

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



'22 AUG -3 A11 :25

SENATE
S. B. No. 1005

RECEIVED BY: _____

Introduced by Senator SONNY ANGARA

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

EXPLANATORY NOTE

The ongoing pandemic not only highlighted the gaps in our country's health system but also the challenge to our public transportation sector. During the series of lockdowns imposed during the early period of the COVID-19 pandemic, those without their own personal vehicles have experienced difficulties in traveling from one place to another. This posed a significant challenge to those who had to report to their offices or workstations or those who needed access to medical services.

This problem has been persisting over the years. In fact, 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. In addition, in the World Bank's 2018 Logistic Performance Index which rates a country's trade logistics (i.e. quality of trade infrastructure and transport, etc.), the Philippines ranked 60th out of 160 countries. Hence, with a new administration taking the helm, improvements in the state of our mass transport industry should be one of the pertinent points to tackle as we move towards a full recovery of the economy.

This goal of improving our public transportation system is of utmost importance especially since mobility continues to play a significant role in supporting the growth

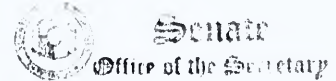
of the economy. Therefore, it is necessary to build an overall action plan to build not just an efficient, world-class transportation system, but also one that is inclusive, accessible, non-polluting, and sustainable.

This is the primary objective of the foregoing measure. Its passage is earnestly sought.



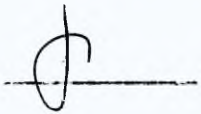
SONNY ANGARA
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

- 1 Section 1. *Short Title.* – The Act shall be known as the “*Sustainable Transportation*
2 *Act of 2022.*”
- 3 Sec. 2. *Declaration of Policies.* – In conformity with the provisions of the
4 Constitution to promote general welfare and social justice in all phases of national
5 development, to protect and advance the right of the Filipino people to a balanced
6 and healthful ecology in accord with the rhythm and harmony of nature, and to
7 conserve and develop the patrimony of the nation, and in consonance with signed
8 international agreements such as Aichi Statement of 2005, United Nations Economic
9 Commission for Europe (UNECE) Agreement, United Nations Framework Convention
10 on Climate Change (UNFCCC) Agreement of 1992, UNECE World Forum for
11 Harmonization of Vehicle Regulations (WP 29), and Bangkok Declaration for 2020, the
12 State hereby adopts the following policies relative to the transportation system in our
13 country, whether public or private:
- 14 a) The State shall promote a shift towards a safe, cost-effective, efficient, non-
15 congestive, non-pollutive, and healthful locomotion and seamless and inclusive
16 transportation system for the benefit of all citizens, economy and society;

- 1 b) The State shall increase mobility options of the general public and promote the
2 use of alternative modes of transportation, such as non-motorized
3 transportation, green vehicles and public transportation;
- 4 c) The State shall properly plan and establish facilities and infrastructures that will
5 respond to this paradigm shift in the transportation system;
- 6 d) The State shall espouse social equity and gender perspective in the formulation
7 of a Sustainable Transport Action Plan, reinforcing existing rules, regulations
8 and laws;
- 9 e) The State shall establish its plans and programs in conformity with the overall
10 integrated national land use plan as well as the local comprehensive land use
11 plans; and
- 12 f) The State shall encourage the viable use of alternative and cleaner fuels in view
13 of vehicular modernization.

14 *Sec. 3. Definition of Terms.* – The following terms shall have their respective
15 meanings:

- 16 a. *Mixed-Use Development* refers to any urban, suburban or village development,
17 or even a single building, that blends a combination of residential, commercial,
18 cultural, institutional, or industrial uses, where those functions are physically
19 and functionally integrated, and that provides pedestrian connections;
- 20 b. *Motor Vehicle* refers to a self-propelled vehicle or any vehicle propelled by any
21 power other than muscular power. The term does not include an electric
22 bicycle;
- 23 c. *Public Transportation* refers to a shared passenger transportation service which
24 is available for use by the general public. These include buses, trams, trains,
25 rapid transit, and ferries;
- 26 d. *Road Safety Audit* refers to the systematic checking of the safety aspects of
27 new highway and traffic management schemes, including modifications to
28 existing layouts. The main aim is to design out safety problems from the
29 beginning and to reduce future problems. Safety audits should be included
30 during the design, construction, and maintenance phases of road projects;
- 31 e. *Transit-Oriented Development (TOD)* refers to a mixed-use residential and
32 commercial area designed to maximize access to public transport and often

1 incorporates features to encourage transit ridership. A TOD neighborhood
2 typically has a center with a transit station or stop (train station, metro station,
3 tram stop, or bus stop), surrounded by relatively high-density development with
4 progressively lower-density development spreading outward from the center;

5 f. *Transportation Demand Management (TDM)* refers to strategies that increase
6 transport system efficiency. TDM gives priority to modes that move people
7 more efficiently and discourages the use of single occupancy vehicles to reduce
8 traffic congestion. It also includes promotion of non-motorized transportation
9 (NMT) through walking and cycling;

10 g. *Walkways* refer to a continuous way designated for pedestrians and separated
11 from the through lanes for motor vehicles by space or barrier; and

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

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

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

29 *Sec. 5. Integrated Land Use and Transportation Plan.* – In the preparation and
30 updating of their land use plans, all local government units (LGUs) shall explore the
31 important relationship between land use and transportation and ensure that land-use
32 and transportation decisions be made in conjunction with each other to balance and

1 coordinate the mix of land uses, with the end in view of sustaining a healthy economy,
2 supporting the use of alternative transportation, and enhancing the quality of life. Said
3 plan shall include strategies to avoid unnecessary travel through transit-oriented
4 development. Further, the DOTr shall provide technical assistance to key stakeholders
5 and LGUs in the completion of these integrated land use and transportation plans,
6 upon the request of the LGUs and subject to availability of resources.

