

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS

First Regular Session

House Bill No. 770

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE

This bill seeks to promote and encourage the use of bicycles as an alternative means of transport by providing safe and secure paths or bikeways solely dedicated for the benefit and use of cyclists.

The traffic situation here in the Philippines especially in highly urbanized cities like Metro Manila is seemingly getting worse with the passing of every year. As a repercussion, not only are the Filipino people losing valuable time and resources while being stuck in traffic, but more so, compromising a great deal of their health and general well-being with the increase in air and noise pollution caused by vehicular gridlocks and traffic jams.

Undeniably, people are not the only ones being affected by such conditions. The environment is also taking a great deal of damage from the surge of carbon monoxide emissions coming from voluminous motorized vehicles densely gathered in the thoroughfares. If gone unchecked, such destruction might unwittingly be the cause of a natural disaster.

It is a declared policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Corollary to this is the State's duty to protect the environment enroute to a balanced and healthful ecology.

The use of bicycles has long been adopted by several countries not only to promote health and leisure but also as an alternative solution to high fuel prices, increasing transport fares, traffic management, air and noise pollution and high cost of motorized vehicles including maintenance and parking fees. To convince and embolden the public to switch to the use of bicycles going to and from their respective destinations, the State must first reassure the people that precautions have been taken to ensure the safety and protection of each and every rider.

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


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
PROVIDING FOR BICYCLE RIDERS' RIGHTS, CREATING LOCAL BICYCLE
LANES, ESTABLISHING INFRASTRUCTURE IN RELATION THERETO 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 "*Bike Lanes Act*".

Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. It shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Likewise, in view of the fluctuating fuel prices in the world market, the State recognizes the need for cheap alternative means of transportation and encourages the use of non-motorized and environment friendly modes of transport such as bicycles.

Sec. 3. *Definition of Terms.* – For the purpose of this Act, the term:

a. *Bicycle* means 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. *Cyclist* shall refer to users of bicycles;

c. *City or Municipal Traffic and Parking Bureau (CTPB/MTPB)* shall refer to the group or team tasked by the City or Municipal Government to assist in traffic management and parking of vehicles in the locality;

d. *Driver* means any person who drives a vehicle, motorized or non-motorized;

e. *Lane* means any longitudinal strips designated for passage of bicycles;

f. *Non-Motorized Transport* (NMT) means any vehicle, which does not use a motorized engine;

g. *Road* means the entire surface of any way or, street open to public traffic;

Sec. 4. *Creation of Bicycle Lanes.* – Except where and when it is clearly not feasible, all main roads and highways in every city and municipality shall be provided with bicycle lanes or "bikeways" identified by the City or Municipal Traffic and Parking Bureau (CTPB/MTPB) or its equivalent, under the supervision of the City or Municipal Engineering Office.

Sec. 5. *Additional Powers and Functions of the City or Municipal Traffic and Parking Bureau Or Its Equivalent.* – The City or Municipal Traffic and Parking Bureau or its equivalent, shall be an adjunct of the City or Municipal Engineering Office and shall have the following additional powers and functions aside from their original mandate:

- a. To manage the construction and maintenance of a bikeway network including the identification of a bikeway roadmap;
- b. To establish provision of safe and strategic parking facilities, road signages and maps, including the planting of trees in designated areas of the network;
- c. To encourage partnership with local and foreign organizations to facilitate easy access, to bicycles; and
- d. To conduct education and information drives on the benefits of using bicycles or NMTs in order to promote the usage of the same.

