



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. **5346**



Introduced by Representative Ramon Rodrigo L. Gutierrez

EXPLANATORY NOTE

On November 6, 2024, a tragic incident unfolded at the intersection of 5th Avenue and Rizal Drive in Bonifacio Global City (BGC), Taguig. Nicole Mercado, a bank employee, was crossing the road along a pedestrian lane with the signal light green in her favor. While she was midway through the intersection, an SUV ran a red light and struck her, causing her to fall hard onto the pavement.

Footage of the incident quickly went viral, sparking widespread outrage and reigniting conversations about pedestrian safety in Metro Manila and across the country. This tragic event is far from isolated. According to the Department of Health, an average of 12,000 Filipinos die annually due to road accidents. Alarmingly, a significant portion of these fatalities are pedestrians who were simply crossing the street, often while obeying traffic rules. These statistics underscore a deeply rooted problem in the country's traffic culture: a persistent disregard for pedestrian rights and safety. Our roads continue to be hostile spaces for those who walk whether to work, school, or simply around their communities.

In light of these recurring tragedies, there is an urgent need to promote a culture that respects the right-of-way of pedestrians and ensures their safety through both infrastructure and legal reform. The Pedestrian Safety Act seeks to address these concerns by introducing concrete measures aimed at institutionalizing pedestrian-first policies on all public roads and walkways. More specifically, this bill seeks to enhance the country's traffic laws by: (a) affirming and protecting the rights of pedestrians; (b) clarifying the rules on when drivers should yield to pedestrians and vice versa; (c) requiring the installation of more pedestrian crossing signs and signals; (d) penalizing any person who violates the right-of-way of pedestrians; and (e) mandating the conduct of safety training programs for erring drivers and pedestrians alike, to ensure a well-informed and responsible road-using public.

It is worth noting that this bill was initially filed by Senator Joel Villanueva during the 19th Congress, but unfortunately did not progress into law before the end of that Congress. The urgency of this measure, however, remains as pressing as ever. With road accidents continuing to claim thousands of lives each year, many of them pedestrians, there is an undeniable need for immediate legislative action.

This representation is therefore refiling the Pedestrian Safety Act in the 20th Congress, with the firm belief that no Filipino should risk injury or death

simply by walking along or across our streets. Through this measure, we hope to foster safer, more inclusive, and pedestrian-friendly roads for all.

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


RAMON RODRIGO L. GUTIERREZ
1-Rider Partylist Representative



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AN ACT
ENHANCING THE SAFETY OF PEDESTRIANS, FURTHER AMENDING
REPUBLIC ACT NO. 4136, AS AMENDED, OTHERWISE KNOWN AS THE
“LAND TRANSPORTATION AND TRAFFIC CODE”, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

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 **PEDESTRIAN SAFETY ACT**.

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to provide and ensure safe and convenient pedestrian travel and access, whether by foot, wheelchair, walker, stroller or any other means. To this end, the State shall provide convenient and safe passage for pedestrians on and across all streets and highways, increase levels of walking and pedestrian travel, and reduce pedestrian fatalities and injuries.

SECTION 3. Definition of Terms. – For purposes of this Act, the following terms shall be defined as follows:

- a) *Crosswalk* refers to the part of the roadway set aside for pedestrian traffic;
- b) *Intersection* refers to any place where one line of roadway meets another roadway. Intersections include cross streets, side streets, alleys, freeway entrances, and any other location where vehicles travelling on different highways or roads join each other; and
- c) *Pedestrian* refers to a person on foot or who uses a conveyance such as roller skates, skateboard, etc., other than a bicycle, an electric scooter or similar equipment. A pedestrian can also be a person with disability using a tricycle, quadricycle, or wheelchair for transportation.

SECTION 4. Right-of-Way of Pedestrians. – A new Article III-A of the Land Transportation and Traffic Code, as amended, is hereby provided to read as follows:

**ARTICLE III-A
RIGHT-OF-WAY OF PEDESTRIANS**

SECTION 44-A. RIGHT-OF-WAY OF PEDESTRIANS. -

- A. THE DRIVER OF A VEHICLE SHALL YIELD THE RIGHT-OF-WAY TO A PEDESTRIAN CROSSING THE ROADWAY WITHIN ANY MARKED CROSSWALK OR WITHIN ANY UNMARKED CROSSWALK AT AN INTERSECTION, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION.**
- B. THE DRIVER OF A VEHICLE APPROACHING A PEDESTRIAN WITHIN ANY MARKED OR UNMARKED CROSSWALK SHALL EXERCISE ALL DUE CARE AND SHALL REDUCE THE SPEED OF THE VEHICLE OR TAKE ANY OTHER ACTION RELATING TO THE OPERATION OF THE VEHICLE AS NECESSARY TO SAFEGUARD THE SAFETY OF THE PEDESTRIAN.**
- C. NOTWITHSTANDING ANYTHING TO THE CONTRARY, THIS SECTION SHALL NOT RELIEVE:**
 - 1) A PEDESTRIAN FROM THE DUTY OF USING DUE CARE FOR HIS OR HER SAFETY. NO PEDESTRIAN SHALL SUDDENLY LEAVE A CURB OR OTHER PLACE OF SAFETY AND WALK OR RUN INTO THE PATH OF A VEHICLE THAT IS SO CLOSE AS TO CONSTITUTE AN IMMEDIATE HAZARD. NO PEDESTRIAN SHALL ALSO UNNECESSARILY STOP OR DELAY TRAFFIC WHILE IN A MARKED OR UNMARKED CROSSWALK; AND**
 - 2) A DRIVER OF A VEHICLE HAS THE DUTY OF EXERCISING DUE CARE FOR THE SAFETY OF ANY PEDESTRIAN WITHIN ANY MARKED CROSSWALK OR WITHIN ANY UNMARKED CROSSWALK AT AN INTERSECTION.**

SECTION 44-B. REMOVAL OF CROSSWALKS. -

- A. AN EXISTING MARKED CROSSWALK MAY NOT BE REMOVED UNLESS NOTICE AND OPPORTUNITY TO BE HEARD IS PROVIDED TO THE PUBLIC NOT LESS THAN THIRTY (30) DAYS PRIOR TO THE SCHEDULED DATE OF REMOVAL. IN ADDITION TO ANY OTHER PUBLIC NOTICE REQUIREMENTS, THE NOTICE OF PROPOSED REMOVAL SHALL BE POSTED AT THE CROSSWALK IDENTIFIED FOR REMOVAL.**
- B. THE NOTICE REQUIRED BY SUBSECTION A ABOVE SHALL INCLUDE, BUT NOT LIMITED TO, NOTIFICATION TO THE PUBLIC OF THE FOLLOWING:**
 - 1) THAT THE PUBLIC MAY PROVIDE INPUT RELATING TO THE SCHEDULED REMOVAL; AND**
 - 2) THE FORM AND METHOD OF PROVIDING THE INPUT AUTHORIZED UNDER PARAGRAPH 1 ABOVE.**

SECTION 44-C. NO OVERTAKING AT INTERSECTIONS WITH MARKED OR UNMARKED CROSSWALKS. - WHENEVER ANY VEHICLE HAS STOPPED AT A MARKED CROSSWALK OR AT ANY UNMARKED CROSSWALK AT AN INTERSECTION TO PERMIT A PEDESTRIAN TO CROSS THE ROADWAY, THE DRIVER OF ANY OTHER VEHICLE APPROACHING FROM THE REAR SHALL NOT OVERTAKE AND PASS THE STOPPED VEHICLE.

SECTION 44-D. SIDEWALKS. - THE DRIVER OF ANY MOTOR VEHICLE, PRIOR TO DRIVING OVER OR UPON ANY SIDEWALK, SHALL YIELD THE RIGHT-OF-WAY TO ANY PEDESTRIAN APPROACHING THEREON.

SECTION 44-E. UNDERPASS AND OVERPASS. - WHENEVER ANY PEDESTRIAN CROSSES A ROADWAY OTHER THAN BY MEANS OF A PEDESTRIAN TUNNEL OR OVERHEAD PEDESTRIAN CROSSING, IF A PEDESTRIAN TUNNEL OR OVERHEAD CROSSING SERVES THE PLACE WHERE THE PEDESTRIAN IS CROSSING THE ROADWAY, SUCH PEDESTRIAN SHALL YIELD THE RIGHT-OF-WAY TO ALL VEHICLES ON THE HIGHWAY SO NEAR AS TO CONSTITUTE AN IMMEDIATE HAZARD.

NOTWITHSTANDING ANYTHING TO THE CONTRARY, THIS SECTION SHALL NOT BE TAKEN AS A PROHIBITION AGAINST THE INSTALLATION OF CROSSWALKS WHERE A PEDESTRIAN TUNNEL OR OVERHEAD CROSSING EXISTS, SHOULD PUBLIC NECESSITY AND SAFETY DICTATE.

