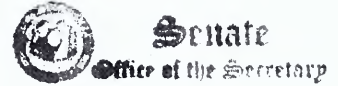


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



22 JUL 14 AIO :46

SENATE

S. B. NO. 571

RECEIVED BY: _____

Introduced by **SENATOR JOEL VILLANUEVA**

**AN ACT
PROVIDING FOR A MAGNA CARTA OF COMMUTERS**

EXPLANATORY NOTE

Mobility provides one of the groundwork through which a person gains access to basic human needs, such as food, water, healthcare, education, and employment opportunities. The lack of connectivity further deprives the individual of the many social, medical, technological, educational, and other benefits that are made available to society. Mobility or connectivity is therefore essential to human growth, creativity, meaning, and experience. Conversely, the lack of proper, efficient, and effective mobility and connectivity limits an individual's opportunities and growth and affects not only the individual or a specific sector in the community, but the society at large.

Regrettably, countless Filipinos continue to suffer from lack of adequate mobility and connectivity. This perennial issue affects most the vulnerable sectors in the country: the young, the elderly, the women, the poor, the working class, and persons with disabilities.

This problem on mobility is exacerbated by the fact that while 69% of daily trips are made through public transport, 78% of road space is being taken up by private transport.¹

It is, therefore, high time that the State takes another look into mobility issues that continue to beset the country and the Filipino people. Extra attention should be given most especially to the vulnerable sectors, the commuting public, the elderly, the women, the children, and others who mostly rely on public transportation and active transport whether in urban or rural areas.

¹ Japan International Cooperation Agency (JICA) and National Economic Development Authority (NEDA), Roadmap for Transport Infrastructure Development for Metro Manila and Its Surrounding Areas (Region III and Region IV-A), March 2014, accessible at <https://openjicareport.jica.go.jp/pdf/12149597.pdf>, (last accessed July 11, 2022).

This bill seeks to bring us a step closer toward addressing mobility and connectivity issues by redirecting the State's focus on giving priority to walking and public transport in road space allocation, as well as on developing and establishing infrastructures that maximize the use and benefits of the scarce public space through the use of high-occupancy public transport, or space-efficient pedestrian and cycling facilities. Efforts likewise are directed toward prohibiting boundary and commission-based revenue system that forces drivers, including jeepney and bus drivers, to compete for passengers and follow unsafe driving practices. This bills also aims to define with more definitiveness the rights of the commuting public—from public transportation services to safe and accessible infrastructure to clean air during travel and to commuter representation and participation—as well as the duties of the State, including the local governments, in ensuring these rights are recognized, protected, advanced, and implemented.

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

A handwritten signature in black ink, appearing to read "Joel Villanueva" with a circled initial "JV" to the right.

SENATOR JOEL VILLANUEVA



Senate

Office of the Secretary

NINETEENTH CONGRESS OF THE
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Introduced by **SENATOR JOEL VILLANUEVA**

**AN ACT
PROVIDING FOR A MAGNA CARTA OF COMMUTERS**

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “Magna Carta of
2 Commuters.”

3
4 **SEC. 2. *Declaration of Policy.*** – The State hereby recognizes mobility as a
5 basic human need. Without mobility, citizens are unable to access basic services such
6 as healthcare and education, or enjoy fundamental freedoms. Thus, the State shall
7 ensure that mobility is enjoyed by people of all ages, abilities, gender, and economic
8 status, and not only by those who are physically fit, with private motor vehicles, or with
9 financial means.

10
11 The State further recognizes the right of the commuters to travel safely,
12 conveniently, and reliably. To this end, the State shall develop and establish mobility
13 infrastructures and transportation services aimed at promoting the welfare of the
14 commuters and improving their mobility. The welfare of the commuter shall also be the
15 paramount objective in all decisions related to the provision of mobility infrastructure
16 and transportation services.

17
18 The State further guarantees the rights of all citizens, including the commuter
19 sector, to participate in the policy formulation, planning, implementation, management,
20 monitoring, evaluation, and decision-making processes of all institutions, programs,
21 projects, and services affecting the rights, welfare, and privileges of the commuters.