Sec. 6. *Rights, Duties and Obligations of Cyclists.* - The following shall be the rights, duties and obligations of cyclists:

- a. A cyclist has the right to ride on any public road or street provided that it has been designated as a bikeway except highways or where signs specifically prohibiting bikes have been posted;
- b. Every person riding a bicycle on the designated bikeways shall be granted all the rights and shall be subject to all the duties applicable to drivers of motorized vehicles except those that by their nature are inapplicable;
- c. A trailer or semitrailer may be attached to the bicycle;
- d. Right and left turn signals shall be given not less than 100 feet from turn and while stopped waiting to turn. Such signals may be given intermittently rather than continuously if the hand giving the signal is needed to control the bicycle;
- e. An audible signal shall be given before overtaking;

- f. When riding at night, a bicycle shall be equipped with reflective material visible from both sides for at least six hundred (600) feet, or a lighted lamp visible from both sides for at least five hundred (500) feet from a motor vehicle;
- g. A bicycle and its corresponding cyclist may be equipped with additional lights and reflectors;
- h. A cyclist must always wear a helmet properly where the chinstrap is securely fastened; and
- i. Every bicycle shall be equipped with brakes that are capable of stopping the bicycle within twenty-five (25) feet from a speed of 10mph on dry, clean level pavement.

Sec. 7. Restrictions. – The following are restrictions imposed upon cyclists and the right to use a bicycle:

- a. No bicycle shall carry more persons than it was designed to carry except when another regular seat or trailer towed by the bicycle is present;
- b. Persons riding a bicycle shall not cling to another vehicle while in the designated bikeway;
- c. Bicycles may not be parked in areas other than those specifically designated as such by the CTPB/MTPB;
- d. A cyclist shall not ride a bicycle on a sidewalk or crosswalk;
- e. A cyclist shall not carry anything on the bicycle unless it is in a basket, bag, rack or trailer designed for that purpose;
- f. A modified bicycle is not allowed on the bikeways, or that which makes the hands higher than the shoulders when gripping the handlebars;
- g. Ownership or custody of a bicycle that has a destroyed, removed, altered, covered or defaced serial number; and
- h. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

Sec. 8. Obedience to Traffic Laws and Devices. – Any person operating a bicycle shall obey the instructions of official traffic control signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer. Whenever authorized signs are posted, a person operating a bicycle shall not disobey the direction of such sign except when that person dismounts from the bicycle, in which case such person shall then obey the regulations applicable to pedestrians. No person shall ride or operate a bicycle in any direction except that permitted for vehicular traffic traveling on the same side of the bikeway.

Sec. 9. Flagging By A Police Officer. – A uniformed police officer, or any deputized traffic officer, may stop, inspect and test a bicycle that is suspected to be unsafe or to have

improper equipment. He may also stop any cyclist operating the bicycle in such a manner as to pose danger to others.

Sec. 10. *Riding on Bicycle Lanes.* – Every person operating a bicycle on a designated bikeway lane shall remain inside such lane, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction. When a person operating a bicycle on a bikeway at a speed less than the normal speed of traffic, such person may move out of the lane under any of 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; and
- c. When reasonably necessary to leave the, bicycle lane to avoid debris or hazardous conditions.

Sec. 11. *Yielding Right-Of-Way From Bicycle Paths to Sidewalks.* – Every person riding a bicycle on a bikeway that is about to enter or cross a roadway shall yield the right-of-way to all traffic on such roadway.

Sec. 12. *Motor Vehicles In Bikeways.* -- Whenever a bikeway has been established on a road, any person operating a motor vehicle on such road shall not drive in the bikeway except to park when parking is permitted, to enter or leave the road or prepare for a turn.

Sec. 13. *Exercise of Due Care.* – Every cyclist shall exercise due care to avoid colliding with any pedestrian, or any person operating a bicycle or other device propelled by human or animal power, upon any road, and shall give warning by sounding the horn when necessary and shall exercise proper precautions upon observing any child or any incapacitated person upon a road.

Sec. 14. *Penalties.* – Any person who violates any of the provisions of this Act shall be subject to the penalty of a fine of not less than Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (P 1,000.00). If such violation causes damage or injury to persons or property then the appropriate provisions of the Civil Code and the Revised Penal Code shall take effect.

Sec. 15. *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. 16. *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 provisions of this Act is hereby repealed, modified, or amended accordingly.

Sec. 17. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,