

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

Seventeenth Congress  
First Regular Session

HOUSE BILL NO. **2983**

HOUSE OF REPRESENTATIVES	
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**Introduced by Honorable Michaelina M. Antonio**

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### EXPLANATORY NOTE

The Philippines' underdeveloped transportation system is largely due to persistent underinvestment in the nation's infrastructure. Traffic woes beleaguer Filipinos of all ages – from the very young students to senior citizens who still have to work to provide additional earnings for their families. In fact, this appalling traffic situation costs the Philippine economy about P2.4 billion a day. While the government has been pushing to improve transportation in the country through various projects, the public continues to clamor for a non-congesting, safe, efficient, and non-polluting transportation system. It is the duty of the State to provide its citizens with alternative modes of transportation that are safe and beneficial for their general well-being.

Countries such as Denmark, Netherlands, France, Sweden, Belgium, and Spain have bike-friendly cities because of their serious advocacy, bike facilities, social acceptance, and general perception that cycling is safe.<sup>1</sup> In recent years, several Filipinos have also chosen to use their bicycles as a daily mode of transportation. Biking, aside from being an excellent form of exercise, does not contribute to traffic congestion and air pollution. However, people who choose this mode of transportation often fear for their safety as they have to share the road everyday with motorized vehicles that are much bigger and faster. Countless traffic accidents have occurred involving drivers of motorized vehicles and riders of bicycles. It is for these reasons that many Filipinos are discouraged to ride their bicycles to their school or place of work. In effect, one of the possible solutions to the massive traffic problem is not being utilized because of safety concerns.

In view of the foregoing, this bill aims to create bike lanes in main roads and highways to ensure the safety of bicycle riders while at the same time helping solve some of the country's traffic woes. This will hopefully encourage more people to take up biking, and in turn, instill health consciousness in them. All in all, this bill aims to help solve the air pollution, traffic, and health problems that the country is facing by giving our countrymen the option of using bicycles to and from their place of destination.

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

  
**MICHAELINA M. ANTONIO**

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<sup>1</sup>The 20 Most Bike-Friendly Cities on the Planet. (<http://copenhagenize.eu/>) . Retrieved August 9, 2015

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**AN ACT CREATING BIKE LANES IN MAIN ROADS AND HIGHWAYS**

*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 "Bike Lane Act of 2016."

Section 2. *Declaration of Policy.* - The State hereby adopts the following policies:

1. The State shall protect and promote the right to health of the people, and instill health consciousness among them;
2. The State shall encourage affordable and friendly alternative means of transportation;
3. The State shall protect the welfare and safety of the commuting public; and
4. The State shall promote an efficient, safe, and environmental-friendly transportation system.

Section 3. *Definition of Terms.* - For the purposes of this Act, the following terms are defined thus:

- a) "Bike/ Bicycle" refer to any two wheeled vehicle having a rear drive which is solely human powered and having a seat height of 25 inches or greater when the seat is in the lowest possible position;
- b) "Bike lanes" refer to the areas designated as lanes for passage of bikes/bicycles;
- c) "Cyclist/Rider" refers to the person driving bikes/bicycles;
- d) "DOTr" shall refer to the Department of Transportation;
- e) "DPWH" shall refer to the Department of Public Works and Highways; and
- f) "NEDA" shall refer to the National Economic Development Authority.

Section 4. *Creation of Bike Lanes* – The DOTr, NEDA and DPWH will coordinate to come up with a "Bike Lane Map" which can identify the main roads and highways that can accommodate bike lanes.

Section 5. *Rights, Duties and Obligations of Cyclists.* - The following shall be the rights, duties and obligations of cyclists:

- a) To ride on public road or street designated as a bike lanes;
- b) To make the appropriate hand signals in every turn which shall be given not less than 100 feet from turn and while stopping or waiting to turn;
- c) To make an audible signal before overtaking;
- d) To be equipped with brakes, lights, and reflector;
- e) To keep one hand on the handlebar at all times;
- f) To wear the appropriate bike helmet at all times;
- g) To yield the right-of-way to all traffic on such roadway whenever entering or about to enter or to cross a roadway;
- h) To exercise proper precautions upon observing any child or persons with disability upon a road especially on pedestrian crossing;

- i) To procure the necessary rider's permit, bike license plate and registration in accordance with existing laws and regulations;
- j) To follow traffic signages and abide by all traffic rules under existing laws, which are also applicable to vehicles.

Section 6. *Riding on Bicycle Lanes.* Every cyclist/rider shall always take the designated bike lane except on the following circumstances:

- a) Whenever overtaking or passing another bicycle, vehicle or pedestrian within the lane or about to enter the lane if such overtaking or passing cannot be done safely within the lane;
- b) When preparing for a turn at an intersection or into a private road or driveway;
- c) When reasonably necessary to leave the bicycle lane to avoid debris or hazardous conditions.

Section 7. *Prohibited Acts.* - The following are restrictions imposed upon cyclists and the right to use a bicycle:

- a) No cyclist/biker shall drive under the influence of alcohol;
- b) No bicycle shall carry more than one rider;
- c) No rider shall cling to another vehicle while in the designated bikeway;
- d) No person shall operate a bicycle/bike at a speed greater than reasonable and prudent under the conditions then existing;
- e) No cyclist/biker shall text or use a cellphone while driving.

Section 8. *Other Prohibited Acts.* - The following shall be observed in the bike lane:

- a) No person operating a motor vehicle on such road shall drive in the bikeway except to park when parking is permitted, to enter or leave the road or prepare for a turn;
- b) No person shall create obstruction along the bike lanes such as but not limited to sidewalk vending, dumping of construction materials and loading and unloading of goods except in emergency cases;
- c) No person shall use the designated bike lanes for rallies, peaceful concerted activities or other related events except, for religious processions, or activities supported with the necessary permit.

Section 9. *Penalties.* - Any person who violates Sections 5, 7 and 8 hereof shall be subject to the following penalties:

- a) First Offense - A fine of Three Hundred Pesos (P300.00),
- b) Second Offense - A fine of Five Hundred Pesos (P 500.00),
- c) Third Offense - A fine of One Thousand Pesos (P1,000.00) without prejudice to the revocation of rider's permit/bike license plate for one year in case of bikes.

The abovementioned penalties shall be applicable notwithstanding the application of the New Civil Code and the Revised Penal Code on the damage or injury committed to persons or property and the existing national and local traffic rules and regulations already implemented.

Section 10. *Enforcement.* - Traffic police and enforcers shall be responsible for the strict implementation of this law. Traffic police and traffic enforcers shall maintain order in the bike lanes and shall apprehend persons violating this law and shall cite the corresponding violation in the biker's riding permit.

In case of bicycles which pose danger to the public, a police officer or any deputized traffic enforcer may stop inspect and test a bicycle believed to be unsafe, have improper equipment or acting in prejudice to the public.

Section 11. *Public Information and Awareness.* – The DPWH is designated to post the appropriate and relevant signages and road paintings along the bike. Such signages shall be posted in relevant portions of the public road designated as bike lanes.

Section 12. *Appropriations.* – The amount necessary to carry out the initial implementation of this Act shall be included in the appropriations of the DPWH in the annual General Appropriations Act of the year the following the effectivity of this Act. Thereafter, such sums as may be necessary for the effective and continuous implementation of the provisions of this Act shall be included in the annual General Appropriations Act.

Section 13. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

Section 14. *Repealing Clause.* – All laws, decrees, executive orders, proclamations and administrative regulations or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

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

**APPROVED**