

**SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES**

First Regular Session



'16 AUG -3 P 4:10

SENATE
S.B. No. 981

RECEIVED BY:

Introduced by Senator Poe

**AN ACT
INSTITUTIONALIZING THE USE OF BICYCLES AS AN ALTERNATIVE MODE
OF TRANSPORTATION, ESTABLISHING APPROPRIATE INFRASTRUCTURE
AND FACILITIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES**

Explanatory Note

Cycling or biking is the use of bicycles for transport, recreation, or sport. The possible benefits of the establishment of a nationwide bicycle program would be vast. Cycling has the following advantages compared to the use of motor vehicles: a) bicycles do not contribute to air or noise pollution; b) Bicycles do not consume fossil fuels; c) The use of bicycles leads to a marked reduction in traffic congestion, easier parking, and greater maneuverability; and d) it provides the cyclist with exercise and relieves stress; it is cheaper and there is negligible damage to roads.

To support such a program, the proper infrastructure must be established. Without it, biking on Philippine roads, which are dominated by motor vehicles, remains dangerous to cyclists. Furthermore, road sharing arrangements are necessary, as less than 2% of Filipinos own cars, yet all roads are dedicated to private vehicles.¹ The tragic death of Mr. Mark Vicent Garalde is only one of many deaths of bicyclists in the roads of Metro Manila. Around 196

¹ Nicholls, AC. "Road-sharing advocates push for bike and walk-friendly roads" *CNN Philippines*. Retrieved from: <http://cnnphilippines.com/news/2016/02/07/road-sharing-scheme-advocates-metro-manila-traffic-woes-mmda.html>

bicyclists have died in the roads of Manila in the past ten years, with 26 accounted for in 2015 alone.²

This bill seeks to establish bike-friendly environments throughout the Philippines. Bicycle friendly cities are those that are most accommodating to cyclists. Thoroughfares are considered to be bicycle friendly when they: (a) create a safe and easy environment for cycling; (b) educate the community on bicycle safety and laws; and (c) enforce rules and regulations surrounding traffic and marked lanes.

Bike-friendly environments can only be established through smart engineering and proper planning. Some examples of cities around the world that have successfully created bike-friendly communities are Amsterdam, Barcelona, Basel, Berlin, Beijing, Strasbourg, and several states in the U.S. such as New York, California, and Oregon. Portland, Oregon has been voted the most bike-friendly city because of the city's plans for a committed bike-focused infrastructure.

Establishing a nation-wide bicycle program would empower citizens by providing them with a concrete, cheap and accessible alternative means of commuting from one city to another. Integrating bicycles into our national transport system and establishing bike-friendly environments are the first steps towards a public transportation network which exhibits the principle of "inclusive mobility" wherein those who have less in wheels, must have more in roads;

Finally, this bill also seeks to direct the Secretary of Transportation to develop a comprehensive plan and program to ensure the safety of cyclists and all other commuters.

Immediate approval of this measure is eagerly sought.


GRACE POE

² Legaspi, A. "Truck runs over cyclist on Marikina bike lane" *GMA News* (January 06, 2016). Retrieved from <http://www.gmanetwork.com/news/story/550238/news/metro/truck-runs-over-cyclist-on-marikina-bike-lane>

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "*Bicycle Friendly*
2 *Communities Act of 2016.*"

3
4 **SECTION 2. Declaration of Policy.** - It is the policy of the State to promote
5 environmentally sound and affordable means of transportation for its citizens that shall serve
6 as an alternative to vehicles which consume fuel. It is also the policy of the State to protect
7 the welfare and safety of the commuting public and all road users.

8
9 Towards this end, the State shall promote biking as a means of transport by
10 establishing a comprehensive network of bike lanes and bike facilities, and a road safety
11 program. The State shall ensure that the needs and safety of all road users, particularly the
12 pedestrians and cyclists, are fully integrated into the planning, design, operation, and
13 maintenance of the country's transportation system.

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15 **SECTION 3. Definition of terms.** - For purposes of this Act:
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1 a.) *"Bike"* or *"Bicycle"* means a non-motorized vehicle consisting of a light frame
2 mounted on two wire-spoked wheels, one behind the other, and having a seat,
3 handlebars for steering, brakes, and two pedals;

4
5 b.) *"Cyclist"* means a person who rides a bicycle;

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7 c.) *"DOTr"* means the Department of Transportation; and

8
9 d.) *"Secretary"* means the Secretary of the Department of Transportation and
10 Communication.

