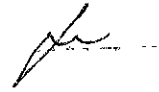


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

8 OCT 16 2017

SENATE
S.B. No. 2686

RECEIVED BY



Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The 1987 Constitution, Article 2 Sections 10 and 11 read:

Section 11. The State values the dignity of every human person and guarantees full respect for human rights.

There are motor vehicles designed to provide the desirable benefits of reducing harmful pollutants and operating with greater fuel efficiency include gasoline-electric hybrid and electric-only vehicles, and in the foreseeable future may include vehicles powered by hydrogen fuel cell and other engine designs that rely on fuels and technologies other than the gasoline-powered internal combustion engine. These vehicle engine designs are likely to operate with virtually no sound being produced by the vehicle.

The recently concluded Philippine International Motorshow was reportedly a revelation of things to come; the inclusion of hybrid vehicles among the cars on display came as a refreshing variation. However, an ongoing study in the United States has produced some of the first scientific evidence that hybrid cars may pose a hazard to certain pedestrians.

Blind pedestrians cannot locate and evaluate traffic by sight and instead must listen to traffic to discern its speed, direction, and other attributes in order to travel safely and independently. Other people, on the other hand, including pedestrians who are not blind, bicyclists, runners, and small children, benefit from multi-sensory information available from vehicle traffic, including the sound of vehicle engines;

Hence, failure to take immediate action assuring that blind pedestrians can hear hybrid and other silent vehicles in all phases of their operation will inevitably lead to pedestrian injuries and fatalities.

Such accidents are preventable through vehicle designs which take into account the multi-sensory nature of traffic detection and avoidance, and require that vehicles emit a minimum level of sound designed to alert all pedestrians, especially blind pedestrians, to the presence of such vehicles.


This bill seeks to direct the Secretary of the Department of Transportation and Communication (DOTC) to conduct a study and establish a motor vehicle safety standard that will provide for means of alerting blind and other pedestrians of any motor vehicle operation.


MIRIAM DEFENSOR SANTIAGO

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

8 OCT 16 12:14

SENATE
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1 AN ACT
2 TO DIRECT THE SECRETARY OF TRANSPORTATION AND COMMUNICATION
3 TO STUDY AND ESTABLISH A MOTOR VEHICLE SAFETY STANDARD THAT
4 PROVIDES FOR MEANS OF ALERTING BLIND AND OTHER PEDESTRIANS OF
5 MOTOR VEHICLE OPERATION.
6

7 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
8 *Congress assembled:*
9

10 SECTION 1. *Short Title.* – This Act shall be known as the “Pedestrian Safety
11 Enhancement Act of 2008”.

12 SECTION 2. *Declaration of Policy.* – It is the policy of state to value the dignity
13 of every human person and guarantee full respect for human rights.

14 SECTION 3. *Definition of Terms.* – As used in this Act, the term:

15 (1) “Secretary” means the Secretary of Transportation and Communication; and

16 (2) “Motor vehicle” is any vehicle operated or driven upon a public highway
17 which is propelled by any power other than muscular power, except:

18 (a) Electrically-driven mobility assistance devices operated or driven by a
19 person with a disability;

20 (b) Vehicles which run only upon rails or tracks;

21 (c) Farm type tractors and all terrain type vehicles used exclusively for
22 agricultural purposes, or for snow plowing, other than for hire, farm equipment,
23 including self-propelled machines used exclusively in growing, harvesting or
24 handling farm produce;

1 (d) Self-propelled caterpillar or crawler-type equipment while being
2 operated on the contract site; and

3 (e) Fire and police vehicles other than ambulances.

4 SECTION 4. *Study of Method to Protect Blind and other Pedestrians.* –

5 (a) Required Study – Not later than 90 days following enactment of this Act, the
6 Secretary shall conduct a study to –

7 (1) determine the most practical means of assuring that blind and other
8 pedestrians receive substantially similar information to information such
9 pedestrians receive from sound emitted by vehicles that use internal combustion
10 engines;

11 (2) determine the minimum level of sound emitted from a motor vehicle
12 that is necessary to provide blind pedestrians with the information needed to make
13 safe travel judgments; and

14 (3) consider whether the minimum level of sound requirement or another
15 method that conveys information essential for pedestrian safety provides the most
16 reliable information to support safe travel of blind and other pedestrians,
17 including:

18 (A) which method provides blind and other pedestrians the greatest
19 amount of information regarding location, motion, speed, and direction of
20 travel of a motor vehicle;

21 (B) the cost and feasibility of each method, including the cost and
22 feasibility of equipping each individual pedestrian with any technology
23 necessary to receive information; and

24 (C) which method assures the least reliance by blind and other
25 pedestrians upon technology they must possess when traveling and

1 thereby provides the greatest amount of independence and opportunity for
2 spontaneous travel for these pedestrians.

3 (b) Required Consultation – When conducting the study, the Secretary shall:

4 (1) review all available research regarding the effect of traffic sounds on
5 pedestrian safety, and commission such research as may be necessary;

6 (2) consult consumer groups representing individuals who are blind, other
7 pedestrians, cyclists, and advocates for children; and

8 (3) consult with automobile manufacturers and professional organizations
9 representing them.

10 (c) Report – The Secretary shall complete the study within 2 years of its
11 commencement and shall transmit a report of the findings to Congress.

12 SECTION 5. Minimum Sound Requirement for Motor Vehicles. – Not later than
13 90 days after conclusion of the study required under Section 4, the Secretary shall
14 promulgate a motor vehicle safety standard, to establish a method for alerting blind and
15 other pedestrians of the presence and operation of nearby motor vehicles to enable such
16 pedestrians to travel safely and independently in urban, rural, and residential
17 environments. Such standard shall provide that every motor vehicle be equipped with a
18 method –

19 (1) to provide blind and other pedestrians with a non-visual alert regarding the
20 location, motion, speed, and direction of travel of a motor vehicle that provides
21 substantially the same protection of such pedestrians as that provided by a motor vehicle
22 with an internal combustion engine; and

23 (2) that will permit a blind or other pedestrian to determine the location, motion,
24 speed, and direction of travel of a motor vehicle with substantially the same degree of

1 certainty as such pedestrians are able to determine the location, motion, speed, and
2 direction of travel of a motor vehicle with an internal combustion engine.

3 SECTION 6. *Appropriations.* – To carry out the provisions of this Act, such
4 amount as may be necessary is hereby authorized to be appropriated from the National
5 Treasury.

6 SECTION 7. *Separability Clause.* – If any provision or part hereof, is held invalid
7 or unconstitutional, the remainder of the Act or the provision not otherwise affected shall
8 remain valid and subsisting.

9 SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance,
10 executive order, letter of instruction, administrative order, rule or regulation contrary to,
11 or inconsistent with the provisions of this Act is hereby repealed, modified or amended
12 accordingly.

13 SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days
14 after its publication in at least two (2) newspapers of general circulation.

15

16 Approved,