

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17TH) CONGRESS
First Regular Session

HOUSE BILL NO. 4992



Introduced by Hon. Tricia Nicole Q. Velasco – Catera

EXPLANATORY NOTE

The purpose of this bill is to rationalize the transport system on a nationwide scale by providing the necessary framework and standards through the adoption of a Sustainable Transport Action Plan.

The plan will ensure an integrated and seamless network of transportation, which minimizes the environmental impact of emissions, prioritizes the safety of road users, improves accessibility for all, enhances affordability of travel, encourages alternative modes of transportation, provides for the special needs of PWDs, promotes the use of renewable and cleaner energy sources, and reduces traffic congestion in general.

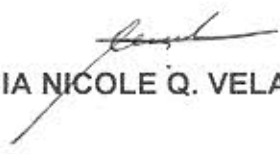
At present, our national transport system is characterized by inefficiencies brought about by lack of planning in the past, outdated standards, poor implementation of existing rules and regulations, and the absence of an all-encompassing national framework that sets a definite direction to follow for the government and its instrumentalities. As a result of these deficiencies, massive traffic jams are a daily fact of life for those living in the cities, especially in Metro Manila. Non-renewable energy sources mainly fuel the economy and, because of this, pollution levels remain unabated. The future of our national transport system remains bleak as of this moment.

The situation will most definitely be further exacerbated by rapid industrialization, modernization, and a fast growing population. Unless something is done on a national scale, the situation will just get worse and worse.

If we desire genuine progress for the nation, we need to address the unsustainable existing transport system that we have. The advantage of an improved transport system is far-reaching, and will include economic and social benefits. Most important of all, however, is that we will be able to uphold our

responsibility to our environment and the health of our people. This can only be achieved through the adoption of a Sustainable Transport Action Plan.

In view of the foregoing, immediate passage of this bill is earnestly sought.



TRICIA NICOLE Q. VELASCO-CATERA

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**AN ACT PROMOTING THE CREATION AND DEVELOPMENT OF A
SUSTAINABLE TRANSPORTATION SYSTEM**

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

SECTION 1. Short Title. –The Act shall be known as the “Sustainable
Transportation Act of 2017.”

SEC. 2. Declaration of Policies. – In conformity with the provisions of the
Constitution to promote the general welfare and social justice in all phases of
national development, to protect and advance the right of the Filipino people to a
balanced and healthful ecology in accord with the rhythm and harmony of nature,
and to conserve and develop the patrimony of the nation, and in consonance with
signed international agreements such as the Aichi Statement of 2005, United
Nations Economic Commission for Europe (UNECE) Agreement, United Nations
Framework Convention on Climate Change (UNFCCC) Agreement of 1992, UNECE
World Forum for Harmonization of Vehicle Regulations (WP 29) and the Bangkok
Declaration for 2020, the State hereby adopts the following policies relative to the
transportation system in our country, whether public or private:

- a) The State shall promote a shift towards a safe, collective, cost-effective,
efficient, non-congestive, non-pollutive, healthful, seamless and
inclusive transportation system that includes non-motorized transport for
the benefit of all citizens, the economy, and society as a whole;
- b) The State shall increase mobility options of the general public and
promote the use of alternative modes of transportation such as walking,
biking and the use of non-motorized transportation, green vehicles, and
public transportation;
- c) The State shall properly plan and establish facilities and infrastructures
that will respond to this paradigm shift in the transportation system;
- d) The State shall espouse social equity and gender perspective in the
formulation of a Sustainable Transport Plan, reinforcing existing rules,
regulations and laws;

- e) The State shall establish its plans and programs in conformity with the overall integrated national land use plan as well as the local comprehensive land use plans; and
- f) The State shall encourage the viable use of alternative and cleaner fuels in view of technological advancements and vehicular modernization.

SEC. 3. Definition of Terms. – For purposes of this Act:

- a) "Bicycle" or "Bike" means a vehicle primarily propelled by human power, consisting of a light frame mounted on two wheels (one behind the other) or three wheels (the front having one wheel and the rear having two wheels that are equidistant from the center of the vehicle, or vice-versa), and having a seat, handlebars for steering, brakes, and pedals.

