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SENATE

Senate Bill No. 2317

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
PROVIDING FOR BICYCLE RIGHTS, CREATION OF LOCAL BIKEWAYS
OFFICE (LBO), ESTABLISHING INFRASTRUCTURE IN RELATION THERETO
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

This bill seeks to promote an alternative mode of transportation to people by encouraging them to use bicycles. Riding bicycles has many advantages – it promotes health and leisure but also provides for an alternative solution to high fuel prices, increasing transport fare, traffic management, air and noise pollution and high cost of motorized vehicles, including maintenance and parking fees.

To ensure the success of this measure, the national government and the local government units are enjoined to implement a nationwide program through the creation of a Local Bikeways Office under the City or Municipal Engineering Office. Said office shall be tasked to manage the construction and maintenance of a bikeway network including the identification of a bikeway roadmap, among other functions.

All main roads and highways shall be provided with Bicycle Lanes or “bikeways” identified by the Local Bikeways Office under the supervision of the city or municipal office.

This measure was previously filed by Sen. Manny Villar in the 15th Congress. The immediate passage of this bill is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT
PROVIDING FOR BICYCLE RIGHTS, CREATION OF LOCAL BIKEWAYS
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*Be it enacted by the Senate and the House of Representatives of the Philippines
in Congress assembled:*

1 **SECTION 1. Short Title.** – This Act shall be known as the “**Bicycle Act of 2014**”.

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4 **SEC. 2. Declaration of Policy.** – It is the policy of the State to protect and
5 promote the right to health of the people and instill health consciousness among
6 them and to protect and advance the right of the people to a balanced and
7 healthful ecology in accord with the rhythm and harmony of nature.

8
9 Likewise, in view of the fluctuating fuel prices in the world market, the State
10 recognizes the need for cheap alternative means of transportation and
11 encourages the use of non-motorized and environment friendly modes of
12 transport.

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15 **SEC. 3. Definition of Terms.** – For purposes of this Act, the term:

16
17 (a) “Bicycle” means any two wheeled vehicle having a rear drive which is
18 solely human powered and having a seat height of 25 inches or greater
19 when the seat is in the lowest possible position;

20
21 (b) “Local Bikeways Office (LBO)” refers to the agency in charge of
22 implementing policies, rules and regulations pertinent to this Act;

23
24 (c) “Cyclist” shall refer to drivers of bicycles;

25
26 (d) “Department” shall refer to the Department of Public Works and Highways;

27
28 (e) “Driver” means any person who drives a vehicle, motorized or non-
29 motorized;

30
31 (f) “Lane” means any longitudinal strips designated for passage of bicycles;

32

1 (g) "Non-Motorized Transport (NMT)" means any vehicle which does not use
2 a motorized engine;

3
4 (h) "Road" means the entire surface of any way or, street open to public
5 traffic.
6

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8 **SEC. 4. *Creation of Bikeways.*** – All main roads and highways shall be provided
9 with Bicycle Lanes or "bikeways" identified by the Local Bikeways Office under
10 the supervision of the city or municipal engineering office.
11

12
13 **SEC. 5. *Powers and Functions of the Local Bikeways Office.*** – The LBO shall be
14 an adjunct of the city or municipal engineering office and shall have the following
15 powers and functions:
16

17 (a) To manage the construction and maintenance of a bikeway network
18 including the identification of a bikeway roadmap;

19
20 (b) To establish provision of safe and strategic parking facilities, road
21 signages and maps, including the planting of trees in designated areas of
22 the network;

23
24 (c) To encourage partnership with local and foreign organizations to facilitate
25 easy access to bicycles;

26
27 (d) To conduct education and information drives on the benefits of using
28 bicycles or NMTs in order to promote the usage of the same;

29
30 (e) To cause all bicycles operating on the bikeways to be registered and
31 determine therefore the manner of such registration;

32
33 (f) To maintain and keep a bicycle registry where the LBO, within sixty (60)
34 days from the approval of this Act, shall have formulated a system of
35 procedure pertinent to bicycle registration.
36

37
38 **SEC. 6. *Bicycle Park.*** – Each city or municipality shall create, through the LBO
39 and the city or municipal engineering office, a Bicycle Park where provisions for
40 bicycles are present such as but not limited to bikeways, bicycle parking areas
41 and similar infrastructure. Such Bicycle Parks shall be funded by the city or
42 municipality by allocating thirty percent (30%) of their respective revenues raised
43 from miscellaneous activities like parking and license fees.
44

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46 **SEC. 7. *Rights, Duties and Obligations of Cyclists.*** – The following shall be the
47 rights, duties and obligations of cyclists:
48

49 (a) Ride on any public road or street provided that it has been designated as
50 a bikeway except highways or where signs specifically prohibiting bikes
51 have been posted;

52
53 (b) Every person riding a bicycle on the designated bikeways shall be granted
54 all the rights and shall be subject to all the duties applicable to drivers of
55 motorized vehicles except those which by their nature are inapplicable;

56
57 (c) A trailer or semitrailer may be attached to the bicycle;

