

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5250



Introduced by Hon. Julienne L. Baronda

EXPLANATORY NOTE

Article II Section 16 of the Constitution provides 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. It is therefore the policy of the State to carry out measures that ensure that its people are provided with adequate infrastructure that are not only accessible but likewise safe and convenient.

This bill seeks to establish a safe pathways network of bicycle lanes, walkways and slow streets where our people can safely walk, use bicycles not only as a mode of transportation but also of recreation, and avail of other non-motorized vehicles as an alternative to public transportation. Relatedly, the safe pathways network will encourage our citizens to make use of these alternatives which will result in reduced carbon emissions, road congestion, less use of energy and other resources, as well as less dependence on oil. It will also provide multiple health benefits and enhance the quality of life of our people.

The COVID-19 pandemic has impacted our people in more ways than one. We learned that public health and safety should always be of paramount importance. We likewise learned that with the use of science in policy formulation, our vulnerable sectors like children and senior citizens can be protected from health risks. Lastly, self-care and physical activities are vital to well-being – for ourselves and for those around us.

Legislative measures should therefore be passed to ensure that these lessons will not be put to waste. Luckily, we have the Hon. Senator Pia Cayetano, a staunch advocate of health consciousness and the shift to active and sustainable transportation, who sponsored a similar bill with the Senate. In her sponsorship speech, she said that “when we subject our people to hours and hours on the road in traffic, unable to be reunited at the end of a long work day with their families, having to leave when it's still dark to work - this is not a complete state of physical, mental, and social well-being. So until we are able to fix our transportation system, and one step in the right direction is active transport, then we will continue to deprive our

people of the kind of health that they deserve to have.” This representation shares the same sentiment.

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

A handwritten signature in black ink, appearing to read 'JL Baronda', written in a cursive style.

Rep. Julienne “Jam” L. Baronda
District Representative

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AN ACT
INSTITUTIONALIZING ACTIVE TRANSPORT BY ESTABLISHING A SAFE
PATHWAYS NETWORK OF BICYCLE LANES, WALKWAYS AND SLOW
STREETS, 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 “*Walkable and Bikeable Communities 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.

The State recognizes the urgent need to safeguard the public’s health during the ongoing COVID-19 pandemic by promoting physical distancing. It acknowledges that the current transportation system compromises the safety of health workers, other essential workers, and commuters.

The State also affirms the need for infrastructure and a change in mindset to encourage and accommodate sustainable and healthy modes of active transport such as walking, biking, and the use of other non-motorized vehicles and to provide safe and convenient pathways for commuters. It further acknowledges the need to provide quick solutions to long-standing mobility issues brought to light by this pandemic and that may arise again in other emergency situations.

Prioritizing active transport will result in reduced carbon emissions, reduced road congestion, less use of energy and resources, as well as less dependence on oil, lightening

the impact of oil price shocks. It will also provide multiple health benefits and enhance 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).

Sec. 3. *Definition of Terms.* – For purposes of this Act, these terms are defined as follows:

- a. *Active transport* refers to physical activity undertaken as a means of transport, such as walking or cycling and the use of other non-motorized vehicles;
- b. *Electric personal mobility devices* refer to any electric motorized device exclusively used for transporting an individual. This includes electric bicycles and electric kick scooters, excluding motorcycles, tricycles, and other similar modes of transport;
- c. *End-of-trip facilities* refer to facilities that cater to active transport users' needs at their destinations, which may include shower and changing rooms, short- and long-term bicycle parking, bicycle repair stations, and lockers, among others;
- d. *Non-motorized vehicles* refer to all forms of transportation that do not rely on an engine or motor for movement, including, but not limited to, bicycles and small wheeled non-motorized transport, such as skateboards, push scooters, and handcarts; and,
- e. *Slow streets* refer to local roads providing safe and convenient access and use by restricting motor vehicle access, use, or speed limits on certain days or hours in the day, or any combination of such measures as may be determined by the concerned local government unit (LGU), and prioritizing access and use by pedestrians, cyclists, and other non-motorized vehicle users.

Sec. 4. *Safe Pathways Network.* – Within twelve (12) months from the effectivity of this Act, the Safe Pathways Network shall be established for the use of active transport: *Provided,* That the use of electric personal mobility devices may be allowed subject to the guidelines set by the LGUs, in consultation with the Department of Transportation (DOTr).

The Safe Pathways Network shall consist of the following:

- a. *Bicycle lanes.* LGUs, in consultation with the DOTr and the Department of Public Works and Highways (DPWH), shall identify and create a network of bicycle lanes, which may be temporary or permanent in nature. The temporary lanes alternatively known as pop-up lanes shall be set up, whenever necessary, including during emergency situations: *Provided,* That along national roads in Metro Manila, the DOTr, in coordination with the DPWH and the Metro Manila Development Authority (MMDA), shall be the lead implementing agency.

