

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



'18 MAR -5 P 3:39

SENATE

S. No. 1724

RECEIVED BY: _____

Introduced by Senator Grace Poe

AN ACT
PROMOTING SUSTAINABLE AND ALTERNATIVE MODES OF
TRANSPORTATION AND OTHER MOBILITY OPTIONS TO IMPROVE AIR
QUALITY, INCREASE EFFICIENCY, REDUCE CONGESTION AND
CONTRIBUTE TO POSITIVE HEALTH IMPACTS IN OUR SOCIETY

Explanatory Note

In 2009, the United Nations Climate Change Conference sponsored an art installation to visually represent a metric tonne of carbon dioxide (CO₂). This was the amount of CO₂ that a single person could produce in one week. The result was a cube roughly the size of a three-story building.¹

The cube is a useful reference point. In 2010, road transport in Metro Manila was estimated to have produced 7.98 million tonnes of CO₂ equivalent (MtCO_{2eq}).² This is equivalent to seven million cubes carbon dioxide floating into the air, each of them the size of a small apartment.

In addition to producing tonnes of greenhouse gases, motor vehicles in Metro Manila also produced 1.029 tons of carbon monoxide, 118,524 tons of nitrogen oxide, and 6,616 tons of sulfur oxide in the same year.³ Breathing the air in EDSA-Timog, Quezon City for one hour and forty minutes is equivalent to smoking 2 cigarettes.⁴ How ironic: we have taxed and spent so much to prevent people from killing themselves with cigarettes, only for them to experience the same harm just by breathing in the air in Manila.

¹ <http://obscuradigital.com/work/c02-cube/>

² USAID. Annex 2, Climate Change and Clean Energy Project. Cited in Japan International Cooperation Agency, *Roadmap for Transport Infrastructure Development for Metro Manila and its Surrounding Areas (Region III and IV-A)*. Retrieved from http://www.neda.gov.ph/wp-content/uploads/2015/03/FR-MAIN-TEXT.-12149605_01.pdf

³ *Ibid.*

⁴ Cruz, J. "Why we should raise fuel taxes" *Business World* (10 July 2017). Retrieved from <http://www.bworldonline.com/content.php?section=Opinion&title=why-we-should-raise-fuel-taxes&id=147994>

And when we are not dying from the air pollution in EDSA, we are torturing ourselves in traffic. It is estimated that Filipinos waste around 28,000 hours of their lives in traffic. That's 3 years not spent resting or bonding with family.⁵ 3 years of our lives spent, in the words of popular 80's band The Police, "*Packed like lemmings into shiny metal boxes/Contestants in a suicidal race.*"

It is clear that moving around Metro Manila is a stressful, polluted, and neurotic experience. Thus, this representation earnestly seeks enactment of this measure—the proposed *Sustainable Transport Act of 2016*. This measure seeks to mandate the Department of Transport and related agencies to prepare a Sustainable Transport Plan. The Plan shall include non-motorized transport, the development of a seamless and inclusive public transportation system, green infrastructure and facilities, and enforcement of transportation demand management measures. In addition, the DOTr shall develop policies and guidelines that promote non-motorized transportation such as walking and bicycling to meet public transportation demand.

In view of the foregoing, immediate approval of this measure is sought. This measure is a counterpart to House Bill No. 582 filed by my former Senate colleague and current Deputy Speaker of the House of Representatives, Taguig City 2nd District Representative Pia Cayetano.


