

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. **5419**



INTRODUCED BY REP. PM VARGAS

AN ACT
PROMOTING SUSTAINABLE AND ALTERNATIVE MODES OF
TRANSPORTATION AND OTHER MOBILITY OPTIONS TO IMPROVE AIR
QUALITY, INCREASE EFFICIENCY, REDUCE ROAD CONGESTION, AND
CONTRIBUTE TO POSITIVE HEALTH IMPACTS IN OUR SOCIETY

EXPLANATORY NOTE

Modernizing public transportation remains a challenge in the Philippines, especially in Metro Manila where urban transportation is marred by heavy congestion due to the huge difference between private vehicles and public utility vehicles. With an underdeveloped public transportation system, commuters often face the heavy burden of traffic inconvenience and are inappropriately incentivized further to invest in private vehicles instead.

On the other hand, air pollution in the country remains a challenge. Globally, the Philippines ranked 64th in 118 countries in terms of the worst air quality in 2021. According to figures from 2016, as reported by the Department of Environment and Natural Resources (DENR) 80 per cent of the country's air pollution comes from motor vehicles whilst the remaining 20 per cent comes from stationary sources, such as factories and the open burning of organic matter.¹

The 2017-2018 Global Competitiveness Report of the World Economic Forum identifies “inadequate supply of infrastructure,” which includes roads, bridges, and mass transportation, as the second-most problematic factor to doing business in the Philippines.

With remarkable innovations and technological development all around the world, solutions point to promoting sustainable and alternative modes of transportation and other mobility options.

¹ IQAir. 2022. <https://www.iqair.com/philippines> (Accessed October 4, 2022)

A sustainable transportation system that values communities and the public as stakeholders present an opportunity to fix the decades-long problem of mass transportation in the country.

This bill seeks to formulate and establish an overall action plan to build not just an efficient, world-class transportation system, but also one that is inclusive, accessible, non-polluting, and sustainable.

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



REP. PM VARGAS

Fifth District, Quezon City

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS

First Regular Session

House Bill No. **5419**

INTRODUCED BY REP. PM VARGAS

AN ACT
PROMOTING SUSTAINABLE AND ALTERNATIVE MODES OF
TRANSPORTATION AND OTHER MOBILITY OPTIONS TO IMPROVE AIR
QUALITY, INCREASE EFFICIENCY, REDUCE ROAD CONGESTION, AND
CONTRIBUTE TO POSITIVE HEALTH IMPACTS IN OUR SOCIETY

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 “*Sustainable Transportation Act.*”

SECTION 2. Declaration of Policies. – In conformity with the provisions of the constitution to promote general welfare and social justice in all phases of national development, 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, and to conserve and develop the patrimony of the nation, and in consonance with signed international agreements such as Aichi Statement of 2005, United Nations Economic Commission for Europe (UNECE) Agreement, United Nations Framework Convention on Climate Change (UNFCCC) Agreement of 1992, UNECE World Forum for Harmonization of Vehicle Regulations (WP 29), and Bangkok Declaration for 2020, the State hereby adopts the following policies relative to the transportation system in our country, whether public or private:

- a) The State shall promote a shift towards a safe, cost-effective, efficient, non-congestive, non-pollutive, and healthful locomotion and seamless and inclusive transportation system for the benefit of all citizens, economy and society;
- b) The State shall increase mobility options of the general public and promote the use of alternative modes of transportation, such as non-motorized transportation, green vehicle and public transportation;

- c) The State shall properly plan and establish facilities and infrastructure that will respond to this paradigm shift in the transportation system;
- d) The State shall espouse social equity and gender perspective in the formulation of a Sustainable Transport Action Plan, reinforcing existing rules, regulations and laws;
- e) The State shall establish its plan and programs in conformity with the overall integrated national land use plan as well as the local comprehensive land use plans; and
- f) The State shall encourage the viable use of alternative and cleaner fuels in view of vehicular modernization.

