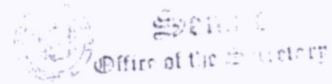


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'19 JUL 10 A10:13

SENATE
S. B. No. — 332

RECEIVED

Introduced by Senator SONNY ANGARA

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

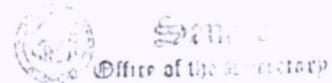
The Philippine economy has been performing remarkably well in the past decade, earning the attention and confidence of the global community. But while many already vouch for the country and its growth story, its fullest potential remains unrealized partly because of its poor transportation system.

The 2017-2018 Global Competitiveness Report of the World Economic Forum identifies "inadequate supply of infrastructure," which includes roads, bridges, and mass transportation, as the second-most problematic factor to doing business in the Philippines. In the World Bank's 2018 Logistic Performance Index, rating a country's trade logistics (i.e. quality of trade infrastructure and transport, etc.), the Philippines ranked 60th out of 160 countries, ahead only of Brunei Darussalam (80th), Lao PDR (82nd), Cambodia (98th), and Myanmar (137th), among ASEAN countries.

Such poor indicators underscore the imperative to formulate and establish an overall action plan to build not just an efficient, world-class transportation system, but also one that is inclusive, accessible, non-polluting, and sustainable.

This is the primary objective of the foregoing measure. Its passage is earnestly sought.

SONNY ANGARA



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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 2019.*”
- 3 Sec. 2. *Declaration of Policies.* – In conformity with the provisions of the
4 Constitution to promote general welfare and social justice in all phases of national
5 development, to protect and advance the right of the Filipino people to a balanced
6 and healthful ecology in accord with the rhythm and harmony of nature, and to
7 conserve and develop the patrimony of the nation, and in consonance with signed
8 international agreements such as Aichi Statement of 2005, United Nations Economic
9 Commission for Europe (UNECE) Agreement, United Nations Framework Convention
10 on Climate Change (UNFCCC) Agreement of 1992, UNECE World Forum for
11 Harmonization of Vehicle Regulations (WP 29), and Bangkok Declaration for 2020,
12 the State hereby adopts the following policies relative to the transportation system in
13 our country, whether public or private:
- 14 a) The State shall promote a shift towards a safe, cost-effective, efficient, non-
15 congestive, non-pollutive, and healthful locomotion and seamless and

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

16 Sec. 3. *Definition of Terms.* – The following terms shall have their respective
17 meanings:

- 18 a. *Mixed-Use Development* refers to any urban, suburban or village
19 development, or even a single building, that blends a combination of
20 residential, commercial, cultural, institutional, or industrial uses, where those
21 functions are physically and functionally integrated, and that provides
22 pedestrian connections;
- 23 b. *Motor Vehicle* refers to a self-propelled vehicle or any vehicle propelled by any
24 power other than muscular power. The term does not include an electric
25 bicycle;
- 26 c. *Public Transportation* refers to a shared passenger transportation service
27 which is available for use by the general public. These include buses, trams,
28 trains, rapid transit, and ferries;
- 29 d. *Road Safety Audit* refers to the systematic checking of the safety aspects of
30 new highway and traffic management schemes, including modifications to
31 existing layouts. The main aim is to design out safety problems from the

1 beginning and to reduce future problems. Safety audits should be included
2 during the design, construction, and maintenance phases of road projects;

3 e. *Transit-Oriented Development (TOD)* refers to a mixed-use residential and
4 commercial area designed to maximize access to public transport and often
5 incorporates features to encourage transit ridership. A TOD neighborhood
6 typically has a center with a transit station or stop (train station, metro
7 station, tram stop, or bus stop), surrounded by relatively high-density
8 development with progressively lower-density development spreading
9 outward from the center;

10 f. *Transportation Demand Management (TDM)* refers to strategies that increase
11 transport system efficiency. TDM gives priority to modes that move people
12 more efficiently and discourages the use of single occupancy vehicles to
13 reduce traffic congestion. It also includes promotion of non-motorized
14 transportation (NMT) through walking and cycling;

15 g. *Walkways* refer to a continuous way designated for pedestrians and separated
16 from the through lanes for motor vehicles by space or barrier; and

17 h. *Sustainable Transport* refers to any means of transport with low impact on
18 the environment, accessible, safe, environment-friendly, and affordable. It
19 includes walking and cycling, transit oriented development, green vehicles,
20 carpooling, and building or protecting urban transport systems that are fuel-
21 efficient, space-saving and promote healthy lifestyles.

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

29 The Sustainable Transport Action Plan shall include strategies relating to the
30 inclusion of non-motorized transport, the development of a seamless and inclusive
31 public transportation system, green infrastructure and facilities, and enforcement of
32 transportation demand management measures. These will set out the actions

1 required to achieve the mode shift target over a certain period of time as identified
2 by DOTr

3 *Sec. 5. Integrated Land Use and Transportation Plan.* – In the preparation
4 and updating of their land use plans, all local government units (LGUs) shall explore
5 the important relationship between land use and transportation and ensure that
6 land-use and transportation decisions be made in conjunction with each other to
7 balance and coordinate the mix of land uses, with the end in view of sustaining a
8 healthy economy, supporting the use of alternative transportation, and enhancing
9 the quality of life. Said plan shall include strategies to avoid unnecessary travel
10 through transit-oriented development. Further, the DOTr shall provide technical
11 assistance to key stakeholders and LGUs in the completion of these integrated land
12 use and transportation plans, upon the request of the LGUs and subject to
13 availability of resources.

