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SENATE

S. No. 1172

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Introduced by Senator Antonio "SONNY" F. Trillanes IV

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### Explanatory Note

One adverse reality that is tied in with development is an increase in traffic accidents connected to increased motorization and infrastructure. Every year, worldwide, about 1.3 million people get killed on roads, mostly in low- and middle-income countries -- and vehicular accidents are likely to become the fifth leading cause of death in all age groups by 2030<sup>1</sup>, such as the Philippines.

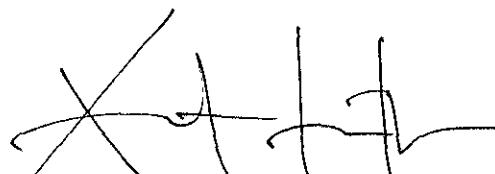
The state of road safety of a country is normally gauged by the frequency of accidents. The Manila-based Asian Development Bank (ADB) reported road accidents were now the leading cause of premature death globally for children and young people aged five to 29 years. It also cited a report from the World Health Organization, which noted that 90% of the deaths caused by road accidents are in low- and middle-income countries even if these countries only account for 50% of the world's total vehicles<sup>2</sup>.

In the Philippines, data from the Public Works department, Metropolitan Manila Development Authority and the Philippine National Police-Highway Patrol Group showed that 1,833 persons were killed while almost 29,000 people were injured in the 85,820 road accidents that were recorded last year<sup>3</sup>.

Since the Philippines signed the Vienna convention in 1968, traffic control devices, such as traffic signs and markings, have generally followed international standards. Nevertheless, there are still many signs installed that do not conform to standard colors or shapes. The number of traffic signs installed is generally insufficient, and in highly urbanized areas these signs can hardly be recognized, as they compete with giant billboards in visibility and craftsmanship.

As the importance of road safety is realized, as well as how tremendous losses - in which the estimated cost of these losses from accidents amount to approximately Php 150 billion per year - from preventable phenomenon such as traffic accidents could be, this bill recognizes that road safety problem is significant.

Approval of this bill is earnestly sought.



ANTONIO "SONNY" F. TRILLANES IV  
Senator

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<sup>1</sup> See more at: <http://www.bworldonline.com/content.php?section=Motoring&title=ADB-warns-of-rising-road-accidents&id=49704#sthash.udFFYEpi.dpuf>

<sup>2</sup> Ibid


<sup>3</sup> Ibid



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AN ACT  
PROVIDING FOR A HIGHWAY SAFETY PROGRAM IN THE PHILIPPINES, AND  
FOR OTHER PURPOSES

*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 "Highway Safety Program of  
2 2013."

3  
4        **Sec. 2. *Definition of Terms.*** For purposes of this Act, the words and phrases used herein  
5 shall mean and understood to mean as follows:

6        1) **Strategic Highway Safety Program** - The term "Strategic Highway Safety Program"  
7 means a program developed by the Department of Transportation and Communication (DOTC)  
8 after consultation with:

- 9        (i) regional transportation planning organizations and metropolitan planning  
10        organizations, if any;  
11        (ii) representatives of major modes of transportation;  
12        (iii) National Government and local traffic enforcement officials;  
13        (iv) motor vehicle administration agencies; and  
14        (v) other major National Government and local safety stakeholders;

15  
16        The program should accomplish the following:

- 17        (a) analyzes and makes effective use of National Government, regional, or local crash  
18 data;

1 (b) addresses engineering, management, operation, education, enforcement, and  
2 emergency services elements (including integrated, interoperable emergency communications) of  
3 highway safety as key factors in evaluating highway projects;

4 (c) considers safety needs of, and high-fatality segments of, public roads;

5 (d) considers the results of State, regional, or local transportation and highway safety  
6 planning processes; and,

7 (e) describes a program of projects or strategies to reduce or eliminate safety hazards.

8 2) **Highway safety improvement project.** -

9 (a) **In general.** - The term "highway safety improvement project" means a project  
10 described in the Government strategic highway safety program that -

11 (i) corrects or improves a hazardous road location or feature; or

12 (ii) addresses a highway safety problem.

