

23 MAY 15 P3:26

SENATE

S. No. 2192

RECEIVED BY: 

Introduced by **SENATOR CYNTHIA A. VILLAR**

AN ACT PROVIDING FOR A MAGNA CARTA OF COMMUTERS

EXPLANATORY NOTE

Article II, Section 9 of the 1987 Philippine Constitution states that the "The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all."

Public transportation is crucial in fostering social equity, economic development, and environmental sustainability. The commuting public deserves a well-integrated, efficient transportation system that prioritizes their well-being and convenience. However, public transportation has long been a challenge for many Filipinos. During rush hour, chaos ensues on the roads, while commuters endure long queues and extended travel times for trains and public vehicles, striving to reach work punctually or return home safely. According to a report from the UP School of Urban and Regional Planning, 70% of Metro Manila's road users depend on public transportation, but they occupy only 22% of the available road space.¹ Many Filipinos grapple with inadequate connectivity and a lack of support for commuter mobility. As a result, it is essential for the State to intervene and ensure seamless mobility for individuals of all ages, abilities, genders, and economic backgrounds.

¹ Peña, K. D. (2022, July 6). UP transport blueprint: End confusion, review priorities. INQUIRER.net. <https://newsinfo.inquirer.net/1622803/up-transport-blueprint-end-confusion-review-priorities>


The proposed Magna Carta of Commuters aims to offer a comprehensive solution to the transportation needs of the Filipino people. This bill seeks to define and safeguard the rights of the commuting public, including: the right to safe, convenient, and affordable public transport services; the right to infrastructure that accommodates pedestrians, cyclists, and people with disabilities; the right to a fair share of public road space; and the right to clean air during travel. By implementing these provisions and the other rights outlined in the bill, the legislation aspires to promote safe and accessible mobility for everyone, protect the environment, and ultimately improve the Filipino commuters' overall experience.

Furthermore, the bill underscores the importance of supporting sustainable and eco-friendly modes of transportation, in line with the country's commitment to reducing greenhouse gas emissions and mitigating climate change impacts. By advocating for energy-efficient public transport services, non-motorized transport, and other environmentally friendly alternatives, the legislation strives to contribute to a cleaner and healthier environment for all Filipinos.

Additionally, the bill highlights the necessity of regular consultations with stakeholders, such as public transport operators, the commuting public, and civil society organizations, to address current and future transportation challenges. Through collaborative efforts, the State aims to develop innovative solutions and adapt to changing transportation needs, ultimately fostering a more inclusive and efficient public transportation system.

In sum, the proposed Magna Carta of Commuters represents a significant step towards enhancing the quality of life for the commuting public in the Philippines by ensuring their rights to safe, convenient, and affordable transportation services, while also promoting sustainable development and environmental protection.

Hence, I seek the approval of this measure.


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

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

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

15 The State further guarantees the rights of all citizens, including the commuter
16 sector, to participate in the policy formulation, planning, implementation,
17 management, monitoring, evaluation, and decision-making processes of all

1 institutions, programs, projects, and services affecting the rights, welfare, and
2 privileges of the commuters.

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

6 **CHAPTER II**
7 **DEFINITION OF TERMS**

8 **Sec. 3. *Definition of Terms.*** – For purposes of this Act, the following terms shall
9 mean:

- 10 a) *Active Transport* – refers to non-motorized means of travel, including
11 walking or using a bicycle;
- 12 b) *Activity Center* – refers to a place in a city or municipality where people
13 gather regularly for work, worship, education, social events, trade,
14 exercise, leisure or other common interests and purposes;
- 15 c) *Advance Notice* -- refers to the provision of early information regarding
16 any consultations with stakeholders, for which the period from the
17 announcement or delivery of the invitation to the consultation event will
18 be a minimum of 10 working days;
- 19 d) *Commuter* – refers to a person who needs to travel from one place to
20 another, often using a combination of transportation modes to get to
21 his/her destination;
- 22 e) *Greenway* – refers to road, street, or path with ample greenery and
23 share where private motorized transport is not allowed, that also serves
24 as recreational space or a public park, in order to welcome and
25 encourage environmentally sustainable transportation modes, especially
26 walking and cycling;