SECTION 3. Definition of Terms. – The following terms shall have their respective meanings:

- a) *Mixed-Use Development* refers to any urban, suburban or village development, or even a single building, that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated, and that provides pedestrian connections;
- b) *Motor Vehicle* refers to a self-propelled vehicle or any vehicle propelled by any power other than muscular power. The term does not include an electric bicycle;
- c) *Public Transportation* refers to a shared passenger transportation service which available for use by the general public. These include buses, trams, trains, rapid transit, and ferries;
- d) *Road Safety Audit* refers to the systematic checking of the safety aspects of new highway and traffic management schemes, including modifications to existing layouts. The main aim is to design out safety problems from the beginning and to reduce future problems. Safety audits should be included during the design, construction, and maintenance phases of road projects;
- e) *Transit-Oriented Development (TOD)* refers to a mixed-use residential and commercial area designed to maximize access to public transport and often incorporates features to encourage transit ridership. A TOD neighborhood typically has a center with a transit station or stop (train station, metro station, tram stop, or bus stop), surrounded by relatively high-density development with progressively lower-density development spreading outward from the center;
- f) *Transportation Demand Management (TDM)* refers to strategies that increase transport system efficiency. TDM gives priority to modes that move people more efficiently and discourages the use of single occupancy vehicles to reduce traffic congestion. It also includes promotion of non-motorized transport (NMT) through walking and cycling;
- g) *Walkways* refer to a continuous way designated for pedestrians and separated from the through lanes for motor vehicles by space or barriers; and

- h) *Sustainable Transport* refers to any means of transport with low impact on the environment, accessible, safe, environment-friendly, and affordable. It includes walking and cycling, transit-oriented development, green vehicles, carpooling, and building or protecting urban transport systems that are fuel-efficient, space-saving and promote healthy lifestyles.

SECTION 4. Sustainable Transport Action Plan. – The Department of Transportation (DOTr), in coordination with the Department of Environment and Natural Resources (DENR), National Economic Development Authority (NEDA), and other key stakeholders from the national and local levels, as may be deemed necessary, shall prepare a Sustainable Transport Action Plan which aims to provide a roadmap for national and local transportation system to be adhered to at all levels throughout the country.

The Sustainable Transport Action Plan shall include strategies relating to the inclusion of non-motorized transport, the development of a seamless and inclusive public transportation system, green infrastructures and facilities, and enforcement of transportation demand management measures. These will set out the actions required to achieve the mode shift target over certain period of time as identified by DOTr.

SECTION 5. Integrated Land Use and Transportation Plan. – In the preparation and updating of their land use plans, all local government units (LGUs) shall explore the important relationship between land use and transportation and ensure that land-use and transportation decisions be made in conjunction with each other to balance and coordinate the mix of land uses, with the end in view of sustaining a healthy economy, supporting the use of alternative transportation, and enhancing the quality of life. Said plan shall include strategies to avoid unnecessary travel through transit-oriented development. Further, the DOTr shall provide technical assistance to key stakeholders and LGUs in the completion of these integrated land use and transportation plans, upon the request of the LGUs and subject to availability of resources.

SECTION 6. Establishment of Emission Control and Standards, Road Safety and Inspection and Maintenance. – The State shall endeavor to achieve a smoke-free, accident-free, and effective road safety management system. In line with this, the existing motor vehicular standards set by the DOTr and DENR on emission, fuel economy, and roadworthiness shall form part of the Sustainable Transport Action Plan as consistent with the objectives of this Act. The DOTr, in coordination with related agencies, shall strictly implement these emission standards and conduct stronger road apprehension:

- a) *Emission Control and Standards.* – Pursuant to Philippine Clean Air Act of 1999 or Republic Act No. 8749, the DOTr, through the Land Transportation Office (LTO), shall conduct the vehicle test for emissions utilizing the Motor Vehicle Inspection Station (MVIS) as

well as establish a roadside inspection system to ensure that vehicles comply with emission standards.

