

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

SENATE

S. NO. 337

Introduced by Senator Antonio "Sonny" F. Trillanes IV

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, not less than one million people get killed on roads, and 70% of these are from those countries that the World Bank classifies as low- or middle-income. This condition is worse in developing countries, such as the Philippines.

The state of road safety of a country is normally gauged by the frequency of accidents. In a 2003 United Children's Fund (UNICEF)-funded study, the road accident problem in the country was found to have reached an alarming level. Based on the study, about 9, 000 fatalities could be attributed to road traffic accidents. Moreover, an Asian Development Bank (ADB) data show that deaths average at 9, 000 per year, seriously injured at 144, 000 and slightly injured 630, 000. The study also revealed that road traffic accidents ranked number one over other causes of injury morbidity. And as far as deaths due to injuries are concerned, road traffic accidents ranked as the number one leading cause at 20%.

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 Php150 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

SENATE

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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
2 of 2010."

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

6 1) **Strategic Highway Safety Program.** - The term "Strategic Highway Safety Program" means
7 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 The program should accomplish the following:

- 1 (1) analyzes and makes effective use of National Government, regional, or local crash data;
- 2 (2) addresses engineering, management, operation, education, enforcement, and
3 emergency services elements (including integrated, interoperable emergency
4 communications) of highway safety as key factors in evaluating highway projects;
- 5 (3) considers safety needs of, and high-fatality segments of, public roads;
- 6 (4) considers the results of State, regional, or local transportation and highway safety
7 planning processes;
- 8 (5) describes a program of projects or strategies to reduce or eliminate safety
9 hazards;

10 **2) Highway safety improvement project. –**

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

- 13 (i) corrects or improves a hazardous road location or feature; or
- 14 (ii) addresses a highway safety problem.

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

- 17 (1) An intersection safety improvement.
- 18 (2) Pavement and shoulder widening (including addition of a passing lane to remedy an
19 unsafe condition).
- 20 (3) Installation of rumble strips or another warning device, if the rumble strips or other
21 warning devices do not adversely affect the safety or mobility of bicyclists,
22 pedestrians, and the disabled.
- 23 (4) Installation of a skid-resistant surface at an intersection or other location with a high
24 frequency of accidents.
- 25 (5) An improvement for pedestrian or bicyclist safety or safety of the disabled.

- 1 (6) Construction of a railway-highway crossing safety feature, including installation of
2 protective devices.
- 3 (7) The conduct of a model traffic enforcement activity at a railway-highway crossing.
- 4 (8) Construction of a traffic calming feature.
- 5 (9) Elimination of a roadside obstacle.
- 6 (10) Improvement of highway signage and pavement markings.
- 7 (11) Installation of a priority control system for emergency vehicles at signalized
8 intersections.
- 9 (12) Installation of a traffic control or other warning device at a location with high
10 accident potential.
- 11 (13) Safety-conscious planning.
- 12 (14) Improvement in the collection and analysis of crash data.
- 13 (15) Planning integrated interoperable emergency communications equipment,
14 operational activities, or traffic enforcement activities (including police assistance)
15 relating to workzone safety.
- 16 (16) Installation of guardrails, barriers (including barriers between construction work
17 zones and traffic lanes for the safety of motorists and workers), and crash
18 attenuators.
- 19 (17) The addition or retrofitting of structures or other measures to eliminate or reduce
20 accidents involving vehicles and wildlife.
- 21 (18) Installation and maintenance of signs (including fluorescent, yellow- green signs) at
22 pedestrian-bicycle crossings and in school zones.
- 23 (19) Construction and yellow-green signs at pedestrian-bicycle crossings and in school
24 zones.
- 25 (20) Construction and operational improvements on high risk rural roads.
- 26 (21) Information drive concerning highway safety matters (including motorcyclist safety).

1 (22) Enforcement of highway safety laws.

2
3 **SEC. 3. Program. -**

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

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

7
8 **SEC. 4. Eligibility. -**

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

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

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

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

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

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

19 (ii) contains an assessment of -

20 (I) potential remedies to hazardous locations identified;

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

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

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

- 1 (a) have in place a crash data system with the ability to perform safety problem
2 identification and countermeasure analysis;
- 3 (b) based on the analysis required by subparagraph (a) -
- 4 (i) identify hazardous locations, sections, and elements (including roadside obstacles,
5 railway-highway crossing needs, and unmarked or poorly marked roads) that
6 constitute a danger to motorists (including motorcyclists), bicyclists, pedestrians, and
7 other highway users; and
- 8 (ii) using such criteria as the city or the province determine to be appropriate, establish
9 the relative severity of those locations, in terms of accidents, injuries, deaths, traffic
10 volume levels, and other relevant data;
- 11 (c) adopt strategic and performance-based goals that -
- 12 (i) address traffic safety, including behavioral and infrastructure problems and
13 opportunities on all public roads;
- 14 (ii) focus resources on areas of greatest need; and
- 15 (iii) are coordinated with other highway safety programs;
- 16 (d) advance the capabilities of the Government for traffic records data collection, analysis, and
17 integration with other sources of safety data (such as road inventories) in a manner that -
- 18 (i) includes all public roads;
- 19 (ii) identifies hazardous locations, sections, and elements on public roads that constitute a
20 danger to motorists (including motorcyclists), bicyclists, pedestrians, the disabled, and
21 other highway users; and
- 22 (iii) includes a means of identifying the relative severity of hazardous locations in terms of
23 accidents, injuries, deaths, and traffic volume levels;
- 24 (e) (i) determine priorities for the correction of hazardous road locations, sections, and elements
25 (including railway- highway crossing improvements), as identified through crash data
26 analysis;

- 1 (ii) identify opportunities for preventing the development of such hazardous conditions; and
2 (iii) establish and implement a schedule of highway safety improvement projects for hazard
3 correction and hazard prevention; and
4 (f) (i) establish an evaluation process to analyze and assess results achieved by highway safety
5 improvement projects carried out in accordance with procedures and criteria established
6 by this section; and
7 (ii) use the information obtained under clause (i) in setting priorities for highway safety
8 improvement projects.

9
10 **SEC. 5. Eligible Projects.** - A city or provincial government may obligate funds
11 apportioned to the city or provincial government to carry out any highway safety improvement
12 project on any public road or publicly owned bicycle or pedestrian pathway or trail.

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

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

18

19 **SEC. 6. Reports.** -

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

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

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

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

- 1 (i) reducing the number of fatalities on roadways;
- 2 (ii) reducing the number of roadway-related injuries;
- 3 (iii) reducing the occurrences of roadway-related crashes;
- 4 (iv) mitigating the consequences of roadway-related
- 5 crashes; and
- 6 (v) reducing the occurrences of crashes at railway-highway
- 7 crossings.

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

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

- 12 (a) the Web site of the Department; and
 - 13 (b) such other means as the Secretary determines to be appropriate.
- 14

15 **SEC. 7. Appropriations.** - The amount necessary to carry out the provisions of this
16 Act shall be provided out of the savings from the appropriations of the DOTC for the current
17 year. Thereafter, the sum necessary for the implementation of this Act shall be appropriated in
18 the annual appropriations of the DOTC.

19

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

23

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

26

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

Approved,