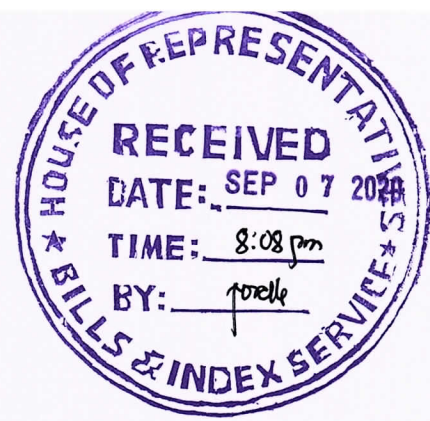


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7601



Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

Mobility allows people to participate in a society. It is vital to people's access to basic utilities and needs. People need it to access education, culture, employment opportunities and leisure. Mobility is essential for human growth and economic movement.

At present, the country's urban centers are characterized by dreadful traffic conditions, a deteriorating public transport system and inadequate road networks. These are brought upon by decades of inequality, poor urban planning, and rapid growth of population in the metro.

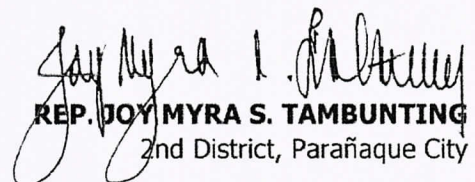
To make things worse, the riding public who comprise 70% of the total trips in Metro Manila are only given 20% road space. The remaining 80% of the road space is being taken up by private transport. The disproportionate allocation of road space reveal that current policies on transport and mobility prioritizes private vehicle owners over the commuting public.

Filipino commuters, on a daily basis, suffer from the ever-worsening mobility crisis in the metro. Commuters are forced to endure hours of commute for relatively short distances as there are not much available options for people to go from one place to another.

It is the responsibility of the State to develop and establish mobility infrastructures and transportation services aimed at promoting the welfare of the commuters and improving their mobility. This Representation files this measure in recognition of the right of the commuters to travel safely, conveniently, and reliably.

This measure aims to redirect the State's focus on giving priority to active and public transport in road space allocation, and developing infrastructures that maximize the use and benefits of the scarce public space. This also enumerates the specific rights of the commuting public, ranging from the right safe and accessible infrastructure to the right to participation and representation in the decision-making process for policies relating to transport and mobility.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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HOUSE BILL NO. 7601

Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
PROVIDING FOR A MAGNA CARTA OF COMMUTERS

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 "Magna Carta of Commuters."

SEC. 2. Declaration of Policy. – The State hereby recognizes mobility as a basic human need. Without mobility, citizens are unable to access basic services such as healthcare and education, or enjoy fundamental freedoms. Thus, the State shall ensure that mobility is enjoyed by people of all ages, abilities, gender, and economic status, and not only by those who are physically fit, with private motor vehicles, or with financial means.

The State further recognizes the right of the commuters to travel safely, conveniently, and reliably. To this end, the State shall develop and establish mobility infrastructures and transportation services aimed at promoting the welfare of the commuters and improving their mobility. The welfare of the commuter shall also be the paramount objective in all decisions related to the provision of mobility infrastructure and transportation services.

The State further guarantees the rights of all citizens, including the commuter sector, to participate in the policy formulation, planning, implementation, management, monitoring, evaluation, and decision-making processes of all institutions, programs, projects, and services affecting the rights, welfare, and privileges of the commuters.

To attain the foregoing policy, the State shall provide the necessary mechanisms, human and financial resources, and legal measures to enable its citizens to enjoy fully the rights embodied in this Act.

