

Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4212



Introduced by Congressman ALFRED VARGAS

EXPLANATORY NOTE

The Philippines' air pollution is at a very critical level. Metro Manila alone records a total suspended particulate (TSP) of 130-250 micrograms per normal cubic meter, levels above the World Health Organization's defined standard level of 90 micrograms per normal cubic meter.

According to the Department of Environment and Natural Resources, around 80% of the air pollution in the country comes from motor vehicles.

While the country has enacted and implemented laws to help attain clean and healthy air quality, this Representation finds the need to provide the citizens with an alternative mode of transportation that is not only good for the environment but also promotes a healthy lifestyle.

Executive Order (E.O.) No. 774 embodies a road-sharing scheme that follows the principle: "*Those who have less in wheels must have more in road.*" To reduce the consumption of fossil fuels, E.O. 774 directed the Department of Transportation and the Department of Public Works and Highways to reform the transport sector and transform roads that "shall favour non-motorized locomotion and collective transportation system (walking, bicycling, and the man-powered mini-train.)"¹

This bills seeks to establish bike-friendly communities nationwide to encourage Filipinos to use bicycles as an alternative means of transportation.

In line of the foregoing, the passage of this bill is earnestly sought.


ALFRED VARGAS

¹E.O. 774 "Reorganizing the Presidential Task Force on Climate Change," Section 9

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AN ACT

INSTITUTIONALIZING THE USE OF BICYCLES AS AN ALTERNATIVE MODE OF TRANSPORTATION, ESTABLISHING APPROPRIATE INFRASTRUCTURE AND FACILITIES, APPROPRIATING FUNDS THEREFOR, 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 "*Bicycle Friendly Communities Act of 2016.*"

SEC 2. Declaration of Policy -It is the policy of the State to promote environmentally sound and affordable means of transportation for its citizens that shall serve as an alternative to vehicles which consume fuel. It is also the policy of the State to protect the welfare and safety of the commuting public and all road users.

Toward this end, the State shall promote biking as a means of transport by establishing a comprehensive network of bike lanes and bike facilities, and a road safety program. The State shall ensure that the needs and safety of all road users, particularly the pedestrians and cyclists, are fully integrated into the planning, design, operation, and maintenance of the country's transportation system.

SEC 3. Definition of Terms. - For the purposes of this Act:

- a) *Bicycle* or *bike* means a non-motorized vehicle consisting of a light frame mounted on two wire-spoked wheels, one behind the other, and having a seat, handlebars for steering, brakes, and two pedals;
- b) *Cyclist* means a person who rides a bicycle;
- c) *DOTr* means the Department of Transportation; and
- d) *Secretary* means the Secretary of the Department of Transportation.

SEC. 4. Establishing a National Bicycle-Friendly Community Program. – The Secretary shall establish a bike program, hereinafter referred to as “the program,” under the Department of Transportation (DOTr) to promote safe biking in all cities and municipalities. The program shall include the construction and maintenance of bicycle lanes, parking, and support facilities. The Secretary shall also formulate an educational and awareness program on traffic safety. The Secretary may enlist the assistance of other departments or government agencies to carry out this section.

SEC. 5. Bicycle Lanes. – There shall be designated bicycle lanes in all primary and secondary roads that shall serve as exclusive lanes for bicycle riders. Motor vehicles are prohibited from being driven or parked on said bicycle lane.

The bicycle lanes shall be separated by a physical barrier and shall be clearly identified with signs and/or pavement markings. In cases where the installation of a physical barrier is not feasible, the lane for bicycles shall be identified through reflectorized orange-painted lines. Bicycle lanes must never compromise the mobility and safety of pedestrians. The bicycle lanes should traverse across all towns and cities and connect to all major forms of transport, including airports and piers. Cyclists shall be required to bike within said lanes, unless no bike lanes have been designated on such roads yet.

SEC. 6. Bicycle Parking. – All public places, government offices, schools, major business establishments, including malls, banks, restaurants, hospitals, and the like, are hereby required to provide bicycle racks for bicycle parking. Bicycle parking should be secure, visible, accessible, and not in the way of pedestrians or motor vehicles.

SEC. 7. Bicycle Infrastructure. – In addition to the bicycle lanes and bicycle parking areas, support facilities shall be established to ensure that cyclists and their bicycles can travel safely and to lessen the possibility of collisions with pedestrians. These facilities include but are not limited to the following:

- a) Sidewalk improvements;
- b) Traffic calming and speed reduction improvements;
- c) Pedestrian and bicycle crossing improvements;
- d) Traffic signage pertaining to bicycles;
- e) Off-street pedestrian and bicycle facilities; and
- f) Traffic diversion improvements.

SEC. 8. Educational Program.– The Secretary, in cooperation with the Department of Education, the Commission on Higher Education, and local governments shall establish an educational program to increase awareness on bike safety and road sharing. The program shall be designed for traffic enforcers, motorists, cyclists, and the commuting public. The program shall include:

- a) Traffic education and enforcement;
- b) Motorist Awareness and Road Sharing; and
- c) Bicycle and pedestrian safety.

SEC. 9. Carless Day. – To promote the use of bicycles, the country shall participate in the annual celebration of World Car-Free Day. The second Sunday of September shall be designated as Carless Day. The Secretary is hereby mandated to determine the primary and secondary roads to be carless during this annual celebration.

SEC. 10. Bike to Work. – The DOTr shall establish a program that gives incentives to private and government offices that encourage their employees to ride their bicycles to work by providing bicycle facilities within their establishments, lockers, and showers.

SEC. 11. Penalties. –

- a) Any person or establishment who violates the provisions of this Act shall be punished by a fine not exceeding one thousand pesos (Php1,000.00). When the offender is a corporation, the officers responsible for the violation shall be meted with said penalties.
- b) Any public works official who fails or refuses to mark existing main roads and highways or approve the construction of main roads or highways without the required bicycle lanes in their designs shall be punished with a fine of not less than ten thousand (Php10,000.00) pesos but not more than thirty thousand pesos (Php30,000.00) or suspension, or both, if found guilty in an appropriate administrative investigation.

SEC. 12. Implementing Rules and Regulations.– Within thirty (30) days after this Act takes effect, a committee composed of the following members shall be created to formulate the implementing rules and regulations of this Act:

- a) The Secretary of Transportation, or an authorized representative, who shall serve as the Chair of the committee;
- b) A representative from the Department of Public Works and Highways;
- c) A representative from the Department of Environment and Natural Resources;
- d) A representative from the Metro Manila Development Authority; and
- e) Two (2) representatives from various bicycle organizations;

Within six (6) months after this Act takes effect, the Secretary of Transportation shall promulgate and disseminate the implementing rules and regulations.

SEC. 13. Appropriations. – To carry out the provisions of this Act, such amount as may be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the amount necessary for the continuous operation of the Bike Program shall be included in the annual appropriation of the DOTr.

SEC. 14. Separability Clause.– If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 15.**Repealing Clause.**- Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

SEC. 16.**Effectivity.** - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,