

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS

First Regular Session

HOUSE BILL NO. 4295



Introduced by the **Honorable ANIELA BIANCA D. TOLENTINO**

EXPLANATORY NOTE

Section 25, Article II of the 1987 Constitution mandates the State to "*ensure the autonomy of local governments.*" The present traffic situation in the country calls for a review of the functions and capabilities of local government units (LGUs) in addressing road congestion and creating balanced transport systems.

This representation believes that LGUs must have ample authority to address the transportation issues in their jurisdictions. It should be reiterated that LGUs not only possess a mastery of their own mobility demands but also institutional memory of local policies addressing local transport problems as well as local transport needs within their jurisdiction. The proposed herein seeks to strengthen the authority of LGUs to properly address public transportation concerns.

The bill herein targets to expand the powers of LGUs over transportation systems through loans, grants, capital investments, partnerships, and joint ventures with both private and public institutions or entities, whether domestic or international, without sovereign guarantee, for the conceptualization, establishment, operation, and maintenance of transportation systems in order to achieve sustainable traffic solutions and mobility similar to best practices in other countries for the creation of livable and sustainable smart cities.

Verily, development includes access to sustainable transportation and the freedom of movement. Mobility rights or the right to travel is both a basic human right and an enabling right. Empowering LGUs under the proposed law will further these principles.

For the Filipino people, the approval of the foregoing bill is earnestly being sought.

A handwritten signature in black ink, consisting of a stylized 'J' followed by a series of loops and a final upward stroke.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS

First Regular Session

HOUSE BILL NO. 4295

Introduced by the **Honorable ANIELA BIANCA D. TOLENTINO**

**AN ACT AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE
"LOCAL GOVERNMENT CODE OF 1991," BY EXPANDING THE SCOPE OF LOCAL
GOVERNMENT UNITS' POWER OVER LOCAL PUBLIC TRANSPORTATION
SYSTEMS, AND FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* - This Act shall be known as the "LGU
PublicTransportation Act."

SECTION 2. Section 17 of Republic Act No. 7160, otherwise known as the "Local
Government Code of 1991", is hereby amended as follows:

"Section 17. *Basic Services and Facilities.* -

**(K) ALL LOCAL GOVERNMENT UNITS SHALL ENDEAVOR TO PROVIDE
SAFE, AFFORDABLE, ACCESSIBLE AND SUSTAINABLE MASS PUBLIC
TRANSPORTATION SYSTEMS, SUCH AS MODERN RAIL-BASED SYSTEMS,
PERSONAL RAPID TRANSIT SYSTEMS, MONORAILS, RAILWAYS, SUBWAYS,
CABLE CARS, TRAMS, BUS RAPID TRANSITS, AND OTHER MEANS OF
CONSISTENT WITH THE CONCEPT OF LIVABLE AND SUSTAINABLE SMART
CITIES, THROUGH LOANS, GRANTS, CAPITAL INVESTMENTS, PARTNERSHIPS,
AND JOINT VENTURES WITH BOTH PRIVATE AND PUBLIC INSTITUTIONS OR
ENTITIES, WHETHER DOMESTIC OR INTERNATIONAL, WITHOUT SOVEREIGN
GUARANTEE, FOR THE CONCEPTUALIZATION, ESTABLISHMENT, OPERATION,
AND MAINTENANCE OF MODERN AND STATE-OF-THE-ART MASS
TRANSPORTATION SYSTEMS; PROVIDED THAT, INTERCONNECTIVITY AND**

INTEGRATION WITH EXISTING AND PROPOSED NATIONAL INTERMODAL TRANSPORTATION SYSTEMS AS WELL AS THOSE OF OTHER LOCAL GOVERNMENT UNITS SHALL BE CONSIDERED AND CONSULTATIONS WITH RELEVANT NATIONAL GOVERNMENT TRANSPORTATION AND PLANNING AGENCIES SHALL BE CONDUCTED.

LOCAL GOVERNMENT UNITS MAY, THROUGH APPROPRIATE ORDINANCES, CONSOLIDATE OR COORDINATE THEIR EFFORTS, SERVICES, AND RESOURCES IN THE IMPLEMENTATION OF PROJECTS UNDER THE PROGRAM TO ENSURE THE ENHANCEMENT OF OPERATIONAL EFFICIENCY, EFFECTIVE UTILIZATION OF PUBLIC RESOURCES, REALIZATION OF PROJECT OUTCOMES, AND STRENGTHENING OF MECHANISMS FOR INTER-LOCAL COOPERATION. IN SUPPORT OF SUCH UNDERTAKING, THE LGUS CONCERNED MAY CONTRIBUTE FUNDS, REAL ESTATE, EQUIPMENT, AND OTHER KINDS OF PROPERTY AND APPOINT OR ASSIGN PERSONNEL UNDER SUCH TERMS AND CONDITIONS AS MAY BE AGREED UPON BY THE PARTICIPATING LGUS THROUGH A MEMORANDUM OF AGREEMENT.

Costs may also be charged for the delivery of basic services or facilities enumerated in this Section."

SECTION 3. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of this Act, the Department of the Interior and Local Government, in consultation with the Department of Budget and Management, the Department of Transportation, the Department of Public Works and Highways, Department of Finance, the National Economic and Development Authority, League of Provinces, League of Cities, League of Municipalities, Liga ng mga Barangay and other government agencies concerned, shall jointly promulgate the implementing rules and regulations to effectively implement the provisions of this Act.

SECTION 4. *Separability Clause.* - If any provision of this Act is held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 5. *Repealing Clause.* - All laws, decrees, executive orders, proclamations, and other executive issuances which are inconsistent with or contrary to the provisions of this Act are hereby modified, amended, or repealed accordingly.

SECTION 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,