22
23 To attain the foregoing policy, the State shall provide the necessary
24 mechanisms, human and financial resources, and legal measures to enable its citizens
25 to enjoy fully the rights embodied in this Act.

1 **SEC. 3. Definition of Terms.** — For purposes of this Act, the following terms
2 shall mean:

- 3
- 4 a) **Active Transport** refers to non-motorized means of travel, including walking or
5 using a bicycle;
- 6
- 7 b) **Activity Center** refers to a place in a city or municipality where people gather
8 regularly for work, worship, education, social events, trade, exercise, leisure or
9 other common interests and purposes;
- 10
- 11 c) **Advance Notice** refers to the provision of early information regarding any
12 consultations with stakeholders, for which the period from the announcement or
13 delivery of the invitation to the consultation event will be a minimum of 10 working
14 days;
- 15
- 16 d) **Commuter** refers to a person who needs to travel from one place to another,
17 often using a combination of transportation modes to get to his/her destination;
- 18
- 19 e) **Greenway** refers to a road, street, or path with ample greenery and shade where
20 private motorized transport is not allowed, that also serves as recreational space
21 or a public park, in order to welcome and encourage environmentally sustainable
22 transportation modes, especially walking and cycling;
- 23
- 24 f) **High-Volume Transport Corridor** refers to walkways, paths, roads, bridges,
25 streets or mass transportation terminals where the flow of people is at least 2,000
26 persons per hour per direction during peak travel periods;
- 27
- 28 g) **Micromobility** refers to travel using electronic or non-motorized vehicles
29 weighing not more than 100 kilograms;
- 30
- 31 h) **Mobility** refers to the ability of a person to travel from one place to another to
32 conduct daily and extraordinary activities and business;
- 33
- 34 i) **Mobility Infrastructure** refers to physical facilities, such as foot paths, bicycle
35 lanes, roads, PUV loading/unloading bays, PUV terminals, and public transport
36 systems, that support and enhance a person's mobility.
- 37
- 38 j) **Private Motorized Transport** refers to privately owned motorized vehicles
39 weighing more than 100 kilograms;
- 40
- 41 k) **Public Transport** refers to public sector and franchised private sector services
42 that transport people over land or water, including but not limited to jeepneys,
43 utility vehicles (UVs), buses, minibuses, railways, ferries, taxis and tricycles; and
- 44
- 45 l) **Urbanized Municipality** refers to a municipality in the Philippines where the
46 aggregate area in the municipality zoned as residential, commercial or industrial
47 exceeds 40% of the total land area of the municipality.
- 48
- 49

1 **SEC 4. Right to Public Transportation Services that Satisfy Commuters'**
2 **Mobility Requirements.** – The State shall ensure that adequate public transportation
3 services are available to meet the needs of its citizens in the most prompt, convenient,
4 and accessible manner possible.
5

6 The State shall ensure that:

- 7
- 8 a) Every town and municipality will have a community-wide network of safe
9 sidewalks, bicycle lanes, and roads to enable safe and convenient travel around
10 the city entirely by foot, bicycle or by other forms of light mobility;
- 11
- 12 b) Public Transport services are available within a 500-meter walk from any
13 residence or activity center in a city;
- 14
- 15 c) Public Transport services are connected to another public service within a 300-
16 meter walk to promote seamless connectivity;
- 17
- 18 d) Public Transport services are in sufficient quantity and frequency so that
19 commuter waiting time at stops and terminals do not exceed 10 minutes during
20 peak demand periods;
- 21
- 22 e) Public Transport is accorded priority in the use of road space and traffic signal
23 operation so that it is able to traverse 15 kilometers within 1 hour, including all
24 scheduled stops;
- 25
- 26 f) Public Transport services are supported by properly equipped, adequately-sized,
27 and well-maintained terminals and stops, with attention to the safety and comfort
28 of commuters;
- 29
- 30 g) Every road with a speed limit of over 20 kilometers per hour (kph) and under 60
31 kph shall feature dedicated pedestrian infrastructure, in the form of an
32 unobstructed walking path of at least 2.5 meters wide in each direction;
- 33
- 34 h) Every road with a speed limit of under 60 kph shall feature dedicated bike lanes
35 which are wide enough to comfortably accommodate at least two bikes side by
36 side;
- 37
- 38 i) Transport services are inclusive, so that they are conveniently accessible to
39 persons of all ages and abilities. Public Transport infrastructure and vehicles
40 shall be designed and implemented so that persons with disabilities or special
41 needs, including senior citizens, are not excluded from their use; and
- 42
- 43 j) In all renovations of existing infrastructure or construction of new infrastructure,
44 preserving or improving the travel time impact on Public Transport, bicycles, and
45 pedestrians shall be prioritized over preserving or improving travel time impact
46 on private motorized transport. The State shall generally avoid the
47 implementation of projects that produce a positive impact on the travel time of
48 users of private motorized modes at large expense to Public Transport, bicycles,
49 and pedestrians.
- 50

