealing Clause.*- Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rules and regulation contrary to or is inconsistent with in the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 17. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspaper of general circulation.

Approved.