It shall include an Electrically Power Assisted Cycle (EPAC), the specifications of which shall be determined by the Secretary of the Department of Transportation (DOTr) through the appropriate rules and regulations, taking into account internationally accepted standards and safety considerations.

- b) "Mixed-Use Development" refers to any urban, suburban or village development, or even a single building, that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated, and that provides pedestrian connections.
- c) "Motor vehicle" means a self-propelled vehicle or any vehicle propelled by any power other than muscular power. The term does not include an electric bicycle.
- d) "Public transportation" refers to shared passenger transportation services which are available for use by the general public. These include buses, trams, trains, rapid transit and ferries.
- e) "Alternative Fuel" are non-conventional fuels that are used in place of gasoline or diesel which are derived from sources other than petroleum.
- f) "Road Safety Audit" refers to the systematic checking of the safety aspects of new highway and traffic management schemes, including modifications to existing layouts. The main aim is to design out safety problems from the beginning and to reduce future problems. Safety audits should be included during the design, construction and maintenance phases of road projects.
- g) "Transit-Oriented Development" (TOD) refers to a mixed-use residential and commercial area designed to maximize access to public transport, often incorporating features to encourage transit ridership. A TOD

neighborhood typically has a center with a transit station or stop (train station, metro station, tram stop, or bus stop), surrounded by a relatively high-density development with progressively lower-density developments spreading outward from the center.

- g) "Transportation Demand Management" or "Travel Demand Management" (TDM) refers to the application of strategies and the execution of programs which increase transportation system efficiency by influencing and modifying travel behavior through improved travel information and access to alternative modes of transportation, resulting in the redistribution of commuter travel, as well as the reduction of traffic congestion and travel time.
- h) "Walkways" refer to paved paths for pedestrians alongside streets.
- i) "Sustainable transport" refers to any means of transport with minimal impact on the environment that is accessible, safe, environment-friendly, and affordable. It includes walking and cycling, carpooling, the use of green vehicles, and building or protecting urban transport systems that are fuel-efficient, space-saving and promote healthy lifestyles.

SEC. 4. Sustainable Transport Action Plan. – The DOTr, in coordination with the National Economic Development Authority (NEDA) and other key stakeholders as may be deemed necessary, shall prepare a Sustainable Transport Action Plan which shall provide a roadmap for national and local transportation systems to be adhered to at all levels throughout the country. The Sustainable Transport Action Plan shall include strategies and programs prioritizing the use of public transport and non-motorized transport, the creation of a seamless and inclusive public transportation system, the construction of green transport infrastructure and facilities, as well as the use of TDM, and will set forth the actions required to achieve the mode shift target over a certain period of time as identified by the DOTr and NEDA.

SEC. 5. Integrated Land Use and Transportation Plan. – All Local Government Units (LGUs) shall submit an integrated land use and transportation plan formulated in consonance with the Sustainable Transport Action Plan. The plan shall include measures to address traffic congestion, such as the removal of road and sidewalk obstructions, and urban planning strategies to avoid unnecessary travel, among others. Furthermore, the DOTr shall provide technical assistance to key stakeholders and LGUs to facilitate the completion of these land use and transportation plans.

SEC. 6. Establishment of Emission Control and Standards, Road Safety and Inspection and Maintenance. – The DOTr shall endeavor to achieve a smoke-free, accident-free and effective road safety management system. In line with this, existing motor vehicular standards on smoke emission, fuel economy and roadworthiness shall form part of the Sustainable Transport Action Plan as consistent with the objectives of this Act. The DOTr, in coordination with related agencies, shall strictly implement these smoke emission standards and conduct

stronger road apprehension.

The existing road safety program shall be enhanced and strictly enforced, by adopting a zero-fatality policy, implementing appropriate speed controls and imposing a regular Road Safety Audit (RSA) to influence safety performance on an ongoing basis. The DOTr, along with related agencies, shall prioritize the regular maintenance and inspection of all vehicles while the Department of Public Works and Highways (DPWH) shall identify the roads and highways to be audited, and shall be responsible for the conduct of the RSAs.