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

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

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

1 Sec. 7. *Use of Alternative Energy and Cleaner Fuels.* – The Department of
2 Energy (DOE), in coordination with the DOTr and the DENR, shall formulate
3 strategies towards vehicular modernization and use of alternative energy and cleaner
4 fuels, such as but not limited to Compressed Natural Gas (CNG) fueled buses and
5 electric motor powered vehicles, pursuant to the Philippine Standardization Law or
6 Republic Act No. 4109, Philippine Clean Air Act of 1999 or Republic Act No. 8749 and
7 the Biofuels Act of 2006 or Republic Act No. 9367. The availability, viability, safety,
8 sustainability, energy resilience, and fuel efficiency of these alternative energy and
9 cleaner fuels shall be taken into consideration, as well as transparency and route
10 measured capacity in relation to the issuance of provisional authorities or franchises.

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

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

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

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

6 C. *Provision of Bicycle Parking Spaces and Bike Racks.* – The DOTr shall establish
7 guidelines on the minimum supply of bicycle parking spaces and bike racks in
8 buildings and other facilities, taking into consideration the population of the
9 short-term or long-term dwellers in the area. The owners of these
10 establishments shall be required to provide for such.

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

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

28 A. *Commissioning of a "Bus Rapid Transit (BRT) System."* – The DOTr shall
29 conduct a study commissioning the creation of a Bus Rapid Transit (BRT)
30 System which will organize buses into one efficient long-distance
31 transportation system with coordinated schedules, rates, routes, and pick-up
32 and drop-off points. The LGU and the private sector, including but not limited

1 to, mall owners and bus companies, may be tapped in order to put up or use
2 existing facilities such as parks, parking lots, and bus depots that will serve as
3 large collective transportation terminals where people can park their cars and
4 bikes and take the buses to their destinations.

5 B. *Establishment of a Water Ferry System.* – As much as practicable, the
6 national agencies and water regulatory bodies in charge of a water body led
7 by the DENR, in coordination with the DOTr, shall study and initiate the
8 establishment of a ferry system in navigable bodies of water.

9 Sec. 10. *Transportation Demand Management Programs.* – The DOTr, in
10 coordination with the Department of Labor and Employment (DOLE), Department of
11 Education (DepEd), Department of Trade and Industry (DTI), and one
12 representative each from the civil society, transport sector, and the youth, shall
13 come up with guidelines on transport demand management programs that will
14 reduce the volume of cars and motorized transport in the roads as well as enhance
15 and encourage students and workers to use the public transport system. These shall
16 include, but is not limited to, the following:

- 17 a) carpool, vanpool, or car-share projects;
- 18 b) car ownership policies in relation to parking and air pollution;
- 19 c) congestion pricing measures;
- 20 d) programs to promote telecommuting;
- 21 e) flexible work schedules, or satellite work centers;
- 22 f) transport program for government employees; and
- 23 g) intelligent transportation systems.

24 Sec. 11. *Facilities.* – The DOTr, in coordination with the DPWH and the LGUs
25 concerned, shall carry out an investment program that will encourage a shift to
26 sustainable transport within selected communities by providing safe and convenient
27 options to bicycle and walk for routine travel, and for other purposes. Transit-
28 oriented development, supporting facilities for non-motorized transportation,
29 intermodal connectivity and public transportation shall be developed in accordance
30 with the land use and transportation plan.

31 Sec. 12. *Public Health Program.* – An Inter-Agency Task Force composed of
32 the DOTr and the DOH shall be created to lead the formation and the

1 implementation of a Transportation and Health Impacts Program. The Task Force
2 shall formulate strategies for the reduction of the negative health and environmental
3 impacts of transportation to road users. These strategies shall include, but not be
4 limited to strengthening of public health services, formulation of the necessary
5 department administrative orders and required regular general and audio-logical
6 check up for road users and affected communities. Further, the Task Force shall
7 regularly monitor and evaluate these strategies.

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

13 The DOTr shall also conduct continuous public consultations and social impact
14 assessments among stakeholders affected by the Sustainable Transport Action Plan.
15 Social safety nets shall be carefully studied, formulated and implemented, as
16 needed.

17 Sec. 14. *Financing.* – The DOTr, in coordination with the key stakeholders
18 deemed necessary, shall explore the possibility of accessing a growing range of
19 global environment funds in order to be able to assist in the funding of sustainable
20 public transport systems. Public-private partnerships shall also be encouraged in the
21 development of transportation improvements.

22 Further, seventy- five percent (75%) of the seven and one half percent
23 (7.5%) allotted in the Special Vehicle Pollution Control Fund (SVPCF) provided for in
24 Section 7 of Republic Act No. 8794 or An Act Imposing A Motor Vehicle User’s
25 Charge On Owners Of All Types Of Motor Vehicles And For Other Purposes shall be
26 retained by the DOTr for the implementation of this Act.

27 Sec. 15. *Implementing Agency.* – The DOTr shall be the main implementing
28 agency for this Act.

29 Sec. 16. *Separability Clause.* – Should any provision herein be subsequently
30 declared invalid or unconstitutional, the same shall not affect the validity or the
31 legality of the other provisions not so declared.

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

4 Sec. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after its
5 publication in the *Official Gazette* or in any two (2) newspapers of general circulation
6 in the Philippines.

 Approved,