- b) *Road Safety Program.* – The existing road safety program shall be enhanced and strictly enforced, by adopting a zero-fatality policy, implementing appropriate speed controls and imposing a regular Road Safety Audit (RSA) to influence safety performance on an ongoing basis. The Department of Public Works and Highways (DPWH) shall identify the roads and highways to be audited and shall be responsible for the conduct of the RSAs.

SECTION 7. Use of Alternative Energy and Cleaner Fuels. – The Department of Energy (DOE), in coordination with the DOTr and the DENR, shall formulate strategies towards vehicular modernization and use of alternative energy and cleaner fuels, such as but not limited to Compressed Natural Gas (CNG) fueled buses and electric motor-powered vehicles, pursuant to the Philippine Standardization Law or Republic Act No. 4109, Philippine Clean Air Act of 1999 or Republic Act no. 8749 and the Biofuels Act of 2006 or Republic Act No. 9367. The availability, viability, safety, sustainability, energy resilience, and fuel efficiency of these alternative energy and cleaner fuels shall be taken into consideration, as well as transparency and route measured capacity in relation to the issuance of provisional authorities or franchises.

SECTION 8. Non-Motorized Transportation. – The DOTr shall develop policies and guidelines that promote non-motorized transportation such as walking and bicycling, and variants such as the use of strollers, small-wheeled transport (skates, skateboards, push scooters and hand carts) and wheelchair travel to meet public transportation demand. Said policies and guidelines shall include design principles for supporting facilities and infrastructure that will espouse a seamless transportation system such as, but not limited to, exclusive pedestrian and bike lanes, safe street crossings and access ramps for persons with disabilities (PWDs) to ensure inclusive non-motorized transportation.

- a) *Installation of Walkways.* – Each LGU shall maintain adequate sidewalk areas on roads frequented by pedestrians as walkways to allow safe pedestrian passage and for the safe and convenient use of wheelchairs, strollers, and similar instruments. For primary and secondary roads, there shall be allotted three (3) meters for the sidewalks. If there is no space allocated for such and the implementation will prove difficult, in lieu thereof, either an elevated footbridge or underground walkway must be installed.
- b) *Designation of Bikes Lanes.* – Each LGU shall designated a bike lane measuring at least one (1)-meter wide on the rightmost portion of major roads within its jurisdiction which shall be clearly marked as such and segregated from all vehicular traffic lanes by a yellow dividing line. Currently designated bike lanes shall be assessed for

safety and connectivity and shall be subject to measures that will improve the same.

The designated bike lanes shall be for the preferential or exclusive use of bicycles. All motorized vehicular traffic shall not be allowed to use the bike lane at any time of the day. The right of way of bikers shall be paramount at all times and may not be obstructed by a parked or standing motor vehicle or other stationary object, even in intersections.

- c) *Provisions of Bicycle Parking Spaces and Bike Racks.* – The DOTr shall establish guidelines on the minimum supply of bicycle parking spaces and bike racks in buildings and other facilities, taking into consideration the population of the short-term or long-term dwellers in the area. The owners of these establishments shall be required to provide for such.

SECTION 9. Public Transportation. – The DOTr shall provide guidelines that will promote a shift towards seamless and inclusive public transportation as a primary mobility option to the general public, especially the poor, including elderly, PWDs, women, youth, and children. Better public transportation initiatives shall be studied and implemented in an effort to reduce the impact of fossil fuel on our environment and financial markets, provide high quality but affordable transport services as well as help reduce energy costs and pollution. Further, a unified and automated fare collection shall, as much as possible, be established amongst all the available forms of public transportation.

The DOTr shall conduct a Land Transportation Rationalization Study which will scientifically determine the actual need for public transportation in the various routes. This study shall objectively determine the actual number of public buses, jeeps, taxis and other public utility vehicles (PUVs) needed by the public in a certain route, road, street, locality or area. After completion, the study will be used as the basis for the Land Transportation Franchising and Regulatory Board's (LTFRB) issuance of the franchises for all the PUVs and grant of authority to operate as a vehicle for hire.