51 **SEC. 5. Right to Safe, Convenient, and Affordable Public Transport Services.**
52 – The State shall ensure that Public Transport services are safe, dignified, convenient,
53 comfortable, easily accessible, and reliable, while remaining affordable to the general
54 public.

1 Concessional or discounted fares shall be offered for disadvantaged or special
2 groups, such as students, senior citizens, and persons with disabilities, in accordance
3 with law. The State shall endeavor to provide subsidies or incentives to compensate
4 for discounts offered to special or disadvantaged groups other than the incentives
5 provided under existing laws.

6
7 The State shall also reward the use of Public Transport via financial and non-
8 financial incentives to promote the frequent use of Public Transport. The State shall
9 ensure that it is more economical for commuters to use Public Transport more
10 frequently rather than less frequently.

11
12 During periods when transportation services are deficient, the State shall employ
13 alternative approaches to enable additional mobility options for its citizens, including
14 the use of public resources to fill temporary gaps in services, such as government-
15 owned vehicles or through government charter or lease of private vehicles.

16
17 The State shall also promote and ensure safe and efficient driving behavior by
18 Public Transport drivers through mandatory trainings and more stringent licensing.

19
20 Streets shall also be designed in accordance with international best practices in
21 road safety design to reduce the occurrence of dangerous driving behavior.

22
23 **SEC. 6. Right to Infrastructure for Pedestrians, Cyclists, and Persons with**
24 **Disabilities.** — The State shall ensure that roads are accessible to persons with
25 impaired mobility, among others, and that adequate and appropriate bicycle lanes are
26 available. For this purpose, the State shall:

- 27
28 a) Accord priority to the development of adequate sidewalks and networks of bicycle
29 lanes that encourage Active Transport and provide safe and direct access to
30 priority destinations, such as housing, education, business centers, markets and
31 grocery stores, and Public Transport nodes;
32
33 b) Ensure that all Public Transport stops are accessible to persons with disabilities
34 and impaired movement, including senior citizens;
35
36 c) Prioritize ease of access by pedestrians, especially at Public Transport stops and
37 government facilities, over mobility of private motorized transport;
38
39 d) Ensure that safe and adequate walking and cycling infrastructure is incorporated
40 in the design and implementation of road transport projects at national and local
41 government levels;
42
43 e) Ensure that the comprehensive land use plan of every city includes the
44 development of a city-wide network of safe sidewalks, bicycle lanes, and road
45 lanes to enable travel around the city entirely by foot, bicycle, or by other forms of
46 light mobility; and
47
48 f) Ensure that travel by walking or cycling is no less direct to destinations than travel
49 by private motorized transport. No commuter shall be made to travel above or
50 below street level to cross any street or intersection if it is possible to implement
51 an at-grade crossing. No commuter, when traveling by walking or cycling, shall
52 be made to diverge from his or her route of travel if a commuter traveling by private

1 motorized vehicle would have enjoyed a more direct trip.