SEC. 7. *Use of Alternative Energy and Cleaner Fuels.* - The Department of Energy (DOE) in coordination with DOTr and the Department of Environment and Natural Resources (DENR) shall formulate strategies towards vehicular modernization and use of alternative energy and cleaner fuels, consistent with Republic Act No. 4109, otherwise known as the "Philippine Standardization Law", Republic Act No. 8749, otherwise known as the "Philippine Clean Air Act of 1999", and Republic Act No. 9367, otherwise known as the "Biofuels Act of 2006". The DOTr shall take into consideration the availability and viability of these alternative energy sources and cleaner fuels.

SEC. 8. *Benefits for Vehicles Powered by Alternative Fuel.* - The DOTr, in coordination with the Department of Finance (DOF), Department of Energy, and DENR, shall establish policies and guidelines that will provide incentives for importers, manufacturers, distributors, and users of vehicles that make use of alternative fuels, such as Biodiesel, Compressed Natural Gas, Electric Vehicles, Liquefied Petroleum Gas, or any fuel other than conventional fuels for powering motor vehicles.

SEC. 9. *Non-Motorized Transportation.* - The DOTr shall develop policies and guidelines that shall promote and provide non-motorized transportation to meet the scientifically calculated public transportation demand. Such policies and guidelines shall include design principles for supporting facilities and infrastructure that will espouse a seamless transportation system such as, but not limited to, exclusive pedestrian and bike lanes, safe street crossings and access ramps for persons with disabilities (PWDs) to ensure inclusive non-motorized transportation.

SEC. 10. *Installation of Walkways.* - The LGU concerned shall maintain adequate sidewalk areas on all roads as walkways to allow safe pedestrian passage and for the safe and convenient use of wheelchairs, strollers and similar devices. For primary and secondary roads, there shall be allotted three (3) meters for the sidewalks. If there is no space allocated for such and the implementation will prove impracticable, either an elevated footbridge or underground walkway shall be installed. This shall be provided by the LGU concerned within six (6) months from the effectivity of this Act.

SEC. 11. *Designation of Bike Lanes.* - Portions of roadways or highways shall be designated as "bike lanes" by the LGUs having jurisdiction over such roadways or highways, in coordination with the DPWH, within six (6) months from the effectivity of this Act.

The designated bike lanes shall be for the preferential or exclusive use of bicycles. These bike lanes shall not be obstructed by parked or standing motor vehicles or any other stationary objects. The bike lanes shall be made identifiable by striping with signing or striping with pavement markings.

SEC. 12. *Provision of Bicycle Parking Spaces and Bike Racks.* – Bicycle parking spaces and bike racks are hereby required to be provided by the following:

- a) Establishments for non-residential use with gross floor areas larger than seven thousand five hundred (7,500) square feet;
- b) Multiple-family dwellings when twelve (12) or more are provided on a lot; and
- c) Public parking lots.

The DOTr shall establish guidelines on the minimum supply of bicycle parking spaces in buildings and other facilities, taking into consideration the population of the short-term or long-term dwellers in the area, within six (6) months from the effectivity of this Act.

SEC. 13 *Public Transportation.* – The DOTr shall provide guidelines that will promote a shift towards seamless and inclusive public transportation as a primary mobility option to the general public, especially the poor, including the elderly, PWDs, women, youth and children, within twelve (12) months from the effectivity of this Act. Public transportation initiatives shall be studied and implemented in an effort to reduce the impact of the declining oil economy on the environment and financial markets, to provide high quality but affordable transport services, as well as help reduce energy costs, pollution and even urban poverty. Furthermore, a unified and automated fare collection shall, to the extent possible, be established amongst all the available forms of public transportation.

SEC. 14. *Commissioning of a "Bus Rapid Transit (BRT) System".* – The DOTr shall, within twelve (12) months from the effectivity of this Act, prepare a study regarding the commissioning of a Bus Rapid Transit (BRT) System which shall organize buses into one efficient long-distance transportation system with coordinated schedules, rates, routes, and pick-up and drop-off points. The LGUs and members of the private sector, including but not limited to mall owners and bus companies, may be tapped in order to construct or use existing facilities such as parks, parking lots, and bus depots that will serve as large collective transportation terminals.

SEC. 15. *Establishment of a Water Ferry System.* – To the extent practicable, the national agencies and water regulatory bodies in charge of water bodies, led by the Department of Environment and Natural Resources (DENR), in coordination with the DOTr, shall explore the establishment of a ferry system in navigable bodies of water which may be operated by the said authority or bid out to a private contractor. The possibility of interconnecting said waterways shall also be

considered.