- a) *Commissioning of a "Bus Rapid Transit (BRT) System."* – The DOTr shall conduct a study commissioning the creation of a Bus Rapid Transit (BRT) System which will organize buses into one efficient long-distance transportation system with coordinated schedules, rates, routes, and pick-up and drop-off points. The LGU and the private sector, including but not limited to, mall owners and bus companies, may be tapped in order to put up or use existing facilities such as parks, parking lots, and bus depots that will serve as large collective transportation terminals where people can park their cars and bikes and take the buses to their destinations.

- b) *Establishment of a Water Ferry System.* – As much as practicable, the national agencies and water regulatory bodies in charge of a water body led by the DENR, in coordination with the DOTr, shall study and initiate the establishment of ferry system in navigable bodies of water.

SECTION 10. Transportation Demand Management Programs. – The DOTr, in coordination with the Department of Labor and Employment (DOLE), Department of Education (DepEd), Department of Trade and Industry (DTI), and one representative each from the civil society, transport sector, and the youth, shall come up with guidelines on transport demand management programs that will reduce the volume of cars and motorized transport in the roads as well as enhance and encourage students and workers to use the public transport system.

These shall include, but is not limited to, the following:

- a) Carpool, vanpool, or car-share projects;
- b) Car ownership policies in relation to parking and air pollution;
- c) Congestion pricing measures;
- d) Programs to promote telecommuting;
- e) Flexible work schedules, or satellite work centers;
- f) Transport program for government employees; and
- g) Intellectual transportation systems.

SECTION 11. Facilities. – The DOTr, in coordination with the DPWH and the LGUs concerned, shall carry out an investment program that will encourage a shift to sustainable transport within selected communities by providing safe and convenient options to bicycle and walk for routine travel, and for other purposes. Transit-oriented development, supporting facilities for non-motorized transportation, intermodal connectivity and public transportation shall be developed in accordance with the land use and transportation plan.

SECTION 12. Public Health Program. – An Inter-Agency Task Force composed of the DOTr and the DOH shall be created to lead the formation and the implementation of a Transportation and Health Impacts Program. The Task Force shall formulate strategies for the reduction of the negative health and environmental impacts of transportation to road users. These strategies shall include, but not be limited to strengthening of public health services, formulation of the necessary department administrative orders and required regular general and audio-logical checkup for road users and affected communities. Further, the Task Force shall regularly monitor and evaluate these strategies.

SECTION 13. Education and Research Programs. – The DOTr and NEDA shall conduct studies and researches, and eventually supply information to the car-owning and riding public as well as commuters on aspects of sustainable transport that are relatively new. Technical assistance may be provided to other government agencies and private sector representatives involved in the transport system.

The DOTr shall also conduct continuous public consultations and social impact assessments among stakeholders affected by the Sustainable Transport Action Plan. Social safety nets shall be carefully studied, formulated and implemented, as needed.

SECTION 14. *Financing.* – The DOTr, in coordination with key stakeholders deemed necessary, shall explore the possibility of accessing a growing range of global environment funds in order to be able to assist in the funding of sustainable public transport systems. Public-private partnerships shall also be encouraged in the development of transportation improvements.

Further, seventy-five percent (75%) of the seven and one half percent (7.5%) allotted in the Special Vehicle Pollution Control Fund (SVPCF) provided for in Section 7 of Republic Act No. 8794 or An Act Imposing A Motor Vehicle User’s Charge On Owners Of All Types Of Motor Vehicles And For Other Purposes shall be retained by the DOTr for the implementation of this Act.

SECTION 15. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, the Secretary of the Department of Transportation (DOTr), in coordination with other relevant government agencies and stakeholders, shall issue the necessary rules and regulations for the proper implementation of this Act.

SECTION 16. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 17. *Repealing Clause.* - All laws, decrees, orders, and issuances, or portions thereof, which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified accordingly.

SECTION 18. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,