2
3 In cities and urbanized municipalities, the State shall ensure that the
4 infrastructure of each barangay includes:

- 5
6 a) safe foot paths or sidewalks, free of obstructions, well-protected from
7 automobiles, compliant with universal design guidelines, and friendly and
8 accessible to pregnant women, elderly, and persons with strollers or wheelchairs;
9
10 b) networks of greenways to encourage active transport modes (walking and cycling);
11
12 c) proper lighting on all roads and footpaths to allow safe travel even after dark;
13
14 d) tactile paving on sidewalks of high-volume transport corridors for the benefit of
15 pedestrians who are blind;
16
17 e) bicycle racks in every transportation hub or terminal and in every commercial,
18 community and activity center. Such racks shall be provided at street level if
19 possible, and at most one level above or below the street; and
20
21 f) Safe intersections and pedestrian crossings such as provision of raised
22 pedestrian platforms, highly visible advance warning signages, adequate street
23 lighting, mid crossing refuges, traffic calming for motorized vehicles and curb
24 outstands to reduce road pavement crossing width.
25

26 In addition, the State shall promote light mobility by requiring that buildings have
27 adequate bicycle racks that can accommodate ten percent (10%) of the anticipated
28 users of such building.
29

30 **SEC. 7. Right to a Fair Share of Public Road Space.** — The State shall ensure
31 that public road space is used in a manner that delivers the greatest socio-economic
32 benefit. The State shall also ensure and prioritize the safety of road users. For this
33 purpose, it shall ensure that the design, engineering, and operation of road
34 infrastructure are appropriate to achieve the goal of road safety and access for non-
35 motorized and vulnerable users.
36

37 Because roads are a scarce public asset, the State shall ensure that road space
38 is prioritized for modes of travel (e.g., public transport, walking, cycling, etc.) that move
39 more people and maximize the productivity and social benefit of the public asset. The
40 planning and design of roads must prioritize the needs of pedestrians, micromobility
41 users, and Public Transport users. Public Transport shall also have priority use of road
42 space over private motor vehicles.
43

44 The State shall ensure that there is no private appropriation of public road space
45 and foot paths for parking, commerce, or other activities that will restrict public use of,
46 or access to, the road.
47

48 **SEC. 8. Right to Breathe Clean Air during Travel.** — The State shall take
49 measures to ensure that commuters are able to travel using Public Transport or active
50 transport (e.g., walking or cycling) without compromising their health.
51

52 The State shall ensure that all Public Transport vehicles comply with the
53 emission standards set by the Department of Environment and Natural Resources

1 (DENR), Department of Trade and Industry (DTI), and/or the Land Transportation
2 Franchising and Regulatory Board (LTFRB).

3
4 The State shall also formulate and implement programs and policies aimed at
5 encouraging citizens to commute using cycling or other lighter vehicles, thus reducing
6 vehicle-related pollution emissions. The State shall also provide facilities and programs
7 which support and incentivize the use of cleaner alternative fuels, other types of
8 renewable energy and electric vehicles.

9
10 The State shall measure air quality along major transport corridors in all cities
11 and provide this information to the public in real time. When air quality exceeds safe
12 levels according to internationally accepted standards, particularly from the World
13 Health Organization, the State shall activate emergency procedures with a view to
14 reducing the exposure of the public, especially the young and the elderly, to unclean
15 air.

16
17 **SEC. 9. Right to Information for Efficient and Convenient Travel.** — The
18 State shall provide timely and adequate information so that commuters are able to
19 make good travel plans and choices about modes and routes. For this purpose, the
20 State shall:

- 21
22 a) Make publicly available information on all Public Transport services, including
23 route maps, fares, schedules, and real time vehicle location and availability,
24 including traffic situation, for the convenience of commuters;
25
26 b) Ensure that such information is prominently displayed at all stops of public
27 transport services and at other locations deemed necessary or beneficial to
28 commuters;
29
30 c) Establish technical standards and regulations for the display of street maps at
31 strategic locations in each neighborhood, for the reference of residents and
32 visitors; and
33
34 d) Ensure that, at all ports, airports, and terminals, a 24-hour information/assistance
35 counter will be available to serve the needs of travelers.
36

37 **SEC. 10. Right to Special Attention during Service Breakdowns and to**
38 **Compensation for Deficiencies in Service.** — In the event of a breakdown in a Public
39 Transport service, passengers shall be entitled to receive promptly and without delay,
40 from the transport operator, a full refund of the fare and assistance in securing onward
41 journeys.