11
12 **SECTION 4. *Establishing a National Bicycle Friendly Program.***- The Secretary shall
13 establish a bike program ("the program") under the Department of Transportation to promote
14 safe biking in all towns and cities. The program shall include the construction and
15 maintenance of bicycle lanes, parking, and support facilities. The Secretary shall also
16 formulate an educational and awareness program on traffic safety. The Secretary may enlist
17 the assistance of other departments or government agencies to carry out this section.

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19 **SECTION 5. *Bicycle Lanes.*** - There shall be designated bicycle lanes in all primary
20 and secondary roads that shall serve as exclusive lanes for bicycle riders. Motor vehicles are
21 prohibited from being driven or parked on said bicycle lane.

22
23 The bicycle lanes shall be separated by a physical barrier and shall be clearly
24 identified with signs and/or pavement markings. In cases where the installation of a physical
25 barrier is not feasible, the lane for bicycles shall be identified through reflectorized orange
26 painted lines. Bicycle lanes must never compromise the mobility and safety of pedestrians.
27 The bicycle lanes should traverse across all towns and cities and connect to all major forms of
28 transport, including airports and piers. Cyclists shall be required to bike within said lanes,
29 unless no bike lanes have been designated on such roads yet.

30
31 **SECTION 6. *Bicycle Parking.*** - All public places, government offices, schools, major
32 business establishments, including malls, banks, restaurants, hospitals, and the like, are
33 hereby required to provide bicycle racks for bicycle parking. Bicycle parking should be
34 secure, visible, accessible, and not in the way of pedestrians or motor vehicles

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SECTION 7. *Bicycle Infrastructure.* - In addition to the bicycle lanes and bicycle parking areas, support facilities shall be established to ensure that cyclists and their bicycles can travel safely and to lessen the possibility of collisions with pedestrians. These facilities include, but are not limited, to the following:

- a) Sidewalk improvements;
- b) Traffic calming and speed reduction improvements;
- c) Pedestrian and bicycle crossing improvements;
- d) Traffic signage pertaining to bicycles;
- e) Off-street pedestrian and bicycle facilities; and
- f) Traffic diversion improvements.

SECTION 8. *Educational Program.* - The Secretary, in cooperation with the Department of Education, the Commission on Higher Education, and local governments, shall establish an educational program to increase awareness on bike safety and road sharing. The program shall be designed for traffic enforcers, motorists, cyclists, and the commuting public. The program shall include:

- a) Traffic education and enforcement;
- b) Motorist Awareness and Road-Sharing; and
- c) Bicycle and pedestrian safety.

SECTION 9. *Carless Day.* - To promote the use of bicycles, the country shall participation in the annual celebration of World Car-Free Day. The second Sunday of September shall be designated as Carless Day. The Secretary is hereby mandated to determine the primary and secondary roads to be carless during this annual celebration.

SECTION 10. *Bike to Work.* - The DOTC shall establish a program that gives incentives to private and government offices that encourage their employees to ride their bicycles to work by providing for bicycle facilities within their establishments, lockers, and showers.

1 **SECTION 11. Penalties. –**

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3 a.) Any person or establishment who violates the provisions of this Act shall be
4 punished by a fine not exceeding one thousand pesos (Php 1,000.00). When the
5 offender is a corporation, the officers responsible for the violation shall be meted
6 said penalties.

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8 b.) Any public works official who fails or refuses to mark the existing main roads and
9 highways or approve the construction of main roads or highways without the
10 required bicycle lanes in their designs shall be punished by a fine of not less than
11 ten thousand (Php 10,000.00) pesos nor more than thirty thousand (Php
12 30,000.00) pesos or suspension, or both, if found guilty in an appropriate
13 administrative investigation.

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15 **SECTION 12. Implementing Rules and Regulations. -** Within thirty (30) days after
16 this Act takes effect, a committee composed of the following members shall be created to
17 formulate the implementing rules and regulations of this Act:

- 18
19 a.) The Secretary of Transportation and Communication, or an authorized
20 representative, who shall serve as chair of the committee;
21 b.) A representative from the Department of Public Works and Highways;
22 c.) A representative from the Department of Environment and Natural Resources;
23 d.) A representative from the Metro Manila Development Authority;
24 e.) A professor from the University of the Philippines School of Urban and Regional
25 Planning;
26 f.) Two (2) representatives from various bicycle organizations; and

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28 Within six (6) months after this Act takes effect, the Secretary of Transportation and
29 Communication shall promulgate and disseminate the implementing rules and regulations.

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31 **SECTION 13. Appropriations. –** To carry out the provisions of this Act, such amount
32 as may be necessary is hereby authorized to be appropriated from the National Treasury.
33 Thereafter, the amount necessary for the continuous operation of the Bike Program shall be
34 included in the annual appropriation of the DOTC.

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SECTION 14. *Separability Clause.* - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 15. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,