

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session



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SENATE

RECEIVED BY:

S.B. No. **2936**

Introduced by Senator PIA S. CAYETANO

EXPLANATORY NOTE

Transport plays a significant role in spurring economic development and reducing poverty. Transport is a vital part of most of the activities, goods, and services required to support and improve people's lives. At the same time, however, it also consumes resources and imposes negative side effects. Carbon monoxide, a type of toxic gas emitted by cars and other motor vehicles, is largely responsible for the smog and air pollution in the country as well as respiratory diseases, headaches and other ailments. The fuel used to run cars and motor vehicles is costing the Philippines more than One Billion Pesos a day. Our dependency on imported fossil fuels has a multiplier effect in the prices of or basic commodities, goods and services. The heavy reliance on motor vehicles/cars promotes an unhealthy lifestyle as the public has become sedentary, refusing to walk or bike even short distances. In practically all of the major cities of the country, this is causing terrible traffic congestion, unnecessary stress, and even countless accidents resulting in loss of life and limb.

It is high time that we revisit this way of thinking and lifestyle or else our environment and health continue to suffer. There has to be a balance that will enable people's transport needs to be met in a way that neither harms them nor depletes resources. There are different available mobility options that our government can explore in order to serve our people's changing transport needs, declog the streets and improve our efficiency as a nation – walking, cycling, use of public transportation, etc. The government must provide for the creation of a safe, convenient, inexpensive, collective, efficient, non-congestive, non-pollutive, and healthful locomotion and transportation system for the benefit of the Filipino people.

This bill seeks to develop sustainable and alternative modes of transportation in order to reduce greenhouse gas emissions, lessen energy consumption, use precious urban area efficiently, reduce time and travel costs as well as promote an active lifestyle. It mandates the Department of Transportation and Communication (DOTC), in coordination with the National Economic Development Authority (NEDA), to develop a plan that will encourage this mode shift and promote programs and infrastructure that will pave the way for the same.

In view of the foregoing, approval of this bill is earnestly requested.

PIA S. CAYETANO
Senator

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**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**

*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 Transportation
2 Act of 2011.”
3

4 **SECTION 2. Declaration of Policies.** – In conformity with the provisions of the
5 Constitution to promote the 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 and
7 healthful ecology in accord with the rhythm and harmony of nature, and to conserve and
8 develop the patrimony of the nation, the State hereby adopts the following policies
9 relative to the transportation system in our country, whether public or private:
10

- 11 a.) The State shall promote a shift towards a safe, collective, efficient, non-
12 congestive, non-pollutive, and healthful locomotion and transportation system
13 that includes non-motorized transport;
14 b.) The State shall increase mobility options of the general public and promote the
15 use of alternative modes of transportation such as walking, biking and the use of
16 public transportation;
17 c.) The State shall properly plan and establish facilities and infrastructures that will
18 respond to this paradigm shift in the transportation system; and
19 d.) The State shall establish its plans and programs in conformity with the overall
20 national land use plan as well as the local comprehensive land use plans.
21

22 **SECTION 3. Definition of Terms.** – The following terms shall have their respective
23 meanings:
24

- 25 a.) "Bicycle" refers to a device that a person may ride that is propelled by human
26 power and has two tandem wheels at least one of which is more than 14 inches
27 in diameter.
28 b.) "Motor vehicle" means a self-propelled vehicle or any vehicle propelled by any
29 power other than muscular power. The term does not include an electric bicycle.
30 c.) "Public transportation" means a shared passenger transportation service which is
31 available for use by the general public. These include buses, trams, trains, rapid
32 transit and ferries.
33 d.) "Walkways" means a paved path for pedestrians alongside streets.
34 e.) "Sustainable transport" means any means of transport with low impact on the
35 environment, accessible, safe, environment-friendly, and affordable. It includes
36 walking and cycling, transit oriented development, green vehicles, carpooling,

1 and building or protecting urban transport systems that are fuel-efficient, space-
2 saving and promote healthy lifestyles.

3 f.) "Travel demand management" (TDM) means a set of tools to offer people better
4 travel information and opportunities and help people choose to reduce their need
5 to travel especially by car.

6
7 **SECTION 4. Sustainable Transport Action Plan.** – The Department of Transportation
8 and Communication (DOTC), in coordination with the National Economic Development
9 Authority (NEDA), shall come up with a Sustainable Transport Action Plan which aims to
10 provide a roadmap for national and local transportation system to be adhered to at all
11 levels throughout the country. The Sustainable Transport Action Plan shall include
12 strategies relating to parking, public transport, cycling, walking and transport
13 infrastructure, and will set out the actions required to achieve the mode shift target over
14 a certain period of time as identified by DOTC and NEDA.

15
16 **SECTION 5. Installation of Walkways.** – Adequate sidewalk areas must be maintained
17 on all roads as walkways to allow safe pedestrian passage and for the safe and
18 convenient use of wheelchairs, strollers and similar instruments. For primary and
19 secondary roads, there shall be allotted three (3) meters for the sidewalks. If there is no
20 space allocated for such and the implementation will prove difficult, in lieu thereof, an
21 elevated footbridge must be installed. This shall be provided by the local government
22 unit (LGU) concerned within six (6) months from the effectivity of this Act.