- 1 f) *High-Volume Transport Corridor* – refers walkways, paths, roads,
2 bridges, streets or mass transportation terminals where the flow of
3 people is at least 2,000 persons per hour per direction during peak travel
4 periods;
- 5 g) *Micromobility*– refers to travel using electronic or non-motorized vehicles
6 weighing not more than 100 kilograms;
- 7 h) *Mobility* – refers to the ability of a person to travel from one place to
8 another to conduct daily and extraordinary activities and business;
- 9 i) *Mobility Infrastructure* – refers to physical facilities, such as foot paths,
10 bicycle lanes, roads, PUV loading/unloading bays, PUV terminals, and
11 public transport systems, that support and enhance a person’s mobility;
- 12 j) *Private Motorized Transport* – refers to privately owned motorized
13 vehicles weighing more than 100 kilograms;
- 14 k) *Public Transport*– refers to public sector and franchised private sector
15 services that transport people over land or water, including but not
16 limited to jeepneys, utility vehicles (UVs), buses, minibuses, railways,
17 ferries, taxis and tricycles; and
- 18 l) *Urbanized Municipality*– refers to a municipality in the Philippines where
19 the aggregate area in the municipality zoned as residential, commercial
20 or industrial exceeds 40% of the total land area of the municipality.

21 **CHAPTER III**
22 **RIGHT OF COMMUTERS**

23 *Sec. 4. Right to Public Transportation Services that Satisfy Commuters; Mobility*
24 *Requirements.* – The State shall ensure that adequate public transportation services
25 are available for the commuters in the most prompt, convenient, and accessible
26 manner possible. Public transportation services and infrastructure plans and programs
27 should be prepared and updated on an annual basis in order to satisfy the evolving
28 mobility requirements in our communities, especially in urban areas.

1 It will be the responsibility of metropolitan authorities and local government
2 units to measure, analyze, and update the mobility requirements in each locality and
3 to develop plans and programs to address the mobility of their citizens.

4 The State shall ensure that:

- 5 a) Every town and municipality will have a community-wide network of safe
6 sidewalks, bicycle lanes, and roads to enable safe and convenient travel
7 around the city entirely by foot, bicycle or by other forms of light
8 mobility;
- 9 b) Public Transport services are available within 500-meter walk from any
10 residence or activity center in a city;
- 11 c) Public Transport services are connected to another public service within
12 a 300-meter walk to promote seamless connectivity;
- 13 d) Public Transport services are in sufficient quantity and frequency so that
14 commuter waiting time at stops and terminals do not exceed 10 minutes
15 during peak demand periods;
- 16 e) Public Transport is accorded priority in the use of road space and traffic
17 signal operation so that it is able to travers 15 kilometers within 1 hour,
18 including all scheduled stops;
- 19 f) Public Transport services are supported by properly equipped,
20 adequately-sized, and well-maintained terminals and stops, with
21 attention to the safety and comfort of commuters;
- 22 g) Every road with a speed limit of over 20 kilometers per hour (kph) and
23 under 60 kph shall feature dedicated pedestrian infrastructure in the
24 form of an unobstructed walking path of at least 2.5 meters wide in each
25 direction;
- 26 h) Every road with a speed limit of over 60 kph shall feature dedicated bike
27 lanes which are wide enough to comfortably accommodate at least two
28 bikes side by side;

1 The State shall ensure that transport services are inclusive, so that they are
2 accessible to persons to all ages and abilities. Public Transport infrastructures and
3 vehicles shall be designed and implemented so that persons with disabilities or special
4 need are not excluded from their use.

5 The State shall ensure that in all renovations of existing infrastructure or
6 construction of new infrastructure, preserving or improving the travel time impact on
7 Public Transport, bicycles, and pedestrians shall be prioritized over preserving or
8 improving travel time impact on private motorized transport. The State shall generally
9 avoid the implementation of projects that produce a positive impact on the travel time
10 of users of private motorized modes at large expense to Public Transport, bicycles,
11 and pedestrians.

12 *Sec. 5. Right to Safe, Convenient, and Affordable Public Transport Services. –*
13 The State shall ensure that Public Transport services are safe, dignified, convenient,
14 comfortable, easily accessible, and reliable, while remaining affordable to the general
15 public.

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

21 The State shall also reward the use of Public Transport via financial and non-
22 financial incentives to promote the frequent use of Public Transport. The State shall
23 ensure it is more economical for commuters to use Active Transport or Public
24 Transport than to use private motorized transport.