SECTION 44-F. INSTANCES WHERE PEDESTRIANS SHALL YIELD TO VEHICLES. - EVERY PEDESTRIAN UPON A ROADWAY AT ANY POINT OTHER THAN WITHIN A MARKED CROSSWALK OR WITHIN AN UNMARKED CROSSWALK AT AN INTERSECTION SHALL YIELD THE RIGHT-OF-WAY TO ALL VEHICLES UPON THE ROADWAY SO NEAR AS TO CONSTITUTE AN IMMEDIATE HAZARD: PROVIDED, THAT THE DRIVER OF A VEHICLE SHALL CONTINUE TO EXERCISE DUE CARE FOR THE SAFETY OF ANY PEDESTRIAN UPON A ROADWAY.

SECTION 44-G. CROSSING ON CROSSWALKS. - BETWEEN ADJACENT INTERSECTIONS CONTROLLED BY TRAFFIC CONTROL SIGNAL DEVICES OR BY POLICE OFFICERS, PEDESTRIANS SHALL NOT CROSS THE ROADWAY AT ANY PLACE EXCEPT IN A CROSSWALK.

SECTION 44-H. ROADWAYS. -

A. NO PEDESTRIAN MAY WALK UPON ANY ROADWAY OUTSIDE OF A BUSINESS OR RESIDENTIAL DISTRICT OTHERWISE THAN CLOSE TO HIS OR HER LEFT-HAND EDGE OF THE ROADWAY.

B. A PEDESTRIAN MAY WALK CLOSE TO HIS OR HER RIGHT-HAND EDGE OF THE ROADWAY IF A CROSSWALK OR OTHER MEANS OF SAFELY CROSSING THE ROADWAY IS NOT AVAILABLE OR IF EXISTING TRAFFIC OR OTHER CONDITIONS WOULD COMPROMISE THE SAFETY OF A PEDESTRIAN ATTEMPTING TO CROSS THE ROAD.

SECTION 44-I. SOLICITATION OF RIDES. – NO PERSON SHALL STAND IN A ROADWAY WHICH IS NOT AN AUTHORIZED LOADING AND UNLOADING ZONE FOR THE PURPOSE OF SOLICITING A RIDE FROM THE DRIVER OF ANY VEHICLE.

SECTION 44-J. RIGHT-OF-WAY SIGNS. – PROVINCIAL BOARD, MUNICIPAL BOARD, OR CITY COUNCIL HAVING JURISDICTION OVER AN AREA SHALL PROVIDE APPROPRIATE SIGNS OR MARKINGS FOR PEDESTRIAN CROSSING.

SECTION 44-K. PENALTY. –

A. THE DRIVER OF A VEHICLE THAT VIOLATES THE PROVISIONS OF THIS ACT SHALL BE PUNISHED BY A FINE RANGING FROM TWO THOUSAND PESOS (PHP2,000.00) TO TWENTY THOUSAND PESOS (PHP20,000.00);

B. A PEDESTRIAN FOUND TO BE VIOLATING THE PROVISIONS OF THIS ACT SHALL BE PUNISHED BY A FINE RANGING FROM ONE THOUSAND PESOS (PHP1,000.00) TO TEN THOUSAND PESOS (PHP10,000.00).

THE FINES IMPOSED HEREIN SHALL BE WITHOUT PREJUDICE TO ANY OTHER CRIMINAL, CIVIL AND ADMINISTRATIVE CASE THAT MAY BE FILED AGAINST THE OFFENDER.

SECTION 44-L. TRAINING OR REFRESHER COURSE. – ANY PERSON WHO VIOLATES THE PROVISION OF THIS ACT SHALL BE REQUIRED TO UNDERGO THE APPROPRIATE TRAINING OR REFRESHER COURSE WITH THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) OR ITS ACCREDITED TRAINING CENTERS.

SECTION 5. *Information Campaign.* – The Department of Transportation (DOTr) shall conduct sustained information and education drives aimed at enhancing pedestrian and driver education.

The DOTr and the Land Transportation Office shall also closely coordinate with TESDA for the establishment of a training program for drivers and motorists consistent with the provisions of this Act.

SECTION 6. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the DOTr, in consultation with the appropriate stakeholders and in coordination with different government agencies that regulate traffic, shall promulgate the implementing rules and regulations to effectively implement this Act.

SECTION 7. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act (GAA).

SECTION 8. *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 9. *Repealing Clause.* – Section 42(c) of Republic Act No. 4136, otherwise known as the Land Transportation and Traffic Code, as amended, is hereby repealed.

All other laws, presidential decrees, executive orders, rules and regulations and other issuances, or any part thereof, inconsistent with this Act are hereby repealed, modified, or amended accordingly.

SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,

A handwritten signature in black ink, appearing to be a stylized 'B' or similar character, located below the word 'Approved,'.