13 (b) **Inclusions.** - The term "highway safety improvement project" includes a project for  
14 one or more of the following:

15 (i) An intersection safety improvement.

16 (ii) Pavement and shoulder widening (including addition of a passing lane to remedy an  
17 unsafe condition).

18 (iii) Installation of rumble strips or another warning device, if the rumble strips or other  
19 warning devices do not adversely affect the safety or mobility of bicyclists, pedestrians,  
20 and the disabled.

21 (iv) Installation of a skid-resistant surface at an intersection or other location with a high  
22 frequency of accidents.

23 (v) An improvement for pedestrian or bicyclist safety or safety of the disabled.

24 (vi) Construction of a railway-highway crossing safety feature, including installation of  
25 protective devices.

26 (vii) The conduct of a model traffic enforcement activity at a railway-highway crossing.

27 (viii) Construction of a traffic calming feature.

28 (ix) Elimination of a roadside obstacle.

29 (x) Improvement of highway signage and pavement markings.

1 (xi) Installation of a priority control system for emergency vehicles at signalized  
2 intersections.

3 (xii) Installation of a traffic control or other warning device at a location with high  
4 accident potential.

5 (xiii) Safety-conscious planning:

6 (xiv) Improvement in the collection and analysis of crash data.

7 (xv) Planning integrated interoperable emergency communications equipment,  
8 operational activities, or traffic enforcement activities (including police assistance)  
9 relating to work zone safety.

10 (xvi) Installation of guardrails, barriers (including barriers between construction work  
11 zones and traffic lanes for the safety of motorists and workers), and crash attenuators.

12 (xvii) The addition or retrofitting of structures or other measures to eliminate or reduce  
13 accidents involving vehicles and wildlife.

14 (xviii) Installation and maintenance of signs (including fluorescent, yellow- green signs)  
15 at pedestrian-bicycle crossings and in school zones.

16 (xix) Construction and yellow-green signs at pedestrian-bicycle crossings and in school  
17 zones.

18 (xx) Construction and operational improvements on high risk rural roads.

19 (xxi) Information drive concerning highway safety matters (including motorcyclist  
20 safety).

21 (xxii) Enforcement of highway safety laws.

22  
23 **SEC. 3. Program. -**

24 **(1) In general.** - The DOTC Secretary shall carry out a highway safety improvement  
25 program.

26 **(2) Purpose.** - The purpose of the highway safety improvement program shall be to  
27 achieve a significant reduction in traffic fatalities and serious injuries on public roads.

1           **SEC. 4. Eligibility. -**

2           **(1) In general. -** To obligate funds apportioned to carry out this section, a city or a  
3 province shall have in effect a highway safety improvement program under which the  
4 city/municipality -

5           (a) develops and implements a city/municipality strategic highway safety plan that  
6 identifies and analyzes highway safety problems and opportunities;

7           (b) produces a program of projects or strategies to reduce identified safety problems;

8           (c) evaluates the plan on a regular basis to ensure the accuracy of the data and priority of  
9 proposed improvements; and

10          (d) submits to the Secretary of Transportation and Communications an annual report that-

11          (i) describes, in a clear understandable fashion, not less than five (5) percent of locations  
12 determined by the city or the province, as exhibiting the most severe safety needs; and

13          (ii) contains an assessment of -

14               (I) potential remedies to hazardous locations identified;

15               (II) estimated costs associated with those remedies; and

16               (III) impediments to implementation other than cost associated with those remedies.

