



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Seventeenth Congress

Second Regular Session

House Bill No. 7347

Introduced by **HON. ROMEO M. ACOP**

EXPLANATORY NOTE

Development projects such as malls, housing, schools and commercial establishments, have already been established to have remarkable impacts not only on the environment but on the transportation system and traffic conditions as well. Hence, it is necessary to evaluate the significance of traffic-related impacts before the implementation of a proposed development. The evaluation, through a Traffic Impact Assessment (TIA), allows these future impacts to be planned for and mitigated. It includes the planning of traffic management measures to mitigate possible traffic problems due to such proposed developments.

In the broader context of environmental protection and preservation, Presidential Decree No. 1586 requires the conduct and submission of Environmental Impact Statements and Assessments (EISA) by government agencies and private entities for every proposed project and undertaking which significantly affect the quality of environment. Pursuant to PD 1586, various administrative orders have been issued primarily requiring project proponents and developers to secure an Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources (DENR) prior to any project implementation. However, the law and its implementing rules and regulations nowhere require the conduct and submission of a TIA as part of the EISA for purposes of issuance of the ECC or compliance to other project implementation requirements.

It should be noted that the Implementing Rules and Regulations (IRR) of Presidential Decree No. 957, otherwise known as the 'Condominium Buyer's Protective Decree', provides that every registered owner or developer of a parcel of land who wishes to convert the same into a subdivision project shall apply with the Housing and Land Use Regulatory Board (HLURB) or the Local Government Unit (LGU) concerned for the approval of the subdivision development plan. For purposes of securing a Subdivision Development Permit, submission of a Traffic Impact Assessment is required for subdivision projects 30 hectares and above.

Moreover, LGUs are empowered under the Local Government Code to require, by ordinance, the submission of TIAs by developers for purposes of securing Locational Permits for projects situated within their respective territorial jurisdictions.

Traffic impact assessment deals with the potential impact of building construction and subdivision development projects on traffic conditions, vehicular congestion and overcrowded public transport. However, it is yet to be institutionalized or legislated as a regular government requirement for project development, just like the mandatory requirement for an ECC. This is the primordial intent and purpose of this bill.

For the foregoing reason, the immediate consideration and passage of this bill is earnestly urged.


ATTY. ROMEO M. ACOP, MNSA



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AN ACT
REQUIRING A TRAFFIC IMPACT ASSESSMENT (TIA) AS AN INTEGRAL
PART OF THE ENVIRONMENTAL IMPACT STATEMENT SYSTEM FOR
EVERY PROPOSED PROJECT AND UNDERTAKING, AMENDING FOR
THE PURPOSE PRESIDENTIAL DECREE NO. 1586

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

SECTION 1. Section 1 of Presidential Decree No. 1586 is hereby amended to read as follows :

Section 1. Policy - It is hereby declared the policy of the State to attain and maintain a rational and orderly balance between socio-economic growth and environmental protection[.], **INCLUDING THE MITIGATION OF THE POTENTIAL IMPACT OF ECONOMIC DEVELOPMENT ON TRAFFIC CONDITIONS AND RESULTANT ENVIRONMENTAL POLLUTION DUE TO TRAFFIC CONGESTION.**

SECTION 2. Section 2 of Presidential Decree No. 1586 is likewise amended to read as follows :

Section 2. *Environmental Impact Statement System* - There is hereby established an Environmental Impact Statement System founded and based on the environmental impact statement required, under Section 4 of Presidential Decree No. 1151, of all agencies and instrumentalities of the national government, including government-owned or controlled corporations, as well as private corporations, firms and entities, for every proposed project and undertaking which significantly affect the quality of the environment.

THE ENVIRONMENTAL IMPACT STATEMENT SYSTEM SHALL INCLUDE A TRAFFIC IMPACT ASSESSMENT (TIA) TO EVALUATE THE POTENTIAL IMPACT OF EVERY PROPOSED PROJECT AND UNDERTAKING ON TRAFFIC CONDITIONS, ACCESSIBILITY, ROAD CIRCULATION, PARKING REQUIREMENTS, AND OTHER SIMILAR AND RELATED CONCERNS, THAT COULD HAVE SERIOUS ENVIRONMENTAL IMPACT.

SECTION 3. The Department of Environment and Natural Resources (DENR), in coordination with the Department of Transportation (DOTr), shall, within ninety (90) days from the effectivity of this Act, promulgate the rules and regulations necessary for the implementation of this Act.

SECTION 4. *Repealing Clause.* - All laws, decrees, executive issuances, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 5. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.