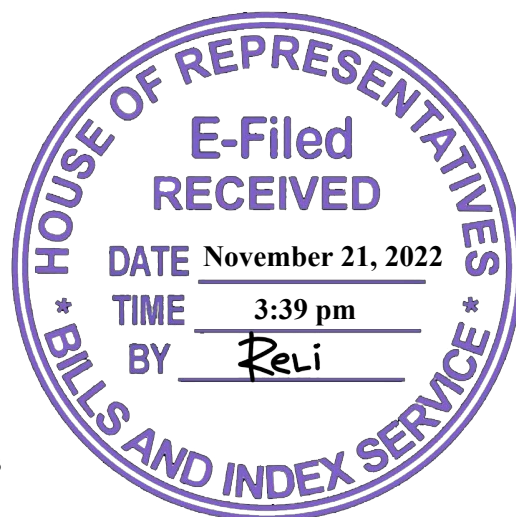




**Republic of the Philippines
House of Representatives
Quezon City, Metro Manila**

**Nineteenth Congress
First Regular Session**

HOUSE BILL NO. 6244



Introduced by Representative Rudys Caesar G. Fariñas I

EXPLANATORY NOTE

Every Filipino citizen is guaranteed the freedom of speech, freedom of religion, right to information, and liberty of abode, among others, as enshrined in the Bill of Rights or Article III of the 1987 Constitution. However, equality is different from equity- equality is where everyone receives the same treatment regardless of social status. Still, equity is uplifting those who are most in need to enable them to enjoy the necessities of life. One might think equality is what everyone deserves when equity and justice matter more. As a great Filipino once said, "those who have less in life should have more in law."

Persons with disability (PWDs) need special care and attention from the government. Life with a disability is understandably challenging. Traveling from one place to another would take extra effort, especially for those who commute. Their difficulties mount with the dire lack of accessibility facilities in our streets and buildings. We see footbridges with only stairs to climb, pedestrian lanes not attended to by anybody who could assist them in crossing the road, and sidewalks without access ramps and railings. While the government has constructed numerous footbridges, underpasses, waiting sheds, sidewalks, and transportation terminals, many of these infrastructures lack accessibility features for PWDs.

Republic Act No. 7277, otherwise known as the Magna Carta For Disabled Persons And For Other Purposes, mandates the provision of accessible facilities and features in public infrastructure but may have failed in not explicitly providing for accessibility facilities in, among others, footbridges, underpasses, pedestrian crossings, waiting-sheds, sidewalks, shopping malls, and land, sea, and air transportation terminals, structures, and facilities.

Through this bill, we hope to help enhance the mobility of our PWDs and alleviate their difficulties as they strive to become more productive members of our society.

Therefore, this representation seeks the urgent passage of this measure.



RUDY CAESAR G. FARIÑAS I



**Republic of the Philippines
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HOUSE BILL NO. 6244

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**AN ACT
TO FURTHER PROMOTE THE MOBILITY OF PERSONS WITH
DISABILITY BY MANDATING CERTAIN ACCESSIBILITY
FACILITIES AND SERVICES, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE
"MAGNA CARTA FOR DISABLED PERSONS," AS AMENDED,
AND FOR OTHER PURPOSES**

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

1 **SECTION 1.** Section 25, Chapter VI, of Republic Act (RA) No. 7277 is
2 hereby amended to read as follows:

3
4 "Sec. 25. Barrier-Free Environment. - The State shall ensure the
5 attainment of a barrier-free environment that will enable disabled persons
6 to have access in public and private buildings and establishments and
7 such other places mentioned in Batas Pambansa Bilang 344, otherwise
8 known as the "Accessibility Law".

9
10 The national and local governments shall allocate funds for the provision
11 of architectural facilities or structural features for disabled persons in

1 government buildings and facilities. SUCH ARCHITECTURAL FACILITIES
2 AND STRUCTURAL FEATURES INCLUDE THE FOLLOWING:

3 A. FOOTBRIDGES AND UNDERPASSES

4 WITH WHEELCHAIR RAMPS THAT ARE ELEVATED AT A REASONABLE
5 ANGLE, RAILINGS, AND ACCESSIBLE ELEVATORS.

6 B. WAITING SHEDS WITH RAMPS, RAILINGS, AND SUCH OTHER
7 IMPROVEMENTS OR FACILITIES NECESSARY TO MAKE THEM
8 ACCESSIBLE TO PERSONS WITH DISABILITY; AND

9 C. COVERED WALKS OR WALKWAYS LEADING TO THE NEAREST
10 PUBLIC TRANSPORT STOP OR TERMINAL, IF SUCH STOP OR TERMINAL
11 IS NOT MORE THAN ONE HUNDRED (100) METERS AWAY FROM ANY
12 GOVERNMENT BUILDING. IN ADDITION, LAND, AIR, AND SEA
13 TRANSPORTATION TERMINALS SHALL PROVIDE FACILITIES
14 DEDICATED TO PWDS EQUIPPED WITH ACCESSIBILITY FEATURES,
15 INCLUDING TOILETS, TICKETING COUNTERS, WAITING LOUNGES, AND
16 PARKING AND DROP-OFF SPACES, WITH VISIBLE SIGNAGES
17 INDICATING THAT THESE FACILITIES ARE FOR PWDS. OPERATORS OF
18 SHOPPING MALLS SHALL ENSURE THAT PWDS SHALL BE PRIORITIZED
19 IN THE USE OF ELEVATORS AND ESCALATORS, AND THAT THERE ARE
20 RAMPS GOING TO AND FROM PARKING LOTS."

