

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5010



Introduced by **HON. GUS S. TAMBUNTING**

AN ACT PROMOTING SAFE ALTERNATIVE MOBILITY BY ESTABLISHING A NETWORK OF POP-UP BICYCLE LANES AND EMERGENCY PATHWAYS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Art. II, Sec. 16 of the 1987 Philippine Constitution states that "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

As we enter the "New Normal" brought about by the COVID-19 pandemic, we are faced with numerous challenges and constraints in the effective implementation of measures to avoid transmission of the virus. Public transportation, which is already terribly congested before COVID-19, is a particularly weak spot for physical distancing measures. Even private cars will find it difficult to keep their passengers one meter apart.

Without public transportation during the Enhanced Community Quarantine (ECQ), health workers and other essential workers were forced to explore other means of getting to their places of work. This is expected to continue after the ECQ due to limited mobility. Further, the expected economic downturn to follow the pandemic will mean less income for people to use on travel and transportation. In addition, there is a well-founded fear that the cramped buses, jeeps, and trains are hot spots for the spread of COVID-19.

Even if the quarantine rules and regulations have been relaxed, numerous Filipinos use bicycles as their mode of transportation to go to work or school. The bill aims to protect and ensure the safety of our riders. This bill also aims to ease the burden of our countrymen who choose to ride bicycles due to the rise of oil prices in the world market. This bill will encourage Filipinos to use bicycles instead of private cars to reduce traffic, especially in Metro Manila.

It is then imperative for the State to promote other modes of travel if we are to avoid a spike in COVID-19 cases. Walking and biking stand out in this regard. Walking and biking are cheaper modes of travel that also promote physical and mental health in a time of

high anxiety. Further, they use fewer resources and will raise air quality due to reduced motorized vehicle use, lessening air toxins which are a leading cause of respiratory infection.¹ Other non-motorized vehicles also offer the same advantages.

It is the State's responsibility to put in place infrastructures that will enable people to use these alternative modes of travel. In this regard, this measure seeks to create a network of pop-up bicycle lanes and emergency pathways that are people-oriented and pedestrian-friendly, which shall connect users to essential destinations such as work, school, medical facilities, and other similar places that may be identified. This network shall be adopted permanently even after the COVID-19 pandemic, as may be appropriate, as a solution to the congested roads and pollution plaguing the country even before the pandemic.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.



REP. GUS S. TAMBUNTING
2nd District, Parañaque City

¹ "Air Pollution." World Health Organization, World Health Organization, 15 Aug. 2017, www.who.int/ceh/risks/cehair/en/.

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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 “Safe Pathways Act”.

Sec. 2. Declaration of Policy. – The Constitution mandates the State to protect and advance the right of the Filipino people to a balanced and healthful ecology in accord with the rhythm and harmony of nature to protect and promote the right to health of the people and instill health consciousness among them.

In light of the COVID-19 pandemic, the National Action Plan Against COVID-19 provides that the State shall mitigate the consequences and impact of the COVID-19 pandemic on the social, economic, and personal security of the Filipino people.²

The State recognizes that the current transportation system does not address the need for physical distancing.

The State likewise acknowledges the need for infrastructure and a change in mindset to encourage and accommodate alternative modes of transportation such as walking, bicycles, and other non-motorized vehicles, and to provide safe and convenient pathways for pedestrians and non-motorized travel. It also recognizes the urgency of this need during the COVID-19 pandemic, to ensure physical distancing and given the limited forms of transportation available to frontliners and essential workers for so long as there is reduced mobility.

² Section A (4), Inter-Agency Task Force for the Management of Emerging Infectious Disease (IATF) Resolution No. 15, 24 March 2020.

Prioritizing walking, biking, and the use of non-motorized vehicles will result in reduced carbon emissions, less use of energy and resources, provide multiple health benefits, and increase the quality of life.

These are also in line with the State's commitment to the Sustainable Development Goals (SDGs), in particular: SDG 3 (Good Health and Well-Being); SDG 7 (Affordable and Clean Energy); SDG 9 (Industry, Innovation, and Infrastructure); SDG 11 (Sustainable Cities and Communities); SDG 13 (Climate Action); and SDG 17 (Partnerships for the Goals).

For purposes of this Act, "Non-Motorized Vehicles" includes all forms of travel that do not rely on an engine or motor for movement. This includes, but is not limited to, walking, bicycles, and small-wheeled non-motorized transport (skates, skateboards, push scooters, and hand carts).

Sec. 3. Safe Pathways Network. – Immediately upon the effectivity of this Act, the Department of Transportation (DOTr) with the Department of Public Works and Highways (DPWH), and in coordination with Local Government Units (LGUs), shall identify and create a network of pop-up bicycle lanes that may be used during the duration of the COVID-19 pandemic. The pop-up bicycle lanes are strictly for bicycles and other nonmotorized vehicles only and shall connect users to essential destinations such as medical facilities, public and private facilities frequented by people, schools, when they do open, and other similar places that may be identified. The lanes may be marked with removable tapes and mobile signs, which can easily be placed and removed as necessary. Other physical barriers may also be used.

The pop-up bicycle lanes must have the necessary space to accommodate the expected increase of users and the need for physical distancing at least one meter apart.

To complement the network of pop-up bicycle lanes, LGUs shall create a designated network of people-oriented emergency pathways along local roads that will provide pedestrians and bicycle and non-motorized vehicle users safe, convenient access to frequented destinations by restricting motorized vehicle passage in these pathways during peak hours. The emergency pathways shall be marked with signage containing restrictions.

The DOTr and DPWH shall identify priority areas for implementation.

Sec. 4. Non-Motorized Vehicle Parking Spaces. – All public places, government offices, schools, places of work, and major commercial establishments, including malls, banks, hospitals, and the like, shall provide adequate parking spaces for bicycles and other non-motorized vehicles as far as practicable.

Sec. 5. Role of the Public and Private Sectors. – Both the public and private sectors shall promote walking and using bicycles and other non-motorized vehicles as an alternative means of travel. They shall develop the necessary infrastructure, facilities, and

programs for its implementation, including showers and changing areas, and shall continue following physical distancing measures during travel.

Sec. 6. Permanent Adoption of Safe Pathways Network. – The DOTr and DPWH, in coordination with the appropriate agencies, shall prepare to permanently adopt the established bicycle lanes and emergency pathways, as may be appropriate, once COVID-19 is no longer a threat as declared by the proper authorities. Under this, nonmotorized parking spaces and other infrastructure shall also be made permanent as may be appropriate and practicable.

Sec. 7. Implementing Rules and Regulations. – Within 30 days from the effectivity of this Act, the DOTr shall promulgate and issue the necessary guidelines for the effective implementation of this Act. The implementing rules and regulations issued under this Section shall take effect 30 days after its publication in two national newspapers of general circulation.

Sec. 8. Appropriations. – The funds necessary for the initial implementation of this Act shall be charged against the appropriations of the DOTr, DPWH, and LGUs as needed. Thereafter, funding shall be included in the budget of the DOTr and DPWH under the annual General Appropriations Act.

Sec. 9. Separability Clause. – If any provision of this Act is declared unconstitutional or otherwise invalid, the validity of the other provisions shall not be affected thereby.

Sec. 10. Repealing Clause. – All other laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 11. Effectivity. – This Act shall take effect 15 days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,