

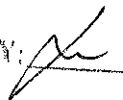
FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'11 APR 14 P1:46

SENATE
S.B. No. **2789**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Cycling, or biking, is the use of bicycles for transport, recreation, or for sport. Cycling provides advantages over the use of motor vehicles: bicycles produce no air or noise pollution; they do not consume fossil fuels; there is a marked reduction in traffic congestion; easier parking; greater maneuverability; it provides the cyclist with exercise and relieves stress; it is cheaper and there is negligible damage to roads. Thus, the possible benefits of the establishment of a nationwide bicycle program would be vast.

To support such a program, the proper infrastructure must be created. Without it, biking on Philippine roads, which is dominated by motor vehicles, remains hazardous to the cyclist. This bill seeks to establish bike-friendly communities throughout the Philippines. Bicycle-friendly cities are those that are most accommodating to cyclists. Cities are thought to be bicycle-friendly when they: (1) create a safe and easy environment for cycling; (2) educate the community on bicycle safety and laws; and (3) enforce rules and regulations surrounding traffic and marked lanes.

Bike-friendly communities can only be created through smart engineering and proper planning. Some examples of cities around the world that have successfully created bike-friendly communities are Amsterdam, Barcelona, Basel, Berlin, Beijing, Strasbourg, and several states in the U.S. such as New York, California, and Oregon. Portland, Oregon has been voted the most bike-friendly city because of the city's plans for a committed bike-focused infrastructure.

Establishing a nation-wide bicycle program would empower citizens by providing them with a concrete alternative means of commuting from one city to another. This integration of

bicycling into the country's transport system and city planning would ensure that the program becomes more permanent.

Finally, this bill also seeks to direct the Secretary of Transportation and Communications to develop a comprehensive plan and program to ensure the safety not only of cyclists, but all other commuters.

acs *Miriam Defensor Santiago*
MIRIAM DEFENSOR SANTIAGO

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1 AN ACT
2 TO PROMOTE THE USE OF BICYCLES AS ALTERNATIVE MODES OF
3 TRANSPORTATION AND ESTABLISH BIKE-FRIENDLY COMMUNITIES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

4 SECTION 1. *Short Title.* – This Act shall be known as the “Bike-Friendly Communities
5 Act.”

6 SECTION 2. *Declaration of Policy.* – A. It is the policy of the State to promote
7 environmentally sound and affordable means of transportation for its citizens that shall serve as
8 an alternative to vehicles which consume fuel. It is also the policy of the State to protect the
9 welfare and safety of the commuting public and all road users. Towards this end, the State shall
10 promote biking as a means of transport by establishing a comprehensive network of bike lanes
11 and bike facilities and a road safety program.

12 B. The State shall ensure that the needs and safety of all road users, particularly the
13 pedestrians and cyclists, are fully integrated into the planning, design, operation, and
14 maintenance of the country’s transportation system.

15 SECTION 3. *Definitions.* – For purposes of this Act, the term—

16 A. “Bike” or “Bicycle” means a non-motorized vehicle consisting of a light frame
17 mounted on two wire-spoked wheels one behind the other and having a seat, handlebars for
18 steering, brakes, and two pedals;

19 B. “Cyclist” means a person who rides a bicycle;

20 C. “DOTC” means the Department of Transportation and Communication; and

21 D. “Secretary” means the Secretary of the Department of Transportation and
22 Communication.

1 SECTION 4. *Establishing Bike-Friendly Communities through a National Bike Program.*

2 – The Secretary shall establish a bike program under the Department of Transportation and
3 Communication to promote safe biking in all towns and cities. The program shall include the
4 construction and maintenance of bicycle lanes, parking, and support facilities. The Secretary
5 shall also create an educational and awareness program on traffic safety. The Secretary may
6 enlist the assistance of other departments or government agencies to carry out this section.

7 SECTION 5. *Bicycle Lanes.* – There shall be designated bicycle lanes in all primary and
8 secondary roads that shall serve as exclusive access for bicycle riders. Motor vehicles are
9 prohibited from being driven or parked on any bicycle lane.