23
24 **SECTION 6. Public Transportation.** – The DOTC shall provide guidelines that will
25 promote a shift towards public transportation as a primary mobility option to the general
26 public, within twelve (12) months from the effectivity of this Act. Better public
27 transportation initiatives shall be studied and implemented in an effort to reduce the
28 impact of the declining oil economy on our environment and financial markets as well as
29 help reduce energy costs, pollution and even urban poverty.

30
31 **SECTION 7. Commissioning of a "Bus Rapid Transit (BRT) System."** – The
32 Department of Transportation and Communication (DOTC) shall, within twelve (12)
33 months from the effectivity of this Act, come up with a study commissioning the creation
34 of a Bus Rapid Transit System which will organize buses into one efficient long-distance
35 transportation system with coordinated schedules, rates, routes, and pick-up and drop-
36 off points. The LGU and the private sector, including but not limited to mall owners and
37 bus companies, can be tapped in order to put up or use existing facilities such as parks,
38 parking lots, and bus depots that will serve as large collective transportation terminals
39 where people can park their cars and bikes and take the buses to their destinations.

40
41 **SECTION 8. Establishment of a Water Ferry System.** – As much as practicable, the
42 national agencies and water regulatory bodies in charge of a water body led by the
43 Department of Environment and Natural Resources (DENR), in coordination with the
44 DOTC, shall explore the establishment of a ferry system in navigable bodies of water
45 which may be operated by the said authority or bidded out to a private contractor. The
46 possibility of interconnecting said waterways shall also be considered.

47
48 **SECTION 9. Travel Demand Management Programs.** – The DOTC, in coordination
49 with the Department of Labor and Employment (DOLE), Department of Education
50 (DepEd), Department of Trade and Industry (DTI) and one representative each from the
51 civil society, transport sector and the youth, shall come up with guidelines on travel
52 demand management programs that will reduce the volume of cars and motorized
53 transport in the roads as well as enhance and encourage students and workers to use
54 the public transport system. These shall include, but is not limited to, the following:

- 55
56 a.) carpool, vanpool, or car-share projects;
57 b.) congestion pricing measures;

- 1 c.) programs to promote telecommuting;
- 2 d.) flexible work schedules, or satellite work centers;
- 3 e.) transport program for government employees; and
- 4 f.) intelligent transportation systems or other operational improvements that are
- 5 certified by the Department of Environment and Natural Resources (DENR) to
- 6 reduce greenhouse gas emissions.

7
8 This shall be completed within twelve (12) months from the effectivity of this Act.

9
10 **SECTION 10. Designation of Bike Lanes.** – A portion of the roadway or highway shall
11 be designated as “bike lanes” by the LGU having jurisdiction over such roadway or
12 highway, in coordination with the Department of Public Works and Highways (DPWH),
13 within six (6) months from the effectivity of this Act.

14
15 The designated bike lanes shall be for the preferential or exclusive use of bicycles.
16 These bike lanes shall not be obstructed by a parked or standing motor vehicle or other
17 stationary object. The bike lanes shall be made identifiable by striping with signing or
18 striping with pavement markings.

19 **SECTION 11. Provision of Bicycle Parking Spaces and Bike Racks.** – Bicycle
20 parking spaces and bike racks are hereby required to be provided by owners of
21 establishments that are:

- 22 a.) For non-residential use with gross floor area larger than 7,500 square feet;
- 23 b.) Multiple-family dwellings when 12 or more are provided on a lot;
- 24 c.) Public parking lots.

25 The DOTC shall establish guidelines on the minimum supply of bicycle parking spaces
26 in buildings and other facilities, taking into consideration the population of the short-term
27 or long-term dwellers in the area, within six (6) months from the effectivity of this Act.

28
29 **SECTION 12. Facilities.** – The DOTC, in coordination with the DPWH and the LGUs
30 concerned, shall carry out an investment program that will encourage a mode shift to
31 sustainable transport within selected communities by providing safe and convenient
32 options to bicycle and walk for routine travel, and for other purposes. This shall be
33 completed within twelve (12) months from the effectivity of this Act.

34
35 **SECTION 13. Education and Research Programs.** – The DOTC shall conduct studies
36 and researches, and eventually supply information to the car-owning and -riding public
37 as well as commuters on aspects of sustainable transport that are relatively new. It shall
38 also provide technical assistance and other resources to government agencies and
39 private sector involved in the transport system.

40
41 **SECTION 14. Financing.** – The DOTC, in coordination with the DENR, shall explore
42 the possibility of accessing a growing range of global environment funds in order to be
43 able to assist in the funding of sustainable public transport systems and less polluting
44 energy supplies. Public-private partnerships shall also be encouraged in the
45 development of transportation improvements.

46
47 **SECTION 15. Implementing Agency.** – The DOTC shall be the main implementing
48 agency for this Act.

49
50 **SECTION 16. Separability Clause.** – Should any provision herein be subsequently
51 declared invalid or unconstitutional, the same shall not affect the validity or the legality
52 of the other provisions not so declared.

1 **SECTION 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

5 **SECTION 18. *Effectivity.*** – This Act shall take effect fifteen (15) days after publication
6 in at least (2) newspapers of general circulation.
7

8 *Approved,*