GRACE POE

⁵ Ordinario, C. "Pinoys waste 28,000 hours in 'traffic'" *Business World* (5 March 2015). Retrieved from <http://www.businessmirror.com.ph/pinoys-waste-28000-hours-in-traffic/>



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AN ACT
PROMOTING SUSTAINABLE AND ALTERNATIVE MODES OF
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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.* – The Act shall be known as the "*Sustainable*
2 *Transportation Act of 2017*"

3
4 SEC. 2. *Declaration of Policies.* – In conformity with the provisions of the
5 Constitution to promote general welfare and social justice in all phases of national
6 development, to protect and advance the right of the Filipino people to a balanced
7 and healthful ecology in accord with the rhythm and harmony of nature, and to
8 conserve and develop the patrimony of the nation, and in consonance with signed
9 international agreements such as Aichi Statement of 2005, United Nations Economic
10 Commission for Europe (UNECE) Agreement, United Nations Framework Convention
11 on Climate Change (UNFCCC) Agreement of 1992, UNECE World Forum for
12 Harmonization of Vehicle Regulations (WP 29) and Bangkok Declaration for 2020 the
13 State hereby adopts the following policies relative to the transportation system in
14 our country, whether public or private:

- 15
16 a.) The State shall promote a shift towards a safe, cost-effective, efficient, non-
17 congestive, non-pollutive, and healthful locomotion and seamless and
18 inclusive transportation system for the benefit of all citizens, economy and
19 society;
20

- 1 b.) The State shall increase mobility options of the general public and promote
2 the use of alternative modes of transportation such as non-motorized
3 transportation, green vehicles and public transportation;
4
- 5 c.) The State shall properly plan and establish facilities and infrastructures that
6 will respond to this paradigm shift in the transportation system;
7
- 8 d.) The State shall espouse social equity and gender perspective in the
9 formulation of a Sustainable Transport plan, reinforcing existing rules,
10 regulations and laws;
11
- 12 e.) The State shall establish its plans and programs in conformity with the overall
13 integrated national land use plan as well as the local comprehensive land use
14 plans; *and*
15
- 16 f.) The State shall encourage the viable use of alternative and cleaner fuels in
17 view of vehicular modernization.
18

19 SEC. 3. *Definition of Terms.* – The following terms shall have their respective
20 meanings:
21

- 22 a.) "*Mixed-Use Development*" refers to any urban, suburban or village
23 development, or even a single building, that blends a combination of
24 residential, commercial, cultural, institutional, or industrial uses, where
25 those functions are physically and functionally integrated, and that
26 provides pedestrian connections;
27
- 28 b.) "*Motor vehicle*" means a self-propelled vehicle or any vehicle propelled by
29 any power other than muscular power. The term does not include electric
30 bicycles;
31
- 32 c.) "*Public transportation*" refers to a shared passenger transportation service
33 which is available for use by the general public. These include buses,
34 trams, trains, rapid transit and ferries;
35
- 36 d.) "*Road Safety Audit*" refers to the systematic checking of the safety aspects
37 of new highway and traffic management schemes, including modifications
38 to existing layouts. The main aim is to design out safety problems from
39 the beginning and to reduce future problems. Safety audits should be
40 included during the design, construction and maintenance phases of road
41 projects;
42

- 1 e.) *"Transit-Oriented Development"* or *"TOD"* refers to a mixed-use residential
2 and commercial area designed to maximize access to public transport, and
3 often incorporates features to encourage transit ridership. A TOD
4 neighborhood typically has a center with a transit station or stop (train
5 station, metro station, tram stop, or bus stop), surrounded by relatively
6 high-density development with progressively lower-density development
7 spreading outward from the center;
8
- 9 f.) *"Transportation demand management"* or *"TDM"* refers to strategies that
10 increase transport system efficiency. TDM gives priority to modes that
11 move people more efficiently and discourages the use of single occupancy
12 vehicles to reduce traffic congestion. It also includes promotion of non-
13 motorized transportation (NMT) through walking and cycling;
14
- 15 g.) *"Walkways"* refers to a continuous way designated for pedestrians and
16 separated from the through lanes for motor vehicles by space or barrier;
17 *and*
18
- 19 h.) *"Sustainable transport"* refers to any means of transport with low impact
20 on the environment, accessible, safe, environment-friendly, and
21 affordable. It includes walking and cycling, transit oriented development,
22 green vehicles, carpooling, and building or protecting urban transport
23 systems that are fuel-efficient, space-saving and promote healthy
24 lifestyles;
25

