

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



Senate  
Office of the Secretary

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SENATE  
S. No. **2297**

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
TO PROVIDE FOR SAFER BICYCLE RIDING  
FOR BICYCLISTS AND THE MOTORING PUBLIC

EXPLANATORY NOTE

Because of the high cost of private motor vehicles, inadequate public transportation and excessive traffic, a growing number of commuters have begun exploring alternative modes of transportation.

Bicycles are one such inexpensive and environmentally-friendly alternative to petroleum-dependent vehicles; in addition to this, cyclists get health benefits from every kilometer of pedaling. Hence, many countries have endeavored to promote bicycling as an integral part of their transport system and establish a network of bicycle lanes and other related infrastructure.

Here in the Philippines, the national and local governments have yet to provide adequate bicycle lanes; in fact, I have filed another bill to establish bike lanes and other infrastructure in order to create bike-friendly communities. In the meantime, however, commuters should not be prevented from using their bikes to work or other destinations. This bill, addresses the current situation where cyclists are forced to use the same roads as motorized vehicles due to the lack of bicycle lanes.

One reason why cyclists hesitate to take to the road is because of safety issues. Though bicycle-related accidents have many causes, motor vehicle operators' lack of

education on how to share the road with cyclists undoubtedly contributes to this. Thus, many countries and cities abroad have a "Share the Road" safety campaign which provides materials, information and resources to improve bicycle safety citywide. Share the Road's priority and goal is to eliminate bicycle-related fatalities and reduce crashes.

Though bicyclists and motorists are equally responsible for safety, bicyclists are more vulnerable; hence this bill establishes rules geared towards the protection of bicyclists. In support of that, it also establishes an educational program to raise awareness on safety and road sharing.

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*act*



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SENATE  
S. No. 2297

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

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

1 AN ACT  
2 TO PROVIDE FOR SAFER BICYCLE RIDING FOR BICYCLISTS  
3 AND THE MOTORING PUBLIC

4  
5 SECTION 1. *Short Title.* - This Act shall be known as the "Share the Road Act."

6 SECTION 2. *Declaration of Policy* -

7 A. It is the policy of the State to protect the welfare and safety of the commuting  
8 public and all road users. Towards this end, the State shall establish a road  
9 safety program.

10 B. The State shall ensure that the needs and safety of all road users, in particular  
11 the cyclists, are fully integrated into the planning, design, operation and  
12 maintenance of the country's transportation system.

13 SECTION 3. *Definitions.* - For purposes of this Act, the term:

14 A. "Bike" or "Bicycle" means a non-motorized vehicle consisting of a light frame  
15 mounted on two wire-spoked wheels one behind the other and having a seat,  
16 handlebars for steering, brakes, and two pedals.

17 B. "Cyclist" means a person who rides a bicycle;

18 C. "Bicycle Lane" means a portion of the roadway that has been designated by  
19 striping, pavement markings, or signage for the exclusive or preferential use of  
20 persons operating bicycles.

1 D. "DOTC" means the Department of Transportation and Communication;

2 E. "Secretary" means the Secretary of the Department of Transportation and  
3 Communication.

4 SECTION 4. *Rules of the Road.* – Every person riding a bicycle upon a highway  
5 has all the rights and is subject to all the laws applicable to the driver of a vehicle except  
6 those provisions which by their very nature can have no application. In addition to these  
7 laws, the following rules shall be enforced by the proper governing authority:

8 A. Whenever a bicycle lane has been provided adjacent to a roadway it shall  
9 be designated for the exclusive use of cyclists. Provided, that the bicycle  
10 lane shall at a minimum, be required to meet accepted guidelines,  
11 recommendations and criteria with respect to planning, design, operation and  
12 maintenance as set forth by international road safety associations. The bicycle  
13 lanes shall provide accessibility to destinations equivalent to the use of the  
14 roadway.

15 Motorists may use the bicycle lane only to avoid road hazards, provided he  
16 uses the appropriate signals before entering the lane and takes due care to  
17 avoid other vehicles and cyclists occupying the lane; he shall return to the  
18 lanes designated for motorized vehicles as soon as possible.

19 A cyclist may move out of the bicycle lane under any of the following  
20 situations:

21 (1) When overtaking and passing another bicycle, vehicle, or pedestrian  
22 within the lane or about to enter the lane if the overtaking and passing cannot  
23 be done safely within the lane.

24 (2) When preparing for a left turn at an intersection or into a private road or  
25 driveway.

