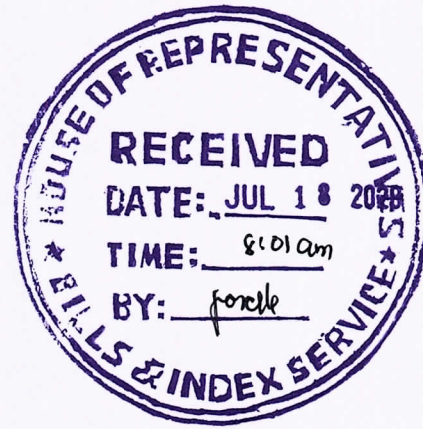


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7116



INTRODUCED BY
REP. ALFRED VARGAS

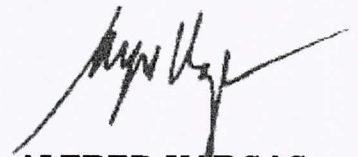
AN ACT
RECOGNIZING A NATIONAL SCENIC BYWAYS IN THE PHILIPPINES,
CREATING A SCENIC BYWAYS PROGRAM, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES

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.

The protection and utilization of such natural resources are among the primary duties of the State. Under Article XII of the 1987 Constitution, all natural resources are owned by the State. Hence, exploration, development, and utilization of such resources shall be under its control and supervision.

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 infrastructure improvements such as centers, overlooks and rest areas as well as marketing promotion sites for tourism.


ALFRED VARGAS

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

SECTION 1. Short Title. – The Act shall be known as the “National Scenic Byways Program.”

SECTION 2. Definition of Terms. - For purposes of this Act, the following terms 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 byway’s intrinsic qualities and characters 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 the area.

SECTION 3. *Designation of Roads.* – The Secretary of the Department of Tourism (DOT) shall carry out a National Scenic Byways Program:

- (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 its jurisdictional boundary; or
 - ii. directly connected to roads which the national government agencies, LGUs and civic organization 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 a 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 or civic organization 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 or civic organization scenic byway program.

SECTION 5. *Establishment of Philippine's Byways Resource Center.* –

- (a) In general – the DOT Secretary shall allocate funds made available to carry out the establishment of the Philippines' Byways Resource Center (PBRC). The DOT shall oversee and manage the resources of the center.
- (b) Technical Support and Education. –
 - i. Use of Funds. – The Center shall use funds allocated to the Center under this section to continue to provide technical support and conduct educational activities for the national scenic byways

- program.
- ii. Eligible Activities. – Technical support and educational activities carried out under this sub-section shall provide local officials and organizations associated with the National Scenic Byways, with proactive, technical, and on-site customized assistance, including training, communication (including a public awareness series), publications, conferences, on-site meetings, and other assistance considered appropriate to develop and sustain such byways and roads.

SECTION 6. Eligible Projects. – The following are projects that are eligible for Government assistance under this section:

- (a) An activity related to the planning, design, or development of a National Government agency, LGU or civic organization scenic byway program;
- (b) Development and implementation of a corridor management plan to maintain the 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 or National Scenic Byway, to the extent that the improvements are necessary to accommodate increased traffic and designation as a Government scenic byway, civic organization scenic byway or National Scenic Byway;
- (d) Construction along a scenic byway of a facility for pedestrians and bicyclists, rest area, turnout, highway shoulder improvement, overlook, or interpretive 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 interpretive information about a scenic byway; and
- (h) Development and implementation of a scenic byway marketing program.

SECTION 7. Limitation of Grants. – the DOT Secretary shall not make a grant for any project that would not protect the scenic, historical, recreational, cultural, natural and archaeological integrity of a highway or 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 Secretary of the Department of Tourism, in consultation with all concerned stakeholders, shall, within ninety (90) days from the effectivity of this Act, promulgate rules and regulations to necessary implement the provisions of this law.

SECTION 10. *Appropriations.* – the amount of one hundred million pesos (P100,000,000.00) for the establishment, initial operation, and maintenance of the Philippine Byways Resource Center and the implementation of its 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.* – All laws, decrees, orders, rules and regulations, or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 12. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 13. *Effectivity.* – This Act shall take effect after fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,