SEC. 3. Definitions. – For purposes of this Act, the following terms shall mean:

- a) Active Transport refers to non-motorized means of travel, including walking or using a bicycle;

- b) Activity Center refers to a place in a city or municipality where people gather regularly for work, worship, education, social events, trade, exercise, leisure or other common interests and purposes;
- c) Advance Notice refers to the provision of early information regarding any consultations with stakeholders, for which the period from the announcement or delivery of the invitation to the consultation event will be a minimum of 10 working days;
- d) Commuter refers to a person who needs to travel from one place to another, often using a combination of transportation modes to get to his/her destination;
- e) Greenway refers to a road, street, or path with ample greenery and shade where private motorized transport is not allowed, that also serves as recreational space or a public park, in order to welcome and encourage environmentally sustainable transportation modes, especially walking and cycling;
- f) High-Volume Transport Corridor refers to walkways, paths, roads, bridges, streets or mass transportation terminals where the flow of people is at least 2,000 persons per hour per direction during peak travel periods;
- g) Micromobility refers to travel using electronic or non-motorized vehicles weighing not more than 100 kilograms;
- h) Mobility refers to the ability of a person to travel from one place to another to conduct daily and extraordinary activities and business;
- i) Mobility Infrastructure refers to physical facilities, such as foot paths, bicycle lanes, roads, PUV loading/unloading bays, PUV terminals, and public transport systems, that support and enhance a person's mobility.
- j) Private Motorized Transport refers to motorized vehicles weighing more than 100 kilograms;
- k) Public Transport refers to public sector and franchised private sector services that transport people over land or water, including jeepneys, UVs, buses, minibuses, railways, ferries, taxis and tricycles; and
- l) Urbanized Municipality refers to a municipality in the Philippines where the aggregate area in the municipality zoned as residential, commercial or industrial exceeds 40% of the total land area of the municipality.

SEC. 5. Right to Safe, Convenient, and Affordable Public Transport Services. – The State shall ensure that Public Transport services are safe, dignified, convenient, comfortable, easily accessible, and reliable, while remaining affordable to the general public.

Concessional or discounted fares shall be offered for disadvantaged or special groups, such as students, senior citizens, and persons with disabilities, in accordance with law. The State shall endeavor to provide subsidies or incentives to compensate for discounts offered to special or disadvantaged groups other than the incentives provided under existing laws.

The State shall also reward the use of Public Transport via financial and non-financial incentives to promote the frequent use of Public Transport. The State shall ensure that it is more economical for commuters to use Public Transport more frequently rather than less frequently.

During periods when transportation services are deficient, the State shall employ alternative approaches to enable additional mobility options for its citizens, including the use of public resources to fill temporary gaps in services, such as government-owned vehicles or through government charter or lease of private vehicles.

The State shall promote and ensure safe and efficient driving behavior by Public Transport drivers through mandatory trainings and more stringent licensing. To eliminate dangerous on-street competition and behavior among Public Transport drivers, any law, rules, regulations, policies, and practices which provide incentive for drivers related to ridership or fare revenue are hereby repealed and prohibited. Any such agreement between the management of Public Transport companies and Public Transport drivers shall be void for being contrary to law and public policy.

Streets shall also be designed in accordance with international best practices in road safety design to reduce the occurrence of dangerous driving behavior.

SEC. 6. Right to Infrastructure for Pedestrians, Cyclists, and Persons with Disabilities.

– The State shall ensure that roads are accessible to persons with impaired mobility, among others, and that adequate and appropriate bicycle lanes are available. For this purpose, the State shall:

- a) Accord priority to the development of adequate sidewalks and networks of bicycle lanes that encourage Active Transport and provide safe and direct access to priority destinations, such as housing, education, business centers, markets and grocery stores, and Public Transport nodes;
- b) Ensure that all Public Transport stops are accessible to persons with disabilities and impaired movement, including senior citizens;
- c) Prioritize ease of access by pedestrians, especially at Public Transport stops and government facilities, over mobility of private motorized transport;
- d) Ensure that safe and adequate walking and cycling infrastructure is incorporated in the design and implementation of road transport projects at national and local government levels;
- e) Ensure that the comprehensive land use plan of every city includes the development of a city-wide network of safe sidewalks, bicycle lanes, and road lanes to enable travel around the city entirely by foot, bicycle, or by other forms of light mobility;
- f) Ensure that travel by walking or cycling is no less direct to destinations than travel by private motorized transport. No commuter shall be made to travel above or below street level to cross any street or intersection if it is possible to implement an at-grade crossing. No commuter, when traveling by walking or cycling, shall be made to diverge from his or her route of travel if a commuter traveling by private motorized vehicle would have enjoyed a more direct trip.