- 1 (d) Right and left turn signals shall be given not less than 100 feet from turn
2 and while stopped waiting to turn. Such signals may be given intermittently
3 rather than continuously if the hand giving the signal is needed to control
4 the bicycle;
5
6 (e) An audible signal shall be given before overtaking;
7
8 (f) When riding at night, a bicycle shall be equipped with reflective material
9 visible from both sides for at least six hundred (600) feet, or a lighted lamp
10 visible from both sides for at least five hundred (500) feet from a motor
11 vehicle;
12
13 (g) A bicycle and its corresponding cyclist may be equipped with additional
14 lights and reflectors;
15
16 (h) A cyclist shall keep one hand on the handlebar at all times;
17
18 (i) A cyclist must always wear a helmet properly where the chin strap is
19 securely fastened;
20
21 (j) Every bicycle shall be equipped with brakes that are capable of stopping
22 the bicycle within twenty-five (25) feet from a speed of 10mph on dry,
23 clean level pavement.
24
25

26 **SEC. 8. Restrictions.** – The following are restrictions imposed upon cyclists and
27 the right to use a bicycle:
28

- 29 (a) No bicycle shall carry more persons than it was designed to carry except
30 when another regular seat or trailer towed by the bicycle is present;
31
32 (b) Persons riding a bicycle shall not cling to another vehicle while in the
33 designated bikeway;
34
35 (c) Bicycles may not be parked in areas other than those specifically
36 designated as such by the CBO;
37
38 (d) A cyclist shall not ride a bicycle on a sidewalk or crosswalk;
39
40 (e) A cyclist shall not carry anything on the bicycle unless it is in a basket,
41 bag, rack or trailer designed for that purpose;
42
43 (f) A modified bicycle is not allowed on' the bikeways, or that which makes
44 the hands higher than the shoulders when gripping the handlebars;
45
46 (g) Ownership or custody of a bicycle which has a destroyed, removed,
47 altered, covered or defaced serial number;
48
49 (h) No person shall operate a bicycle at a speed greater than IS reasonable
50 and prudent under the conditions then existing.
51
52

53 **SEC. 9. Obedience to Traffic Laws and Devices.** – Any person operating a
54 bicycle shall obey the instructions of official traffic control signs, and other control
55 devices applicable to vehicles, unless otherwise directed by a police officer.
56 Whenever authorized signs are posted, a person operating a bicycle shall not
57 disobey the direction of such sign except when that person dismounts from the

1 bicycle, in which case such person shall then obey the regulations applicable to
2 pedestrians.

3
4 No person shall ride or operate a bicycle in any direction except that permitted for
5 vehicular traffic traveling on the same side of the bikeway.
6

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8 **SEC. 10. *Flagging By a Police Officer.*** – A uniformed police officer, or any
9 deputized traffic officer, may stop, inspect and test a bicycle that is suspected to
10 be unsafe or to have improper equipment. He may also stop any cyclist
11 operating the bicycle in such a manner as to pose danger to others.
12

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14 **SEC. 11. *Riding on Bicycle Lands.*** – Every person operating a bicycle upon a
15 designated bikeway lane shall remain inside such lane, exercising due care when
16 passing a standing vehicle or a vehicle proceeding in the same direction. When a
17 person operating a bicycle upon a bikeway at a speed less than the normal
18 speed of traffic, such person may move out of the lane under any of the
19 following circumstances:
20

21 (a) Whenever overtaking or passing another bicycle, vehicle or pedestrian
22 within the lane or about to enter the lane if such overtaking or passing
23 cannot be done safely within the lane;
24

25 (b) When preparing for a turn at an intersection or into a private road or
26 driveway;
27

28 (c) When reasonably necessary to leave the, bicycle lane to avoid debris or
29 hazardous conditions.
30

31
32 **SEC. 12. *Yielding Right-of-Way from Bicycle Paths to Sidewalks.*** – Every person
33 riding a bicycle on a bikeway that is about to enter or cross a roadway shall yield
34 the right-of-way to all traffic on such roadway.
35

36
37 **SEC. 13. *Motor Vehicles in Bikeways.*** – Whenever a bikeway has been
38 established on a road, any person operating a motor vehicle on such road shall
39 not drive in the bikeway except to park when parking is permitted, to enter or
40 leave the road or prepare for a turn.
41

42
43 **SEC. 14. *Exercise of Due Care.*** – Every cyclist shall exercise due care to avoid
44 colliding with any pedestrian, or any person operating a bicycle or other device
45 propelled by human or animal power, upon any road, and shall give warning by
46 sounding the horn when necessary and shall exercise proper precautions upon
47 observing any child .or any incapacitated person upon a road.
48

49
50 **SEC. 15. *Penalties.*** – Any person who violates any of the provisions of this Act
51 shall be subject to the penalty of a fine of not less than Five Hundred Pesos
52 (P500.00) but not more than One Thousand Pesos (P 1,000.00). If such violation
53 causes damage or injury to persons or property, the appropriate provisions of the
54 Civil Code and the Revised Penal Code shall take effect.
55
56

1 **SEC. 16. *Separability Clause.*** – If any provision of this Act shall at any time be
2 found to be unconstitutional or invalid, the remainder thereof not affected by such
3 declaration shall remain in full force and effect.

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6 **SEC. 17. *Repealing Clause.*** – All laws, decrees, rules or regulations inconsistent
7 with the provisions of this Act are hereby repealed or modified accordingly.

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10 **SEC. 18. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days
11 following its complete publication in two (2) newspapers of general circulation.

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17 *Approved,*