SEC. 16. Rationalization of Issuance of Franchises for PUV's and Travel Demand Management Programs. – The DOTr shall conduct a Land Transportation Rationalization Study which will scientifically determine the actual need for public transportation in the various routes. This study shall objectively determine the actual number of public buses, jeeps, taxis and other public utility vehicles needed by the public in a certain route, road, street, locality or area. After completion, the study will be used as basis for the Land Transportation Franchising & Regulatory Board's (LTFRB) issuance of franchises to public utility vehicles and grants of authority to operate as vehicles-for-hire.

Thereafter, the DOTr, in coordination with the Department of Labor and Employment (DOLE), Department of Education (DepEd), Department of Trade and Industry (DTI), the LTFRB and one (1) representative each from the transport sector, the business sector, civil society, and the youth, shall prepare guidelines on TDM programs that will reduce the volume of cars and the use of motorized transport on the roads, as well as enhance and encourage students and workers to use the public transport system, consistent with the aforementioned Land Transportation Rationalization Study. These programs shall include, but are not limited to, the following:

- a) carpool, vanpool, or car-share projects;
- b) car ownership policies in relation to parking and air pollution;
- c) congestion pricing measures;
- d) programs to promote telecommuting;
- e) flexible work schedules, or satellite work centers;
- f) transport program for government employees; and
- g) intelligent transportation systems or other operational improvements that are ☐certified by the DENR to reduce greenhouse gas emissions.

This shall be completed within twelve (12) months from the effectivity of this Act.

SEC. 17. Facilities. – The DOTr, in coordination with the DPWH and the LGUs concerned, shall carry out an investment program that will encourage a mode shift to sustainable transport within selected communities by providing safe and convenient options to bicycle and walk for routine travel, and for other purposes. Moreover, supporting facilities for non-motorized transportation, intermodal connectivity and public transportation in accordance with the land use and transportation plan shall be developed. Furthermore, all alternative energy and clean fuel providers shall submit a comprehensive plan on the commencement and conclusion of their energy or fuel provision to the DOTr. This shall be completed

within twelve (12) months from the effectivity of this Act.

SEC. 18. *Public Health Program.* - The DOTr, in coordination with the DOH, shall formulate strategies for the reduction of the negative health impact of transportation to road users. These strategies shall include, but not be limited to, the strengthening of public health services, the formulation of the necessary department administrative orders, and the required regular general and audiological checkup for road users and affected communities. The DOTr and DOH shall regularly monitor and evaluate these strategies.

SEC. 19. *Education and Research Programs.* - The DOTr shall conduct studies and research, and eventually supply information to the car-owning and -riding public, as well as commuters, regarding the innovative aspects of sustainable transport. It shall also provide technical assistance and other resources to government agencies and members of the private sector involved in the transport system.

The DOTr shall also conduct public consultations and social impact assessments amongst affected stakeholders as the Sustainable Transport Action Plan is being rolled out. Social safety nets for affected stakeholders shall be carefully studied, formulated and implemented, as needed.

SEC. 20. *Financing.* - The DOTr, in coordination with the key stakeholders deemed necessary, shall explore the possibility of accessing a growing range of global environment funds in order to be able to assist in the funding of sustainable public transport systems. Public-private partnerships shall also be encouraged in the development of transportation improvements. Further, seventy-five percent (75%) of the seven and one half percent (7.5%) allotted in the Special Vehicle Pollution Control Fund provided for under Section 7 of Republic Act No. 8794, otherwise known as "An Act Imposing A Motor Vehicle User's Charge On Owners Of All Types Of Motor Vehicles And For Other Purposes" shall be retained by the DOTr for the implementation of this Act.

SEC. 21. *Implementing Agency.* - The DOTr shall be the main implementing agency for this Act.

SEC. 22. *Separability Clause.* - Should any provision herein be subsequently declared invalid or unconstitutional, the same shall not affect the validity or the legality of the other provisions not so declared.

SEC. 23. *Repealing Clause.* - All laws, presidential decrees, executive orders, rules and regulations, other issuances, and parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed and modified accordingly.

SEC. 24. *Effectivity.* - This Act shall take effect fifteen (15) days after publication in at least (2) newspapers of general circulation.

Approved,