In Philippine cities and urbanized municipalities, the State shall ensure that the infrastructure of each barangay includes:

- a) safe foot paths or sidewalks, free of obstructions, well-protected from automobiles, compliant with universal design guidelines, and accessible by pregnant women, elderly, and persons with strollers or wheelchairs;
- b) networks of greenways to encourage active transport modes (walking and cycling);
- c) proper lighting on all roads and footpaths to allow safe travel even after dark;
- d) tactile paving on sidewalks of high-volume transport corridors for the benefit of pedestrians who are blind;
- e) bicycle racks in every transportation hub or terminal and in every commercial, community and activity center. Such racks shall be provided at street level if possible, and at most one level above or below the street; and

- f) Safe intersections and pedestrian crossings such as provision of raised pedestrian platforms, highly visible advance warning signages, adequate street lighting, mid crossing refuges, traffic calming for motorized vehicles and curb outstands to reduce road pavement crossing width.

In addition, the State shall promote light mobility by requiring that buildings have adequate bicycle racks that can accommodate 10% of the anticipated users of such building.

SEC. 7. Right to a Fair Share of Public Road Space. – The State shall ensure that public road space is used in a manner that delivers the greatest socio-economic benefit. The State shall also ensure and prioritize the safety of road users. For this purpose, it shall ensure that the design, engineering, and operation of road infrastructure are appropriate to achieve the goal of road safety and access for non-motorized and vulnerable users.

Because roads are a scarce public asset, the State shall ensure that road space is prioritized for modes of travel (e.g., public transport, walking, cycling, etc.) that move more people and maximize the productivity and social benefit of the public asset. The planning and design of roads must prioritize the needs of pedestrians, micromobility users, and Public Transport users. Public Transport shall also have priority use of road space over private motor vehicles.

The State shall ensure that there is no private appropriation of public road space and foot paths for parking, commerce, or other activities that will restrict public use of, or access to, the road.

SEC. 8. Right to Breathe Clean Air during Travel. – The State shall take measures to ensure that commuters are able to travel using Public Transport or active transport (e.g., walking or cycling) without compromising their health.

The State shall ensure that all Public Transport vehicles comply with the emission standards set by the Department of Environment and Natural Resources (DENR), Department of Trade and Industry (DTI), and/or the Land Transportation Franchising and Regulatory Board (LTFRB).

The State shall also formulate and implement programs and policies aimed at encouraging citizens to commute using cycling or other lighter vehicles, thus reducing vehicle-related pollution emissions. The State shall also provide facilities and programs which support and incentivize the use of cleaner alternative fuels.

The State shall measure air quality along major transport corridors in all cities and provide this information to the public in real time. When air quality exceeds safe levels according to internationally-accepted standards, particularly from the World Health Organization, the State shall activate emergency procedures with a view to reducing the exposure of the public, especially the young and the elderly, to unclean air.

SEC. 9. Right to Information for Efficient and Convenient Travel. – The State shall provide timely and adequate information so that commuters are able to make good travel plans and choices about modes and routes. For this purpose, the State shall:

- a) Make publicly available information on all Public Transport services, including route maps, fares, schedules, and real time vehicle location and availability, including traffic situation, for the convenience of commuters;

- b) Ensure that such information is prominently displayed at all stops of public transport services and at other locations deemed necessary or beneficial to commuters;
- c) Establish technical standards and regulations for the display of street maps at strategic locations in each neighborhood, for the reference of residents and visitors; and
- d) Ensure that, at all ports, airports, and terminals, a 24-hour information/assistance counter will be available to serve the needs of travelers.