21
22 **SEC. 2.** Section 40 of RA 7277 is hereby amended to read as follows:
23

24 "Sec. 40. Role of National Agencies and Local Government Units. -
25 Local government units shall promote the establishment of organizations
26 for disabled persons in their respective territorial jurisdictions. National
27 agencies and local government units may enter into joint ventures with
28 organizations or associations of disabled persons to explore livelihood

1 opportunities and other undertakings that shall enhance the health,
2 physical fitness, and economic and social well-being of disabled persons.
3 THE DPWH AND DOTR, IN COORDINATION WITH THE LGUS, SHALL
4 CONDUCT OCULAR INSPECTION AND MONITORING OF GOVERNMENT
5 BUILDINGS AND FACILITIES TO ENSURE COMPLIANCE WITH THIS ACT.
6 THESE AGENCIES SHALL BE RESPONSIBLE FOR ENSURING THE
7 AVAILABILITY, ACCESSIBILITY, AND MAINTENANCE OF THE FACILITIES
8 REQUIRED IN THIS ACT."

9
10 **SEC. 3.** Section 46 of RA 7277 is amended to read as follows:

11
12 "Sec. 46. Penal Clause. –

13 (a) Any person who violates any provision of this Act shall suffer the
14 following penalties:

15 (1) For the first violation, a fine of not less than Fifty thousand pesos
16 (P50,000.00) but not exceeding One hundred thousand pesos (P
17 100,000.00) or imprisonment of not less than six months but not more
18 than two years, or both at the discretion of the court; and

19 (2) For any subsequent violation, a fine of not less than One hundred
20 thousand pesos (P100,000.00) but not exceeding Two hundred thousand
21 pesos (P200,000.00) or imprisonment for not less than two years but not
22 more than six years, or both at the discretion of the court.

23 (b) Any person who abuses the privileges granted herein shall be punished
24 with imprisonment of not less than six months or a fine of not less than
25 Five thousand pesos (P5,000.00), but not more than Fifty thousand pesos
26 (P50,000.00), or both, at the discretion of the court.

27 (c) If the violator is a corporation organization or any similar entity, the
28 officials thereof directly involved shall be liable therefore.

1 (d) If the violator is an alien or a foreigner, he shall be deported immediately
2 after service of sentence without further deportation proceedings. Upon
3 filing of an appropriate complaint, and after notice and hearing the proper
4 authorities may also cause the cancellation or revocation of the business
5 permit, permit to operate, franchise and other similar privileges granted to
6 any business entity that fails to abide by the provisions of this Act.

7 MAYORS OF CITIES AND MUNICIPALITIES WHO ARE REMISS IN THE
8 IMPLEMENTATION OF THIS ACT SHALL BE ADMINISTRATIVELY
9 SANCTIONED IN ACCORDANCE WITH RA 7160 AND OTHER EXISTING
10 LAWS, RULES, AND REGULATIONS, AND ORDINANCES."

11
12 **SEC. 4.** A new Section 46-A is hereby added and inserted after Section 46
13 of RA 7277, to read as follows:

14
15 "SEC. 46A. CITIZEN'S SUIT FOR THE PURPOSES OF ENFORCING THE
16 PROVISIONS OF CHAPTER VI (ACCESSIBILITY), ANY CITIZEN MAY FILE
17 AN APPROPRIATE CIVIL OR ADMINISTRATIVE ACTION IN THE PROPER
18 COURTS OR ADMINISTRATIVE BODIES AGAINST:

19 a) THE DEPARTMENT IN CHARGE WITH RESPECT TO ORDERS, RULES,
20 AND REGULATIONS ISSUED INCONSISTENT WITH THIS ACT; AND

21 b) ANY PUBLIC OFFICER WHO WILFULLY OR GROSSLY NEGLECTS
22 THE PERFORMANCE OF HIS DUTY OR ABUSES AUTHORITY IN THE
23 PERFORMANCE OF DUTY OR, IN ANY MANNER IMPROPERLY
24 PERFORMS THE DUTIES UNDER THIS ACT OR ITS IMPLEMENTING
25 RULES AND REGULATIONS; PROVIDED, THAT NO SUIT CAN BE FILED
26 UNTIL AFTER A NOTICE OF THE INFRACTION HAS BEEN GIVEN TO THE
27 PUBLIC OFFICER AND NO APPROPRIATE ACTION HAS BEEN TAKEN

1 THEREON WITHIN THIRTY (30) DAYS FROM RECEIPT OF SUCH
2 NOTICE."

3 **SEC. 5.** Implementing Rules and Regulations. -The Secretaries of
4 Department of Public Works and Highways (DPWH) and Department of
5 Transportation (DOTr), shall promulgate the necessary rules and
6 regulations to implement the provisions of this Act.

7
8 **SEC. 6.** Appropriations. - The amount necessary for the effective
9 implementation of this Act shall be charged to the budget of DPWH and
10 DOTr under the annual General Appropriations Act.

11
12 **SEC. 7.** Separability Clause. - If any portion of this Act is declared
13 unconstitutional, the same shall not affect the validity and effectivity of
14 the other provisions not affected thereby.

15
16 **SEC. 8.** Repealing Clause. - All laws, executive orders,
17 administrative orders, and rules and regulations inconsistent with this
18 Chapter are hereby repealed or amended accordingly.

19
20 **SEC. 9.** Effectivity Clause. - This Act shall take effect fifteen (15) days after
21 its complete publication in the Official Gazette or in two (2) newspapers of
22 general circulation.

23
24 *Approved,*