Pop-up bicycle 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 bicycle lanes shall, as much as practicable, directly connect users to essential destinations, such as medical facilities, public and private facilities frequented by people, schools, and other similar places that may be identified. Motorcycles, tricycles, and other similar modes of transport, whether powered by fossil fuel or electricity, are prohibited from using the bicycle lanes unless otherwise designed for sharing with such modes of transport.

- b. *Walkways.* Walkways shall be designated or constructed for the use of pedestrians, including the use of strollers and other children's mobility equipment. Walkways may also be shared with non-motorized vehicles and electric personal mobility devices, subject to the guidelines set by the LGUs and taking into account the safety of pedestrians.
- c. *Slow streets.* To complement the network of bicycle lanes, LGUs shall create a designated network of people-oriented slow streets, which may be temporary or permanent, that will provide safe and convenient access and use of specific local roads. Speed limits, access on certain days or hours in the day by motorized vehicles in slow streets, or any combination of such measures shall be determined by the concerned LGU. Motor vehicles of residents, delivery and trash collection vehicles servicing the area of the slow streets, and emergency services shall have access to slow streets subject to restrictions to be imposed by the LGU.

Slow streets shall be clearly marked with signage specifying the restrictions. LGUs shall identify priority areas for implementation within

their jurisdiction. The DOTr and DPWH may provide assistance in the identification of slow streets.

Sec. 5. Institutional Facilities Pathways Priority. – LGUs shall coordinate with public and private institutions within their jurisdiction frequented by the public, such as but not limited to healthcare facilities and institutions, schools, churches, and government offices, to establish bicycle lanes, walkways and slow streets that can connect and provide safe access for the employees, customers and clients of such institutions as well as the general public, and to encourage the establishment of end-of-trip facilities within such institutions.

Special attention shall be given towards the safety of healthcare workers and patients who use active transport to hospitals and other healthcare facilities.

Sec. 6. Traffic Rules and Regulations. – All users of non-motorized vehicles and electric personal mobility devices shall, as far as applicable, obey traffic signals, signs and markers, road pavement markings, right-of-way, and other traffic rules and regulations.

The LGUs, in consultation with the DOTr and other appropriate agencies, shall issue guidelines for the safe use of bicycle lanes and the use of non-motorized vehicles and electric personal mobility devices.

Sec. 7. Bicycle Racks and Other End-of-Trip Facilities. – All public places, government offices, schools, places of work, mass transit and public utility vehicle terminals, and commercial establishments, including but not limited to malls, banks, and hospitals, shall provide, as far as practicable, secure bicycle or multi-use racks and other end-of-trip facilities, as needed.

Sec. 8. Role of Public and Private Sectors. – Both the public and private sectors shall promote active transport as a sustainable and healthy means of transportation and develop the Safe Pathways Network as provided under Section 4 of this Act, by putting up the necessary infrastructure facilities and programs. Further, the said sectors shall also provide, as far as practicable, additional support, benefits, subsidies, and training that will promote active transport.

LGUs shall incorporate the creation of the Safe Pathways Network and their corresponding infrastructure in their local development plans.

Sec. 9. Information and Education Campaign. – The DOTr, in coordination with other government agencies and the private sector, shall establish an information and education campaign on the importance of a shift to a sustainable and healthy mode of transportation, and the establishment and use of the Safe Pathways Network. The campaign

shall be designed for all present and potential active transport users, traffic enforcers, motorists, non-motorized vehicle and electric personal mobility device users, the commuting public, and the community in general.

Sec. 10. *Design and Construction of Permanent Bicycle Lanes and Walkways.* – Permanent bicycle lanes and walkways shall be designated or constructed with safety as the paramount concern. As much as practicable, permanent bicycle lanes and walkways shall be physically separated from the main road through physical barriers, or shall be elevated or otherwise constructed separately from the main road.

In areas where the physical separation of bicycle lanes and walkways is not possible, the roads shall be adapted, as far as practicable, for shared use with active transport users. Painted road markers may also be used for roads with limited space.

The DPWH, in coordination with the DOTr and LGUs, shall revise its manuals and guidelines for road design and construction to include non-motorized vehicles and electric personal mobility devices in the allocation of road space on national and local roads, and to promote the safety of active transport and electric personal mobility device users.

Sec. 11. *Reportorial Requirement.* – The DOTr shall submit an annual report to Congress on the establishment and use of the Safe Pathways Network for purposes of policy formulation and determining funding requirements. The report shall include relevant data such as the number of users of active transport and electric personal mobility devices, and mapping of the Safe Pathways Network in the country.

To this end, LGUs shall submit to the DOTr the relevant information needed to formulate the report.

Sec. 12. *Sources of Funding.* – The funds necessary for the implementation of this Act shall be sourced from the amounts set aside by LGUs for infrastructure projects within their jurisdiction, as well as from the appropriations of the DOTr and DPWH under the General Appropriations Act, and the Special Road Fund from the Motor Vehicle User's Charge as provided under Republic Act No. 8794, as amended.

Sec. 13. *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. 14. *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. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,