26 SEC. 4. *Sustainable Transport Action Plan.* – The Department of
27 Transportation (DOTr), in coordination with the Department of Environment and
28 Natural Resources (DENR), the National Economic Development Authority (NEDA)
29 and other key stakeholders from the national and local levels as may be deemed
30 necessary, shall prepare a Sustainable Transport Action Plan which aims to provide a
31 roadmap for national and local transportation system to be adhered to at all levels
32 throughout the country.
33

34 The Sustainable Transport Action Plan shall include strategies relating to the
35 inclusion of non-motorized transport, the development of a seamless and inclusive
36 public transportation system, green infrastructure and facilities, and enforcement of
37 transportation demand management measures. These will set out the actions
38 required to achieve the mode shift target over a certain period of time as identified
39 by DOTr.
40

41 SEC. 5. *Integrated Land Use and Transportation Plan.* – In the preparation
42 and updating of their land use plans, all local government units (LGUs) shall explore

1 the important relationship between land use and transportation and ensure that
2 land-use and transportation decisions be made in conjunction with each other to
3 balance and coordinate the mix of land uses, with the end in view of sustaining a
4 healthy economy, supporting the use of alternative transportation, and enhancing
5 the quality of life. Said plan shall include strategies to avoid unnecessary travel
6 through transit-oriented development. Further, the DOTr shall provide technical
7 assistance to key stakeholders and LGUs in the completion of these integrated land
8 use and transportation plans, upon the request of the LGUs and subject to
9 availability of resources.

10
11 *SEC. 6. Establishment of Emission Control and Standards, Road Safety and*
12 *Inspection and Maintenance.* – The State shall endeavor to achieve a smoke-free,
13 accident- free and effective road safety management system. In line with this, the
14 existing motor vehicular standards set by the DOTr and the DENR on emission, fuel
15 economy and roadworthiness shall form part of the Sustainable Transport Action
16 Plan as consistent with the objectives of this Act. The DOTr, in coordination with
17 related agencies, shall strictly implement these emission standards and conduct
18 stronger road apprehension.

19 a.) *Emission Control and Standards.* – Pursuant to Philippine Clean Air Act of
20 1999 or Republic Act No. 8749, the DOTr, through the Land
21 Transportation Office (LTO), shall conduct the vehicle test for emissions
22 utilizing the Motor Vehicle Inspection Station (MVIS) as well as establish a
23 roadside inspection system to ensure that vehicles comply with the
24 emission standards.

25
26 b.) *Road Safety Program.* – The existing road safety program shall be
27 enhanced and strictly enforced, by adopting a zero-fatality policy,
28 implementing appropriate speed controls and imposing a regular Road
29 Safety Audit (RSA) to influence safety performance on an ongoing basis.
30 The Department of Public Works and Highways (DPWH) shall identify the
31 roads and highways to be audited and shall be responsible for the conduct
32 of the RSAs.

33
34 *SEC. 7. Use of Alternative Energy and Cleaner Fuels.* – The Department of
35 Energy (DOE), in coordination with the DOTr and the DENR shall formulate
36 strategies towards vehicular modernization and use of alternative energy and cleaner
37 fuels, such as but not limited to Compressed Natural Gas (CNG) fueled Buses and
38 Electric Motor Powered Vehicles, pursuant to the Philippine Standardization Law or
39 Republic Act No. 4109, Philippine Clean Air Act of 1999 or Republic Act No. 8749 and
40 the Biofuels Act of 2006 or Republic Act No. 9367. The availability, viability, safety,
41 sustainability, energy resilience and fuel efficiency of these alternative energy and

1 cleaner fuels shall be taken into consideration, as well as transparency and route
2 measured capacity in relation to the issuance of provisional authorities or franchises.

