



Introduced by Honorable Samuel D. Pagdilao, Jr.

House Bill No. **5810**

EXPLANATORY NOTE

This bill seeks to establish an overall framework for a Bicycle Commuters Safety on a National Level so that the Filipino Labor Force may safeguard their families' future amidst the daily dangers of travelling along killer roads and highways.

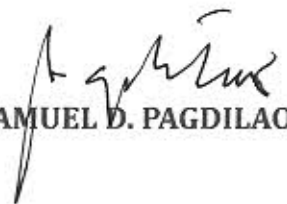
87% of this country's total labor force (2013 National Labor Force Survey) or 33.245 Million individuals out of 37.917 Million marginalized labor force sector choose bicycle as the primary mode of transportation. Many of these are construction workers, messengers and other low income earners who pedal to work everyday not necessarily to promote a healthy environment but merely to cut the cost of their transportation expenses.

The number of bicyclists involved in road accidents is already alarming. In 2011, 6,496 or 37% of the 17,557 killed in road accidents all over the country were cyclists. In Metro Manila alone, from 2005 up to present, 196 cyclists had been killed according to the Metro Manila Development Authority (MMDA) Accident Report and Analysis System.

Apart from the number of fatalities was the economic impact of these accidents to the families of cyclists who survived the accident. In Metro Manila, 7,464 families of disabled cyclists were plunged deeper into poverty because their breadwinners have been maimed and are no longer capable to work. However, the urgency of establishing a viable solution for road safety crisis that will protect bicycle-using labor force from injuries and deaths has been rarely given attention primarily because the victims belongs to a marginalized sector that has limited clout to influence government actions.

There are bills that have been filed in both Senate and House of Representatives in previous years but most of these legislative measures are focused on promoting environment and promoting tourism. It is timely with May being celebrated as Road Safety Month in line with the United Nations "Decade of Action for Road Safety 2011-2020" that a bill which specifically seeks to safeguard the countless heads of family from fatal road crashes that devastate their hopes of a better future be filed in Congress.

Public safety is severely threatened. Thus, the expedient passage of this bill is earnestly sought.



SAMUEL D. PAGDILAO, JR.

Sixteenth Congress
Second Regular Session
HOUSE BILL NO. **5810**

Introduced by Honorable Samuel D. Pagdilao, Jr.

**AN ACT
DESIGNATING BICYCLE LANES IN ALL PRIMARY AND
SECONDARY ROADS AND TO ESTABLISH A BIKE-
FRIENDLY COMMUNITIES**

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

Section 1. *Short Title.* – This Act shall be known as the “Bicycle Lane Act of 2015.”

Sec. 2. *Declaration of Policy.* – It is hereby declared as the policy of the State to protect the welfare and safety of the commuting public and all road users. It is also the policy of the State to ensure that the needs and safety of all road users, particularly the pedestrians and cyclists, are fully integrated into the planning, design, operation, and maintenance of the country’s transportation system.

Sec. 3. *Definition of terms.* For purposes of this Act, the term;

- a. “Bike” or “Bicycle” means a human-powered, pedal-driven, single-track vehicle, having two wheels attached to a frame, one behind the other;
- b. “Cyclist” means a person who rides a bicycle;
- c. “DOTC” means the Department of Transportation and Communications; and
- d. “Secretary” means the Secretary of the Department of

Transportation and Communication.

Sec. 4. *Creation of Local Bikeways Office.* – It is hereby created the Local Bikeways Office (LBO) which shall be under the direct administration and supervision of the Local Government Unit concerned, particularly of the Office of the City or Municipal Engineering Office.

Sec. 5 *Mandate of the Local Bikeways Office.* – The Local Bikeways Office shall be primarily responsible for the following;

- a. To manage the construction and maintenance of bikeways within the respective local government unit;
- b. To establish provision for the safety of cyclists, as well as the pedestrians;
- c. To establish partnership with local or foreign organization, both government and non-government organization for the effective implementation of the provisions of this Act.

Sec. 6. *Designation of Bicycle Lanes.* – The LBO, in consultation with the Department of Transportation and Communication, shall designate bicycle lanes in all primary and secondary roads that shall be for the exclusive use of bicycle riders, which shall be separated by clearly painted and visible bicycle lane markers. At all times, motorized vehicles shall give bicycle riders the right-of-way within said bicycle lanes

The designated bicycle lanes shall also be free from any obstacles which shall hamper all Cyclists in using the same.

Sec. 7. *Establishing a National Bike Awareness Program.* - The LBO and Secretary of Transportation and Communication, through the assistance of other government and non-government agencies, shall

establish a National Bike Awareness Program which shall include activities to increase education and awareness of the general public on the proper use of bicycle lanes, bike safety, and observance of traffic rules and regulations.

Sec. 8. *Use of bike lanes, applicability of traffic rules and regulations to, and restrictions and responsibilities of cyclist.* - Cyclists shall, at all times, be required to bike within the designated bike lanes, unless no specific lanes were designated yet on the roads concern. Cyclists are not to be exempted from obeying general traffic rules and regulations, unless not applicable to them.

So also, cyclists shall not carry in their bicycle more persons or cargo other than it is equipped to carry. Safety gears, such as helmet, elbow and knee pads, shall be worn by them at all times.

Sec. 9. *Penalties.* - Any person who violates the provisions of this Act shall be punished by a fine of not exceeding One Thousand Pesos (P 1,000.00). If a violation therein shall cause injury to persons and damage to property, the provisions of the Civil Code and Revised Penal Code shall be applied.

Sec. 10. *Implementing Rules and Regulation.* - Within sixty (60) days from the effectivity of this Act, a committee shall be created to formulate the implementing rules and regulations of this Act. The committee shall be composed of the following:

- a. The Secretary of Transportation and Communication as Chair;
- b. Representative from the Department of Public Works and Highways;
- c. Representatives from various bicycle organizations; and
- d. Representative from the Metro Manila Development Authority

(MMDA).

Sec. 11. *Appropriation.* – To carry out the provisions of this Act, such amount as may be necessary is hereby authorized to be appropriated from the National Treasury. The amount necessary for its continuous implementation shall be included in the annual appropriation of the Department of Interior and Local Government.

Sec. 12. *Separability Clause.* – If any provisions or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec. 13. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

Sec. 14. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.