

Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 7941



INTRODUCED BY REPRESENTATIVE ALFRED VARGAS

AN ACT
RECOGNIZING NATIONAL SCENIC BYWAYS IN THE PHILIPPINES,
CREATING A NATIONAL SCENIC BYWAYS PROGRAM,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

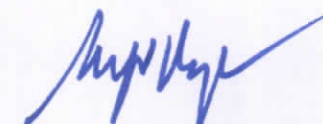
Blessed with natural resources, the Philippines does not only have tourist spots but also scenic roads almost as good or possibly even better than the destination itself. Several roads in the country such as those in Benguet, Mountain Province, Sagada, Bontoc, Zambales, Vigan, Albay, and Currimao, offer spectacular panoramas of lush mountains, Spanish colonial towns, rice terraces, waterfalls, turquoise seawaters, and other breathtaking views.¹

The protection and utilization of such natural resources are among the primary duties of the State. Under Section 2, Article XII of the 1987 Constitution, all natural resources are owned by the State and exploration, development, and utilization of such resources shall be under its control and supervision. Section 17 of Article II expressly provides for the State policy to advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

In recognition of this mandate, this bill seeks the establishment of the National Scenic Byways Program intended for the preservation and protection of the scenic roads in the country alongside the promotion of tourism and economic development in these areas. Through this program, a designated route becomes eligible for infrastructural improvements such as centers, overlooks, and rest areas as well as marketing promotions for tourism. The program also engages with the surrounding communities in the area for the preservation and improvement strategies which best suit the scenic byways. In return, communities may benefit through the conservation of the natural resources in their localities and employment and/or entrepreneurial opportunities.

¹ Charles E. Buban, "32 road trips you have to experience in your lifetime," *Inquirer.net*, November 29, 2017, <http://motioncars.inquirer.net/52829/32-road-trips-experience-lifetime>

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



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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 “National Scenic Byways Program of 2018”.

Section 2. Definition of Terms. – For the purposes of this Act, the words and phrases shall be defined as follows:

- (a) “Byway” refers to a minor or secondary road or a road other than the main road;
- (b) “National Scenic Byway” refers to a road that is recognized for its archaeological, cultural, historic, recreational, and/or scenic qualities;
- (c) “Corridor” refers to the physical and visual relationship of the roadway to its surroundings which is often categorized as a rural corridor or urban corridor;
- (d) “Corridor management plan” refers to a written plan developed by the community/communities along a scenic byway which outlines the mechanisms for the protection and enhancement of the byways’ intrinsic qualities and character that define the byway corridor;
- (e) “Grants” refer to non-repayable, non-bearing assistance or aid, given either through monetary or in kind, to encourage development or growth in an area.

Section 3. Designation of Roads. – The Secretary of the Department of Tourism (DOT) shall carry out a National Scenic Byways Program that recognizes roads having outstanding scenic, historic, natural, recreational, and archaeological qualities by designating such roads as “National Scenic Byways”.

- (a) **Criteria** – The DOT Secretary shall designate roads to be recognized under the National Scenic Byways Program in accordance with the criteria developed by the department.
- (b) **Nomination** – To be considered for a designation, a road must be nominated by a national government agency, local government unit (LGU), or a civic organization situated in the locality of the road to be nominated.
- (c) **Reciprocal Nomination** – National government agencies, LGUs, and civic organization shall notify each other regarding nominations made under this subsection for roads that:
 - (i) are within the jurisdictional boundary of the national government agencies, LGUs, and civic organizations; or
 - (ii) directly connect to roads for which the national government agencies, LGUs, and civic organizations are responsible.

Section 4. *Grants and Technical Assistance.* –

- (a) **In general** – The DOT Secretary shall make grants and provide technical assistance to national government agencies, LGUs, and civic organizations to:
 - (i) implement projects on highways designated as National Scenic Byways; and
 - (ii) plan, design, and develop a national government agency, LGU, and civic organization National Scenic Byway Program.
- (b) **Priorities** – In making grants, the DOT Secretary shall give priority to:
 - (i) Each eligible project that is associated with a highway that has been designated as a National Scenic Byway and that is consistent with the corridor management plan for the byway;
 - (ii) Each eligible project along a national government agency, LGU, and civic organization National Scenic Byway that is consistent with the corridor management plan for the byway, or is intended to foster the development of such a plan and is carried out to make the byway eligible for designation as a National Scenic Byway; and
 - (iii) Each eligible project that is associated with the development of a national government agency, LGU, and civic organization National Scenic Byways Program.

Section 5. *Establishment of the Philippines' Byways Resource Center.* – An entity to be called the "Philippine Byways Resource Center" (PBRC) is hereby established, with the following functions:

- (a) **Technical Support and Education** – The Center shall use funds allocated to the Center to continue to provide technical support and conduct educational activities for the National Scenic Byways Program.
- (b) **Eligible Activities** – Technical support and education activities carried out under this sub-section shall provide local officials and organizations associated with the National Scenic Byways Program with proactive, technical, and on-site customized assistance, including training, communications (including a public awareness series), publications, conferences, on-site meetings, and other assistance considered appropriate to develop and sustain such byways and roads.

The Secretary of the Department of Tourism (DOT) is hereby authorized to allocate funds from the appropriations of the Department to support the functions and activities of the PBRC.

Section 6. Eligible Projects. – The following projects are eligible for government assistance:

- (a) Any activity related to the planning, design, or development of a national government agency, LGU, and civic organization National Scenic Byways Program;
- (b) Development and implementation of a corridor management plan to maintain scenic, historical, recreational, cultural, natural, and archaeological characteristics of a byway corridor while providing for accommodation of increased tourism and development of related amenities;
- (c) Safety improvements to a national government scenic byway, LGU scenic byway, civic organization byway, or National Scenic Byway, to the extent that the improvements are necessary to accommodate increased traffic and changes in the types of vehicles using the highway as a result of the designation as a Government Scenic Byway;
- (d) Construction along a scenic byway of a facility for pedestrians and bicyclists, rest area, turnout, highway shoulder improvement, overlook, or interpretative facility;
- (e) An improvement to a scenic byway that will enhance access to an area for the purpose of recreation, including water-related recreation;
- (f) Protection of scenic, historical, recreational, cultural, natural, and archaeological resources in an area adjacent to a scenic byway;
- (g) Development and provision of tourist information to the public, including interpretative information about a scenic byway;
- (h) Development and implementation of a scenic byway marketing program.

Section 7. *Limitation of Grants.* – The DOT Secretary shall not make a grant under this section for any project that would not protect the scenic, historical, recreational, cultural, natural, and archaeological integrity of a highway and adjacent areas.

Section 8. *Savings Clause.* – The DOT Secretary shall not withhold any grant or impose any requirement on a national government agency, LGU, or civic organization as a condition of providing a grant or technical assistance unless the requirement is consistent with the authority provided in this Act.

Section 9. *Implementing Rules and Regulations.* – The Department of Tourism, in consultation with all concerned stakeholders, shall, within ninety (90) days of its effectivity, formulate the rules and regulations for its effective implementation.

Section 10. *Appropriations.* – The amount of one hundred million (P100,000,000) for the establishment, initial operation, and maintenance of the Philippine Byways Resource Center and the implementation of the National Scenic Byway Program shall be sourced from the appropriations for the Department of Tourism. Subsequent subsidy for the years thereafter shall be included in the General Appropriations Act.

Section 11. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation, contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 12. *Separability Clause.* – If any provision or part of this Act is held unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

Section 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,