3
4 SEC. 8. *Non-Motorized Transportation.* – The DOTr shall develop policies and
5 guidelines that promote non-motorized transportation such as walking and bicycling,
6 and variants such as the use of strollers, small-wheeled transport (skates,
7 skateboards, push scooters and hand carts) and wheelchair travel to meet public
8 transportation demand. Said policies and guidelines shall include design principles
9 for supporting facilities and infrastructures that will espouse a seamless
10 transportation system such as, but not limited to, exclusive pedestrian and bike
11 lanes, safe street crossings and access ramps for persons with disabilities (PWDs) to
12 ensure inclusive non-motorized transportation.

13
14 a.) *Installation of Walkways.* – Each LGU shall maintain adequate sidewalk
15 areas on roads frequented by pedestrians as walkways to allow safe
16 pedestrian passage and for the safe and convenient use of wheelchairs,
17 strollers and similar instruments. For primary and secondary roads, there
18 shall be allotted three (3) meters for the sidewalks. If there is no space
19 allocated for such and the implementation will prove difficult, in lieu
20 thereof, either an elevated footbridge or underground walkway must be
21 installed.

22
23 b.) *Designation of Bike Lanes.* – Each LGU shall designate a bike lane
24 measuring at least one (1)-meter wide on the rightmost portion of major
25 roads within its jurisdiction which shall be clearly marked as such and
26 segregated from all vehicular traffic lanes by a yellow dividing line.
27 Currently designated bike lanes shall be assessed for safety and
28 connectivity and shall be subject to measures that will improve the same.

29
30 The designated bike lanes shall be for the preferential or exclusive use of
31 bicycles. All motorized vehicular traffic shall not be allowed to use the bike
32 lane at any time of the day. The right of way of bikers shall be paramount
33 at all times and may not be obstructed by a parked or standing motor
34 vehicle or other stationary object, even in intersections.

35
36 c.) *Provision of Bicycle Parking Spaces and Bike Racks.* – The DOTr shall
37 establish guidelines on the minimum supply of bicycle parking spaces and
38 bike racks in buildings and other facilities, taking into consideration the
39 population of the short-term or long-term dwellers in the area. The
40 owners of these establishments shall be required to provide for such.

1 SEC. 9. *Public Transportation.* – The DOTr shall provide guidelines that will
2 promote a shift towards seamless and inclusive public transportation as a primary
3 mobility option to the general public, especially the poor, including the elderly,
4 PWDs, women, youth, and children. Better public transportation initiatives shall be
5 studied and implemented in an effort to reduce the impact of fossil fuel on our
6 environment and financial markets, provide high quality but affordable transport
7 services as well as help reduce energy costs and pollution. Further, a unified and
8 automated fare collection shall, as much as possible, be established amongst all the
9 available forms of public transportation.

10
11 The DOTr shall conduct a Land Transportation Rationalization Study which will
12 scientifically determine the actual need for public transportation in the various
13 routes. This study shall objectively determine the actual number of public buses,
14 jeeps, taxis and other public utility vehicles (PUVs) needed by the public in a certain
15 route, road, street, locality or area. After completion, the study will be used as the
16 basis for the Land Transportation Franchising and Regulatory Board's (LTFRB)
17 issuance of the franchises for all the PUVs and grant of authority to operate as a
18 vehicle for hire.

19
20 a.) *Commissioning of a "Bus Rapid Transit (BRT) System."* – The DOTr shall
21 prepare a study commissioning the creation of a Bus Rapid Transit (BRT)
22 System which will organize buses into one efficient long-distance
23 transportation system with coordinated schedules, rates, routes, and pick-
24 up and drop-off points. The LGU and the private sector, including but not
25 limited to mall owners and bus companies, may be tapped in order to put
26 up or use existing facilities such as parks, parking lots, and bus depots
27 that will serve as large collective transportation terminals where people
28 can park their cars and bikes and take the buses to their destinations.