25 The State shall apply financial and non-financial disincentives to reduce the use
26 of private motorized transport. Funding earned from such disincentives must be
27 utilized for funding of Mobility Infrastructure in favor of Active Transport and Public
28 Transport.

1 During periods when transportation services are deficient, the State shall
2 employ alternative approaches for enabling additional mobility options for its citizens,
3 including through the use of public resources to fill temporary gaps in services, such
4 as through government charter or lease of private vehicles.

5 The State will promote safe and efficient driving behavior by Public Transport
6 drivers through mandatory trainings and more stringent licensing. All Public Transport
7 vehicles will be required to install electronic vehicle tracking devices and closed-circuit
8 televisions (CCTVs) that will enable concerned authorities to conduct real-time
9 monitoring of vehicle location, vehicle speed, and driver status. Dangerous on-street
10 competition and behavior among Public Transport drivers shall be eliminated through
11 the removal of any incentive for drivers that is related to ridership or fare revenue.
12 Streets must be designed in accordance with international best practices in road safety
13 design to reduce the occurrence of dangerous driving behavior.

14 *Sec. 6. Right to Infrastructure for Pedestrians, Cyclists, and Persons with*
15 *Disabilities.* — The State shall accord priority to the development of adequate
16 sidewalks and networks of bicycle lanes that encourage Active Transport and that
17 provide safe and direct access to priority destinations such as housing, education, and
18 business centers as well as Public Transport nodes.

19 The State shall ensure that all Public Transport stops are accessible to persons
20 with disabilities and impaired movement. The State shall ensure that ease of access
21 by pedestrians especially at Public Transport stops and government facilities is
22 prioritized over mobility to private motorized transport.

23 The State shall ensure that safe and adequate walking and cycling
24 infrastructure is incorporated in the design and implementation of road transport
25 projects at national and local government levels. The State shall ensure that the
26 Comprehensive Land Use Plan of every city includes that development of a city-wide
27 network of safe sidewalks, bicycle lanes, and road lanes to enable travel around the
28 city entirely by foot, bicycle, or by other forms of light mobility.

1 The State shall ensure that travel by walking or cycling is no less direct to
2 destinations than travel by private motorized transport. No commuter shall be made
3 travel above or below street level to cross any street or intersection if it is possible to
4 implement an at-grade crossing. No commuter, when traveling by waling or cycling,
5 shall be made to diverge from his or her rout of trave if a commuter traveling by
6 private motorized vehicle would have enjoyed a more direct trip.

7 The State shall require all government offices and buildings to have shower
8 facilities for the use of commuters. If these buildings receive citizens in the delivery of
9 frontline services, these shower facilities must be open to the public. The State shall
10 offer incentives to private sector for the provision of shower facilities in their offices
11 and buildings.

12 In cities and urbanized municipalities, the State shall ensure that the
13 infrastructure of each barangay includes:

- 14 a) Safe footpaths or sidewalks that are free of obstructions, well-protected
15 from automobiles, compliant with universal design guidelines, and
16 accessible by pregnant women, elderly, and persons with strollers or
17 wheelchairs; networks of greenways to encourage active transport
18 modes;
- 19 b) Proper lighting on all roads and footpaths to allow safe travel even at
20 night;
- 21 c) Tactile paving on sidewalks of high-volume transport corridors for the
22 benefit of pedestrians who are blind;
- 23 d) Bicycle racks in every transportation hub or terminal and in every
24 commercial, community, and activity center. Such racks shall be
25 provided at street level, if possible, and at most one level above or below
26 the street; and
- 27 e) Safe intersections and pedestrian crossings such as provision of raised
28 pedestrian platforms, highly visible advance warning signages, adequate

1 streetlighting, mid-crossing refuges, traffic calming for motorized
2 vehicles and curb outstands to reduce road pavement crossing width.

3 The State shall not require parking for cars to be build in any buildings, and
4 shall encourage commercial development and the built environment to accommodate
5 non-car travel. The State shall promote light mobility by requiring buildings to provide
6 bicycle racks that can accommodate ten per cent (10%) of the anticipated users of
7 any building.

8 The State shall adopt the Vision Zero in road safety and ensure that road
9 crashes are eliminated, particularly those with vulnerable road users. The State shall
10 implement a comprehensive road safety program and will allocate funding to
11 implement activities under the five pillars of the Philippine Road Safety Action Plan
12 namely Road Safety Management, Safer Roads, Safer Vehicles, Safer Road Users, and
13 Post-Crash Response. The State must also create a National Road Safety Unit under
14 the Department of Transportation and must also implement a national road crash
15 database for road safety planning.