10 The bicycle lanes shall be separated by a physical barrier and shall be clearly identified
11 with signs and/or pavement markings. In cases where the installation of a physical barrier is not
12 feasible, the lane for bicycles shall be identified through reflectorized yellow painted lines.
13 Bicycle lanes must never compromise the mobility and safety of pedestrians.

14 The bicycle lanes should traverse across all towns and cities and connect to all major
15 forms of transport, including airports and piers.

16 Cyclists shall be required to bike within the lanes, unless no bike lanes have been
17 designated on such roads yet. Cyclists must obey all traffic rules and regulations except those
18 which are not applicable to bicycles.

19 SECTION 6. *Bicycle Parking.* – All public places, government offices, schools, major
20 business establishments, including malls, banks, restaurants, hospitals, and the like, are hereby
21 required to provide bicycle racks for bicycle parking.

22 Bicycle parking should be secure, visible, accessible, and not in the way of pedestrians or
23 motor vehicles.

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

- 28 A. Sidewalk improvements;
- 29 B. Traffic calming and speed reduction improvements;
- 30 C. Pedestrian and bicycle crossing improvements;

- 1 D. Traffic signage pertaining to bicycles;
- 2 E. Off-street pedestrian and bicycle facilities; and
- 3 F. Traffic diversion improvements.

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

- 9 A. Traffic education and enforcement;
- 10 B. Motorist Awareness and Road-Sharing; and
- 11 C. Bicycle and pedestrian safety.

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

16 SECTION 10. *Bike to Work.* – The DOTC shall establish a program that gives incentives
17 to private and government offices that encourage their employees to ride their bicycles to work
18 by providing for bicycle facilities within their establishments, lockers, and showers.

19 SECTION 11. *Penalties.* – A. Any person or establishment who violates the provisions of
20 this Act shall be punished by a fine not exceeding one thousand pesos (P 1,000.00). When the
21 offender is a corporation, the officers responsible for the violation shall be meted said penalties.

22 B. Any public works official who fails or refuses to mark the existing main roads and
23 highways or approve the construction of main roads or highways without the required bicycle
24 lanes in their designs shall be punished by a fine of not less than ten thousand pesos (P10,000.00)
25 nor more than thirty thousand pesos (P30,000.00) or suspension, or both, if found guilty in an
26 appropriate administrative investigation.

27 SECTION 12. *Grants.* —In carrying out the provisions of this Act, the Secretary may
28 make grants to local government units, and non-governmental organizations that the Secretary
29 determines are suitably equipped and organized to carry out the objectives and requirements of

1 this Act. A local government unit that receives a grant under this section may sub-allocate grant
2 funds to a nonprofit organization to carry out the program.

3 SECTION 13. *Implementing Rules and Regulations.* – Within thirty (30) days after this
4 Act takes effect, a committee shall be created to formulate the implementing rules and
5 regulations of this Act. The committee shall be composed of the following:

6 A. The Secretary of Transportation and Communication, or an authorized
7 representative, who shall serve as chair of the committee;

8 B. A representative from the Department of Public Works and Highways;

9 C. A representative from the Department of Environment and Natural Resources;

10 D. A professor from the University of the Philippines School of Urban and Regional
11 Planning;

12 E. Two (2) representatives from various bicycle organizations; and

13 F. A representative from the MMDA.

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

16 SECTION 14. *Appropriation.* — To carry out the provisions of this Act, such amount as
17 may be necessary is hereby authorized to be appropriated from the National Treasury.
18 Thereafter, the amount necessary for the continuous operation of the Bike Program shall be
19 included in the annual appropriation of the DOTC.

20 SECTION 15. *Separability Clause.* – If any provision or part hereof is held invalid or
21 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
22 valid and subsisting.

23 SECTION 16. *Repealing Clause.* – Any law, presidential decree or issuance, executive
24 order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent
25 with the provision of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,