42
43 Stranded passengers shall be informed in a timely manner about how they will
44 be redirected to their final destination. If onward journeys are unavailable or
45 unreasonably delayed for more than twelve (12) hours, the transport operator shall
46 provide its passengers with access to food, water, and waiting area with clean
47 restrooms and ventilation.

48
49 **SEC. 11. Right to Representation and Participation.** — The State shall
50 ensure that the welfare and interest of commuters are considered in all decision-
51 making related to mobility and transportation services. Commuters shall be adequately
52 consulted on all matters affecting the welfare and mobility of commuters.
53

1 **SEC. 12. Annual Public Transportation Services and Infrastructure Plans**
2 **and Programs.** — The Department of Transportation (DOTr), in coordination with local
3 government units and other concerned stakeholders shall prepare, annually, a national
4 public transportation services and infrastructure plan and program to satisfy the
5 evolving mobility requirements in the country, especially in urban areas.
6

7 Local government units shall also prepare their own local public transportation
8 services and infrastructure plan to ensure the mobility of their citizens within the
9 context of their situation, needs and stages of development.
10

11 Metropolitan authorities and local government units shall also be responsible
12 for measuring, analyzing, and updating the mobility requirements in each locality and
13 to develop plans and programs to address the mobility requirements of their citizens.
14

15 **SEC. 13. Vision Zero in Road Safety.** — The State shall adopt the Vision Zero
16 in road safety, which aims to achieve a highway system with no fatalities or serious
17 injuries involving road traffic. For this purpose, the State shall implement a
18 comprehensive road safety program and allocate funding to implement activities under
19 the five pillars of the Philippine Road Safety Action Plan, namely Road Safety
20 Management, Safer Roads, Safer Vehicles, Safer Road Users, and Post-Crash
21 Response.
22

23 **SEC. 14. Implementing Agencies.** — The DOTr, DENR, DTI, Department of
24 Public Works and Highways (DPWH), Department of Interior and Local Government
25 (DILG), Metropolitan Manila Development Authority (MMDA) and other metropolitan
26 councils, shall be the implementing agencies for this Act, with DOTr as the lead
27 implementing agency with responsibility for coordinating and monitoring all
28 implementation activities.
29

30 The foregoing agencies shall include in their respective budget's funds for the
31 effective implementation of this Act.
32

33 Within two (2) years from the effectivity of this Act, all concerned government
34 agencies, including local government units, shall ensure that relevant technical
35 standards, guidelines, and manuals are amended to incorporate the requirements of
36 this Act.
37

38 **SEC. 15. Implementing Rules and Regulations.** — Within one hundred and
39 eighty (180) days from the effectivity of this Act, the DOTr and the other implementing
40 agencies, upon consultation with relevant government agencies and other
41 stakeholders, shall promulgate the implementing rules and regulations for the effective
42 implementation of this Act.
43

44 **SEC. 16. Penal Provisions.** — Any person in violation of any of the provisions
45 of this Act shall be fined not less than Ten Thousand Pesos (Php10,000) but not more
46 than Five Hundred Thousand Pesos (Php500,000).
47

48 If the offender is a public official, he/she shall also suffer the penalty of perpetual
49 disqualification from holding public office, and be dismissed from government service, after
50 due process.
51

52 **SEC. 17. Separability Clause.** — Any portion or provisions of this Act that may
53 be declared unconstitutional or invalid shall not have the effect of nullifying other

1 portions or provisions hereof as long as such remaining portions or provisions can still
2 subsist and be given effect in their entirety.

3
4 **SEC. 18. Repealing Clause.** — All laws, presidential decrees, executive
5 orders, memoranda, circulars and other issuances or parts thereof, which are
6 inconsistent with this Act, are hereby repealed or modified accordingly.

7
8 **SEC. 19. Effectivity.** — This Act shall take effect fifteen (15) days after its
9 publication in the *Official Gazette* or at least two (2) newspapers of general circulation.

10
11 **Approved,**