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

15 A. *Emission Control and Standards.* – Pursuant to Philippine Clean Air Act of 1999
16 or Republic Act No. 8749, the DOTr, through the Land Transportation Office
17 (LTO), shall conduct the vehicle test for emissions utilizing the Motor Vehicle
18 Inspection Station (MVIS) as well as establish a roadside inspection system to
19 ensure that vehicles comply with the emission standards.

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

26 *Sec. 7. Use of Alternative Energy and Cleaner Fuels.* – The Department of
27 Energy (DOE), in coordination with the DOTr and the DENR, shall formulate strategies
28 towards vehicular modernization and use of alternative energy and cleaner fuels, such
29 as but not limited to Compressed Natural Gas (CNG) fueled buses and electric motor
30 powered vehicles, pursuant to the Philippine Standardization Law or Republic Act No.
31 4109, Philippine Clean Air Act of 1999 or Republic Act No. 8749 and the Biofuels Act
32 of 2006 or Republic Act No. 9367. The availability, viability, safety, sustainability,

1 energy resilience, and fuel efficiency of these alternative energy and cleaner fuels shall
2 be taken into consideration, as well as transparency and route measured capacity in
3 relation to the issuance of provisional authorities or franchises.

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

13 A. *Installation of Walkways.* – Each LGU shall maintain adequate sidewalk areas
14 on roads frequented by pedestrians as walkways to allow safe pedestrian
15 passage and for the safe and convenient use of wheelchairs, strollers, and
16 similar instruments. For primary and secondary roads, there shall be allotted
17 three (3) meters for the sidewalks. If there is no space allocated for such and
18 the implementation will prove difficult, in lieu thereof, either an elevated
19 footbridge or underground walkway must be installed.

20 B. *Designation of Bike Lanes.* – Each LGU shall designate a bike lane measuring
21 at least one (1)-meter wide on the rightmost portion of major roads within its
22 jurisdiction which shall be clearly marked as such and segregated from all
23 vehicular traffic lanes by a yellow dividing line. Currently designated bike lanes
24 shall be assessed for safety and connectivity and shall be subject to measures
25 that will improve the same.

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

31 C. *Provision of Bicycle Parking Spaces and Bike Racks.* – The DOTr shall establish
32 guidelines on the minimum supply of bicycle parking spaces and bike racks in

1 buildings and other facilities, taking into consideration the population of the
2 short-term or long-term dwellers in the area. The owners of these
3 establishments shall be required to provide for such.

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

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

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

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

1 Sec. 10. *Transportation Demand Management Programs.* – The DOTr, in
2 coordination with the Department of Labor and Employment (DOLE), Department of
3 Education (DepEd), Department of Trade and Industry (DTI), and one representative
4 each from the civil society, transport sector, and the youth, shall come up with
5 guidelines on transport demand management programs that will reduce the volume
6 of cars and motorized transport in the roads as well as enhance and encourage
7 students and workers to use the public transport system. These shall include, but is
8 not limited to, the following:

- 9 a) carpool, vanpool, or car-share projects;
- 10 b) car ownership policies in relation to parking and air pollution;
- 11 c) congestion pricing measures;
- 12 d) programs to promote telecommuting;
- 13 e) flexible work schedules, or satellite work centers;
- 14 f) transport program for government employees; and
- 15 g) intelligent transportation systems.

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

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

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

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

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

14 Further, seventy- five percent (75%) of the seven and one half percent (7.5%)
15 allotted in the Special Vehicle Pollution Control Fund (SVPCF) provided for in Section
16 7 of Republic Act No. 8794 or An Act Imposing A Motor Vehicle User’s Charge On
17 Owners Of All Types Of Motor Vehicles And For Other Purposes shall be retained by
18 the DOTr for the implementation of this Act.

19 Sec. 15. *Implementing Agency.* – The DOTr shall be the main implementing
20 agency for this Act.

21 Sec. 16. *Separability Clause.* – Should any provision herein be subsequently
22 declared invalid or unconstitutional, the same shall not affect the validity or the legality
23 of the other provisions not so declared.

24 Sec. 17. *Repealing Clause.* – All laws, presidential decrees, executive orders,
25 rules and regulations, other issuances, and parts thereof, which are inconsistent with
26 the provisions of this Act, are hereby repealed and modified accordingly.

27 Sec. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after its
28 publication in the *Official Gazette* or in any two (2) newspapers of general circulation
29 in the Philippines.

Approved,