16 *Sec. 7. Right to a Fair Share of Public Road Space.* – The State will ensure that
17 public road space is used in a manner that delivers the greatest socio-economic
18 benefit. The State shall ensure that safety of road users, especially non-motorized and
19 vulnerable users, shall be prioritized over the mobility of motorized modes of transport.

20 The State shall employ treatments to the design, engineering, and operation of
21 road infrastructure in order to achieve the goal of road safety and access for non-
22 motorized and vulnerable users.

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

1 The State will ensure that there is no private appropriation of public road space
2 and foot paths for parking, commerce, or other activities that will restrict public use
3 of or access to the road.

4 To ensure that government officials are able to properly empathize with the
5 needs of commuters, no travel incentive or privilege shall be given to any government
6 official that shall favor the use of private car travel. This restriction includes allowance
7 for fuel for personal travel, designation of exclusive car parking space, or personal
8 assignment of a service car or driver. All government officials shall commute to their
9 workplace by public transport or by active transport at least once per week.

10 *Sec. 8. Right to Breathe Clean Air during Travel.* – The State shall take
11 measures to ensure that commuters are able to travel using Public Transport or active
12 transport (e.g., walking or cycling) without compromising their health.

13 The State shall ensure that all Public Transport vehicles comply with the
14 emission standards set by the Department of Environment and Natural Resources
15 (DENR), Department of Trade and Industry (DTI), and/or the Land Transportation
16 Franchising and Regulatory Board (LTFRB).

17 The State shall provide programs which reduce the volume of motorized
18 vehicles to reduce vehicle-related pollution emissions. The State shall also provide
19 facilities and programs which support and incentivize the use of cleaner alternatives
20 fuels. Recognizing that non-exhaust emissions make up a significant portion of total
21 pollutant emissions and that the levels of such emissions are dependent on vehicle
22 weight, the State shall provide programs that encourage the reduction of average
23 vehicle weight and encourage citizens to commute using cycling or other lighter
24 vehicles.

25 The State shall measure air quality along the major transport corridors in all
26 cities and provide this information to the public in real time. When air quality exceeds
27 safe levels according to internationally-accepted standards, particularly from the World
28 Health Organization, the State will activate emergency procedures with the aim of

1 reducing the exposure of the public, especially the young, elderly, and
2 immunocompromised, to unclean air.

3 *Sec. 9. Right to Information for Efficient and Convenient Travel.* – The State
4 will provide timely and adequate information so that commuters are able to make
5 good travel plans and choices about modes and routes. The State shall make publicly
6 available information on all Public Transport services, including route maps, fares,
7 schedules, and real time vehicle location and availability, for the convenience of
8 commuters. The State shall ensure that such information is prominently displayed at
9 all stops of public transport services and at other locations deemed necessary or
10 beneficial to commuters.

11 The State will establish technical standards and regulations for the display of
12 street maps at strategic locations in each neighborhood, for the reference of residents
13 and visitors.

14 The State will ensure that, at all ports, airports, and terminals, a 24-hour
15 information/assistance counter will be available to serve the needs of travelers.

16 The State shall establish a National Transport Data and Planning Center
17 (NTDPC) which will collect and process the mobility data for evidence-based transport
18 planning which can quickly adapt to the evolving mobility requirements in our
19 communities. The NTDPC shall ensure that data in aid of policy and research on
20 mobility be open and be made available to the public.

21 *Sec. 10. Right to Special Attention During Service Breakdowns and to*
22 *Compensation for Deficiencies in Service.* – The State shall ensure that, in case of a
23 breakdown in a Public Transport service, passengers will be entitled to receive from
24 the transport operator a full refund of the fare and assistance in securing onward
25 journeys.

26 Stranded passengers should be informed in a timely manner about how they
27 will be redirected to their last destination. If onward journeys are unavailable for more
28 than one (1) hour, the transport operator should provide food, water, and access to a
29 waiting area with restrooms and ventilation.

1 Any student or employee should not be penalized for arriving late by their
2 school or employer, respectively, if the reason for their tardiness was a disruption in
3 a Public Transport service.