17          **(2) Identification and analysis of highway safety problems and opportunities. -** As part  
18 of the Government strategic highway safety plan, a city or a province shall -

19          (a) have in place a crash data system with the ability to perform safety problem  
20 identification and countermeasure analysis;

21          (b) based on the analysis required by subparagraph (a)-

22               (i) identify hazardous locations, sections, and elements (including roadside obstacles,  
23 railway-highway crossing needs, and unmarked or poorly marked roads) that  
24 constitute a danger to motorists (including motorcyclists), bicyclists, pedestrians, and  
25 other highway users; and

26               (ii) using such criteria as the city or the province determine to be appropriate,  
27 establish the relative severity of those locations, in terms of accidents, injuries, deaths,  
28 traffic volume levels, and other relevant data;

29          (c) adopt strategic and performance-based goals that -

1 (i) address traffic safety, including behavioral and infrastructure problems and  
2 opportunities on all public roads;

3 (ii) focus resources on areas of greatest need; and

4 (iii) are coordinated with other highway safety programs;

5 (d) advance the capabilities of the Government for traffic records data collection,  
6 analysis, and integration with other sources of safety data (such as road inventories) in a manner  
7 that -

8 (i) includes all public roads;

9 (ii) identifies hazardous locations, sections, and elements on public roads that  
10 constitute a danger to motorists (including motorcyclists), bicyclists, pedestrians, the  
11 disabled, and other highway users; and

12 (iii) includes a means of identifying the relative severity of hazardous locations in  
13 terms of accidents, injuries, deaths, and traffic volume levels;

14 (e) (i) determine priorities for the correction of hazardous road locations, sections, and  
15 elements (including railway- highway crossing improvements), as identified through crash data  
16 analysis;

17 (ii) identify opportunities for the development of such hazardous conditions; and

18 (iii) establish and implement a schedule of highway safety improvement projects for  
19 hazard correction and hazard prevention; and

20 (f) (i) establish an evaluation process to analyze and assess results achieved by highway  
21 safety improvement projects carried out in accordance with procedures and criteria established  
22 by this section; and

23 (ii) use the information obtained under clause (i) in setting priorities for highway  
24 safety improvement projects.

25

26 **SEC. 5. Eligible Projects.** - A city or provincial government may obligate funds  
27 apportioned to the city or provincial government to carry out any highway safety improvement  
28 project on any public road or publicly owned bicycle or pedestrian pathway or trail.

1           Nothing in this section prohibits the use of funds made available under other provisions  
2 of this Act for highway safety improvement projects.

3           The city and provincial governments are encouraged to address the full scope of their  
4 safety needs and opportunities by using funds made available under other provisions of this Act  
5 (except a provision that specifically prohibits that use).

6

7           **SEC. 6. Reports. -**

8           **(1) In general. -** A city or provincial government shall submit to the DOTC Secretary a  
9 report that-

10           (a) describes progress being made to implement highway safety improvement projects  
11 under this section;

12           (b) assesses the effectiveness of those improvements; and

13           (c) describes the extent to which the improvements funded under this section contribute  
14 to the goals of -

15           (i) reducing the number of fatalities on roadways;

16           (ii) reducing the number of roadway-related injuries;

17           (iii) reducing the occurrences of roadway-related crashes;

18           (iv) mitigating the consequences of roadway-related crashes; and,

19           (v) reducing the occurrences of crashes at railway-highway crossings.

20           **(2) Contents; schedule. -** The Secretary of Transportation and Communications shall  
21 establish the content and schedule for a report under Section (6)(1) of this Act.

22           **(3) Transparency. -** The Secretary of Transportation and Communications shall make  
23 reports submitted to him available to the public through -

24           (a) the Web site of the Department; and

25           (b) such other means as the Secretary determines to be appropriate.

26

27           **SEC. 7. Appropriations. -** The amount necessary to carry out the provisions of this Act  
28 shall be provided out of the savings from the appropriations of the DOTC for the current year.

1 Thereafter, the sum necessary for the implementation of this Act shall be appropriated in the  
2 annual appropriations of the DOTC.

3

4 **SEC. 8. *Separability Clause.*** - Should any part or provision of this Act is declared  
5 invalid or unconstitutional for any purpose, none of the other parts or provisions hereof shall be  
6 affected.

7

8 **SEC. 9. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or parts  
9 thereof inconsistent with this Act are hereby repealed or amended accordingly.

10

11 **SEC. 10. *Effectivity.*** - This Act shall take effect fifteen (15) days upon its publication in  
12 at least two (2) general newspapers of national circulation.

Approved,