1 (3) When reasonably necessary to avoid hazards to safe cycling.

2 As used in this section, the term 'hazards to safe cycling' includes, but  
3 shall not be limited to, surface debris, rough pavement, drain grates which  
4 are parallel to the side of the roadway, open manholes, temporary road  
5 barriers, parked or stopped vehicles, potentially opening car doors,  
6 pedestrians or any object which threaten the safety of a person operating a  
7 bicycle.

8 (4) When approaching a place where a right turn is authorized.

9 (5) After giving an appropriate signal in the manner provided in this  
10 section.

11 B. When a bicycle lane is not provided or does not meet the standards as  
12 provided for in this Act, every person operating a bicycle upon a roadway shall  
13 ride as near to the right side of the roadway as practicable except when:

14 (1) Turning left;

15 (2) Avoiding hazards to safe cycling;

16 (3) The lane is too narrow to share safely with a motor vehicle;

17 (4) Exercising due care when passing a standing vehicle or one proceeding  
18 in the same direction or

19 (5) There is a right turn only lane and the person operating the bicycle is not  
20 turning right.

21 C. Any person operating a bicycle on the roadway shall ride in the same  
22 direction as traffic on the roadway.

23 D. The operator of a motor vehicle, when overtaking and passing a bicycle that  
24 is proceeding in the same direction on the roadway, shall leave a safe distance

1 between such vehicle and the bicycle and shall maintain such clearance until  
2 safely past the overtaken bicycle. As used in this Act, the term 'safe distance'  
3 means not less than three (3) feet.

4 E. Any person operating a bicycle may signal a right turn with his or her right  
5 arm and hand extended horizontally or with his or her left hand and forearm  
6 extended upward. Any person operating a bicycle may signal a left turn with his or  
7 her left arm and hand extended horizontally or with his or her right hand and  
8 forearm extended upward.

9 F. When biking in the nighttime, every cyclist or bicycle shall be equipped  
10 with a blinker or reflector on the front and the back, which are visible from a  
11 distance.

12 G. Every bicycle sold or operated shall be equipped with a braking  
13 mechanism.

14 H. Motorists and bicyclists must yield the right-of-way to each other.

15 SECTION 5. *Educational Program.* - The state shall establish a Share the Road  
16 educational program to increase awareness on bike safety and road sharing. The program  
17 shall be designed for traffic enforcers, motorists, cyclists and the commuting public.  
18 Education must begin in elementary school and will continue throughout high school.  
19 All driving schools shall include such a program in their courses.

20 SECTION 6. *Penalties.* - Any person or establishment who violates the  
21 provisions of this Act shall be punished by a fine not exceeding two thousand pesos (P  
22 2,000.00). When the offender is a corporation, the Chief Executive or its Officers shall be  
23 meted said penalties.

24 Any public official who fails or refuses to uphold any of the provision of this Act  
25 shall be punished by a fine of not less than Ten thousand pesos (P10,000.00) nor more

1 than fifteen thousand pesos (P15,000.00) or suspension, if found guilty in an appropriate  
2 administrative investigation.

3 SECTION 7. *Implementing Rules and Regulations.* – Immediately after this Act  
4 takes effect, a committee tasked with the formulation of the implementing rules and  
5 regulations of this Act shall be created. The committee shall be composed of the  
6 following:

- 7 A. the Secretary of the DOTC, who shall also chair the committee;
- 8 B. a representative from the Dept. of Public Works and Highways;
- 9 C. a representative from the Dept. of Interior and Local Government;
- 10 D. a representative from the Dept. of Education;
- 11 E. a professor from the UP School of Urban and Regional Planning;
- 12 F. three (3) representatives of various bicycle organizations; and
- 13 G. a representative from the MMDA.

14 Public hearings shall be conducted with the participation of all stakeholders.  
15 Inputs from stakeholders shall be considered when crafting the implementing rules and  
16 regulations.

17 Within six (6) months after this Act takes effect, the Committee shall submit the  
18 implementing rules and regulations.

19 SECTION 8. *Appropriations.* - There shall be authorized to be appropriated such  
20 amounts as necessary to carry out the provisions of this Act, to be included in the annual  
21 budget of the DOTC.

22 SECTION 9. *Separability Clause.* - If any provision or part hereof, is held invalid  
23 or unconstitutional, the remainder of the law of the provision not otherwise affected shall  
24 remain valid and subsisting.

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

5           SECTION 11. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after  
6 its publication in at least two (2) newspapers of general circulation.

Approved,

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