4 Sec. 11. *Right to Representation and Participation.* – The State shall ensure
5 that the welfare and interest of commuters are considered in all decision-making
6 related to mobility and transportation services. To this end, commuters have a right
7 to advance notice and information on any proposed policy, regulation, project or
8 service at local or national level that affect their mobility, including full details on how
9 they will be affected by the proposed initiative. Affected commuters have a right to
10 provide their comments and suggestions of the proposed initiative. Affected
11 commuters must receive a response to such comments from the concerned public
12 official within twenty (20) working days.

13 If a public consultation will be held regarding any initiative affecting the mobility
14 of commuters, the consultation meeting shall be held at a time, even on a weekend
15 or after officer hours, and at a convenient and accessible venue that will maximize the
16 participation and feedback from affected commuters. In parallel, commuter feedback
17 shall be solicited through social media and other channels for information exchange.

18 **CHAPTER IV**
19 **INSTITUTIONAL MECHANISMS**

20 Sec. 12. *Establishment of the Office of Commuter Affairs.* – An Office of
21 Commuter Affairs (OCA) shall be established under the Department of Transportation
22 (DOTr) at the national level, as well as in all city and municipal government units. The
23 OCA shall be under the direct supervision of an Assistant Secretary at the national
24 level, and a city or municipal administrator at the local level.

25 Sec. 13. *Functions and Responsibilities of the Office of Commuter Affairs.* – The
26 OCA shall be tasked to perform the following functions and responsibilities:

- 27 a) Coordinate with the respective government agencies dealing with road,
28 rails, air and maritime transportation policy to ensure safe, efficient,
29 convenient, and comfortable travel of commuters;

- 1 b) Operate Help Desks for the riding public;
- 2 c) Assist the commuters whenever the safety and efficiency of their travel
- 3 is compromised;
- 4 d) Undertake massive commuter education programs for the travelling
- 5 public to know their rights and responsibilities;
- 6 e) Provide legal assistance for commuters, when necessary; and,
- 7 f) Ensure adequate representation of commuters in any public consultation
- 8 that will impact on the welfare and interest of commuters.

9 Sec. 14. *Implementing Agencies.* – The DOTr, Department of Public Works and
10 Highways (DPWH), Department of Interior and Local Government (DILG),
11 Metropolitan Manila Development Authority (MMDA), Department of Environment and
12 Natural Resources (DENR), Department of Trade and Industry (DTI), and concerned
13 local government units shall be the implementing agencies for this Act, with DOTr as
14 the lead implementing agency with responsibility for coordinating and monitoring all
15 implementation activities.

16 The State shall ensure that the concepts of this framework are integrated in
17 the annual government budget process. The State shall ensure that compliance with
18 the provisions of this Act is included in the annual performance targets of all relevant
19 national and local government agencies.

20 The State shall ensure that the implementing agencies will annually be allocated
21 budget to strengthen organizational capacities and to sufficiently fund the
22 establishment and operations of the NTDPC, the OCA, and other related offices. The
23 State shall ensure that relevant technical standards, guidelines and manuals of
24 national and local agencies are amended to incorporate all requirements under this
25 Act.

26 Sec. 15. *Implementing Rules and Regulations.* —Within one hundred and eighty
27 (180) days from the effectivity of this Act, the DOTr and the other implementing
28 agencies will prepare the implementing rules and regulations of this Act with the

1 participation of non-government organizations, civil society organizations, and
2 academic institutions that champion the welfare of commuters.

3 Sec. 16. *Penal Provisions.* – Any person or government agency who has been
4 found to be in violation of any of the provisions of this Act shall be fined not less than
5 Two Hundred Thousand Pesos (P200,000.00) but not more than Five Hundred
6 Thousand Pesos (P500,000.00). If the offender is a public official, he/she shall be
7 dismissed from government service, in addition to the penalties above stated.

8 Sec. 17. *Separability Clause.* – Any portion or provisions of this Act that may be
9 declared unconstitutional or invalid and shall not have the effect of nullifying other
10 portions or provisions hereof as long as such remaining portions or provisions can still
11 subsist and be given effect in their entirety.

12 Sec. 18. *Repealing Clause.* – All laws, presidential decrees, executive orders,
13 memoranda, circulars, and other issuances, or parts thereof, which are inconsistent
14 with the Act, are hereby repealed or modified accordingly.

15 Sec. 19. *Effectivity Clause.* – This Act shall be take effect fifteen (15) days after
16 its publication in at least two (2) newspapers of general circulation.

Approved,