29
30 b.) *Establishment of a Water Ferry System.* – As much as practicable, the
31 national agencies and water regulatory bodies in charge of a water body
32 led by the DENR, in coordination with the DOTr, shall study and initiate
33 the establishment of a ferry system in navigable bodies of water which
34 may be operated by the said authority or bid out to a private contractor.

35
36 SEC. 10. *Transportation Demand Management Programs.* – The DOTr, in
37 coordination with the Department of Labor and Employment (DOLE), Department of
38 Education (DepEd), Department of Trade and Industry (DTI) and one representative
39 each from the civil society, transport sector and the youth, shall come up with
40 guidelines on transport demand management programs that will reduce the volume
41 of cars and motorized transport in the roads as well as enhance and encourage

1 students and workers to use the public transport system. These shall include, but is
2 not limited to, the following:

- 3
4 a.) Carpool, vanpool, or car-share projects;
5 b.) Car ownership policies in relation to parking and air pollution;
6 c.) Congestion pricing measures;
7 d.) Programs to promote telecommuting;
8 e.) Flexible work schedules, or satellite work centers;
9 f.) Transport program for government employees; *and*
10 g.) Intelligent transportation systems.

11
12 SEC. 11. *Facilities.* – The DOTr, in coordination with the DPWH and the LGUs
13 concerned, shall carry out an investment program that will encourage a shift to
14 sustainable transport within selected communities by providing safe and convenient
15 options to bicycle and walk for routine travel, and for other purposes. Transit-
16 oriented development, supporting facilities for non-motorized transportation,
17 intermodal connectivity and public transportation shall be developed in accordance
18 with the land use and transportation plan.

19
20 SEC. 12. *Public Health Program.* – An Inter-Agency Taskforce composed of
21 the DOTr and the DOH shall be created to lead the formation and the
22 implementation of a Transportation and Health Impacts Program. The taskforce shall
23 formulate strategies for the reduction of the negative health and environmental
24 impacts of transportation to road users. These strategies shall include but not be
25 limited to strengthening of public health services, formulation of the necessary
26 department administrative orders and required regular general and audio- logical
27 check up for road users and affected communities. Further, the taskforce shall
28 regularly monitor and evaluate these strategies.

29
30 SEC. 13. *Education and Research Programs.* – The DOTr and the NEDA shall
31 conduct studies and researches, and eventually supply information to the car-owning
32 and -riding public as well as commuters on aspects of sustainable transport that are
33 relatively new. Technical assistance may be provided to other government agencies
34 and private sector representatives involved in the transport system.

35 The DOTr shall also conduct a continuous public consultations and social
36 impact assessments amongst stakeholders affected by the Sustainable Transport
37 Action Plan. Social safety nets shall be carefully studied, formulated and
38 implemented, as needed.

39
40 SEC. 14. *Financing.* – The DOTr, in coordination with the key stakeholders
41 deemed necessary, shall explore the possibility of accessing a growing range of
42 global environment funds in order to be able to assist in the funding of sustainable

1 public transport systems. Public-private partnerships shall also be encouraged in the
2 development of transportation improvements.

3
4 Further, the revenues collected pursuant to Republic Act No. 8794 or "*An Act*
5 *Imposing A Motor Vehicle User's Charge On Owners Of All Types Of Motor Vehicles*
6 *And For Other Purposes*" shall be used for the implementation of this Act.

7
8 SEC. 15. *Implementing Rules and Regulations.* – The DOTr shall be the main
9 implementing agency for this Act.

10
11 SEC. 16. *Separability Clause.* – Should any provision herein be subsequently
12 declared invalid or unconstitutional, the same shall not affect the validity or the
13 legality of the other provisions not so declared.

14
15 SEC. 17. *Repealing Clause.* – All laws, presidential decrees, executive orders,
16 rules and regulations, other issuances, and parts thereof, which are inconsistent with
17 the provisions of this Act, are hereby repealed and modified accordingly.

18
19 SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after
20 publication in at least (2) newspapers of general circulation.

Approved,