SEC. 10. Right to Special Attention during Service Breakdowns and to Compensation for Deficiencies in Service. – In the event of a breakdown in a Public Transport service, passengers shall be entitled to receive promptly and without delay, from the transport operator, a full refund of the fare and assistance in securing onward journeys.

Stranded passengers shall be informed in a timely manner about how they will be redirected to their final destination. If onward journeys are unavailable or unreasonably delayed, the transport operator shall provide its passengers with access to food, water, and waiting area with clean restrooms and ventilation.

SEC. 11. Right to Representation and Participation. – The State shall ensure that the welfare and interest of commuters are considered in all decision-making related to mobility and transportation services. Commuters shall be adequately consulted on all matters affecting the welfare and mobility of commuters.

SEC. 12. Annual Public Transportation Services and Infrastructure Plans and Programs. – The Department of Transportation, in coordination with local government units and other concerned stakeholders shall prepare, annually, a national public transportation services and infrastructure plan and program to satisfy the evolving mobility requirements in the country, especially in urban areas.

Local government units shall also prepare their own local public transportation services and infrastructure plan to ensure the mobility of their citizens within the context of their situation, needs and stages of development.

Metropolitan authorities and local government units shall also be responsible of measuring, analyzing, and updating the mobility requirements in each locality and to develop plans and programs to address the mobility requirements of their citizens.

SEC. 13. Vision Zero in Road Safety. – The State shall adopt the Vision Zero in road safety, which aims to achieve a highway system with no fatalities or serious injuries involving road traffic. For this purpose, the State shall implement a comprehensive road safety program and allocate funding to implement activities under the five pillars of the Philippine Road Safety Action Plan, namely Road Safety Management, Safer Roads, Safer Vehicles, Safer Road Users, and Post-Crash Response.

SEC. 14. Establishment of the National Transportation Safety Board. – The State shall establish a National Transportation Safety Board (NTSB) which shall collect and process the mobility data for evidence-based transport planning in light of the evolving mobility requirements in the country. The NTSB shall ensure that data in aid of policy and research on mobility are open and are available to the public. These data shall include reliable and accurate road crash data, air pollution levels, and Public Transport routes and travel time information, among others.

SEC. 15. Implementing Agencies. – The Department of Transportation (DOTr), Department of Public Works and Highways (DPWH), Department of Interior and Local Government (DILG), Department of Environment and Natural Resources (DENR), Department of Trade and Industry (DTI), Metropolitan Manila Development Authority (MMDA) and other metropolitan councils, shall be the implementing agencies for this Act, with DOTr as the lead implementing agency with responsibility for coordinating and monitoring all implementation activities.

The foregoing agencies shall include in their respective budget's funds for the effective implementation of this Act.

Within two (2) years from the effectivity of this Act, all concerned government agencies, including local government units, shall ensure that relevant technical standards, guidelines, and manuals are amended to incorporate the requirements of this Act.

SEC. 16. Implementing Rules and Regulations. – Within one hundred and eighty (180) days from the effectivity of this Act, the DOTr and the other implementing agencies, upon consultation with relevant on-government organizations, civil society organizations, and academic institutions that champion the welfare of commuters and other stakeholders, shall promulgate the implementing rules and regulations for the effective implementation of this Act.

SEC. 17. Penal Provisions. – Any person in violation of any of the provisions of this Act shall be fined not less than Ten Thousand Pesos (Php10,000) but not more than Five Hundred Thousand Pesos (Php500,000).

If the offender is a public official, he/she shall also suffer the penalty of perpetual disqualification from holding public office, and be dismissed from government service, after due process.

SEC. 18. Separability Clause. – Any portion or provisions of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SEC. 19. Repealing Clause. – All laws, presidential decrees, executive orders, memoranda, circulars and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 20. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,