

Republic of the Philippines
House of Representatives

Quezon City

18th Congress

1st Regular Session



HOUSE BILL NO. 922

Introduced by **REPRESENTATIVE BAYANI F. FERNANDO**

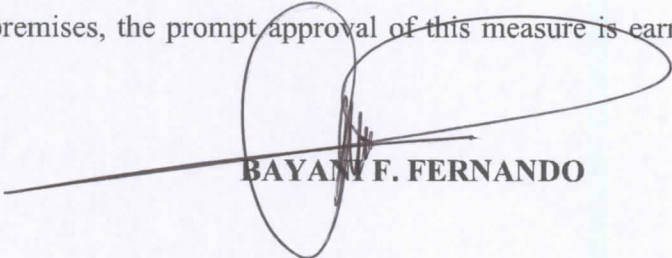
EXPLANATORY NOTE

A safe, economical, environmentally-sustainable, and accessible road system is a basic infrastructure which is vital for the efficient transport of people and goods in the Philippines. For this reason, it is imperative that the roads in the country be developed and used to effectively perform their dual functions of facilitating travel mobility and providing access to property, while assuring the safety of the road users and the public.

It has been observed, however, that some roads in the country have not been designed, built or utilized according to accepted standards suited to their desired functions and traffic characteristics. In many cases, roads which have insufficient road safety features or are improperly used have triggered major traffic accidents due to conflicts among vehicles and pedestrians, which resulted in deaths and severe injuries. The carrying capacities of roads have also been significantly diminished by inappropriate uses and erratic movements of vehicles and pedestrians. Indiscriminate parking and loading and unloading by vehicles on the roads are common examples. These and other improper uses of roads retard or obstruct the normal flow of traffic, which unnecessarily increase transport costs and travel times of the road users. This is illustrated by the huge losses to the national economy, running into several billions of pesos daily in Metropolitan Manila alone, according to expert studies, due to severe congestion, which is attributed not only to the lack of more efficient transport modes, but also to the sub-optimal use of major thoroughfares. The country has its biggest investments on these roads.

This bill, therefore, seeks to define the basic policies, standards, and rules for the proper, safe, disciplined, and productive use of all roads, Government and private, in order to efficiently serve the essential role for which the roads are built - that is, to move people and goods and create wholesome and inclusive socio-economic gains for the country. This measure also aims to provide a common or uniform set of norms and regulations on road utilization applicable nationwide, for easy and consistent reference by all road users, as well as implementing entities and enforcement agencies.

In view of the above premises, the prompt approval of this measure is earnestly sought and recommended.


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AN ACT
REGULATING THE USE OF ROADS FOR SAFE, FAST AND ECONOMIC
TRANSPORT

SECTION 1. *Short Title.* – This Act shall be known as “The Road Use Act of 2019.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to establish a system of roads in the Philippines that shall be safe, efficient, economical, environment-friendly, and accessible, thereby supporting the goal of inclusive social and economic development of the country. Towards this end, through this Act, the Government shall lay down clear and uniform guidelines, standards and rules for the optimal provision, management and use of the roads system of the country to effectively bring about secure, fast, convenient, and affordable transport of people and goods that will promote public interest. To achieve transparency and accountability, the Government shall also clearly define, through this Act, the functions and responsibilities of the National and Local Government Agencies and private entities concerned with the design, construction, maintenance, operation, use, management, control, and regulation of the roads system.

SEC. 3. *Definition of Terms.*

3.1 As used in this Act, the following terms shall have the meanings as defined:

- a. Road – is a general term denoting a facility used for travel by motor vehicles. A road consists of the travelway and all other structures and areas within the road right-of-way. The term road is synonymous with highway or street.
- b. Road Right-of-Way – is the entire area comprising a road. The term road right-of-way includes (i) the travelway for the movement of motor vehicles, (ii) all associated structures, such as shoulders, sidewalks, curbs, gutters, loading and unloading zones, longitudinal and cross drainage, parking areas, overpasses, underpasses, flyovers, interchanges, rotundas/roundabouts, parks, utilities, traffic signals, lights, signage, road safety devices, road embankment, slope protection, islands, medians, pedestrian

crossings, bus/vehicle stops, passenger waiting sheds, trees and other vegetation, and (iii) other related facilities within the defined limits of the right-of-way, for use of vehicles and pedestrians.

- c. Carriageway – is the portion of a road consisting of the travelway and shoulders, for use of motor vehicles.
- d. Travelway – is the main portion of a road for the movement or passage of motor vehicles, exclusive of shoulders, sidewalks, curbs and gutters, and medians. The term travelway includes bridges, viaducts, tunnels, and similar vehicle passageways therein.
- e. Shoulder – is the portion of a road contiguous with the travelway, which serves as a safety provision for wayward vehicles, for emergency use or occasional stops of motor vehicles, and for structural lateral support of the travelway base and surface courses.
- f. Sidewalk – is the portion of a road contiguous with the carriageway for use of pedestrians.
- g. Government Road – is a road that is financed, owned and maintained by the Government through a National Government Agency, principally the DPWH, or National Government Corporation or Local Government Unit (LGU), and is designed and built for public use.
- h. Private Road – is a road that is owned and maintained by a private individual or entity. A private road is primarily intended to provide its private owners and their guests access to their property and does not necessarily form part of a link to external roads. The most common types of private roads are residential or subdivision roads maintained by homeowners' associations.
- i. Public-Use Road – is a road that is customarily used by the public, and/or that serves multiple property owners, settlers, housing sites, road users, or beneficiaries for an extended period, regardless of the ownership of the road. Thus, a private road, although owned by a private entity, becomes a public-use road if it fits the definition stated in the first sentence of this Section 3.1i. A Government road is inherently a public-use road.
- j. Motor Vehicle – is any conveyance propelled or drawn by any power, including mechanical or electrical, other than human or animal power, and used on a road to transport passengers or goods. The term motor vehicle includes, but is not limited to, motorcycle, car, taxi, jeepney, utility van, bus, truck, and similar conveyances, among others.
- k. Pedestrian – is a person who is travelling on foot on a road, whether walking or running. The term pedestrian also includes a person with disability who is moving on a road in a wheelchair or similar conveyance.
- l. Parking – is the act of bringing a motor vehicle, whether occupied or not, to a stop and making it inactive for an appreciable period. A motor vehicle that occasionally or momentarily stops on a roadway, merely to discharge passengers or to take in waiting passengers within ten (10) steps from the vehicle but not more than a time of ten (10) seconds, or to load or unload a small quantity of goods within ten (10) seconds, shall not be considered as parked, if the vehicle again moves away without delay.

- m. Stopping – is any cessation of movement on a road of a motor vehicle, whether occupied or not, with the driver in control, except where necessary to avoid conflict with other traffic or when in compliance with the direction of a traffic officer or official traffic control device or signal. The term stopping includes standing/waiting as defined below.
- n. Standing/Waiting – is a form of stopping by a motor vehicle, where the vehicle remains stationary, with its engine running and the driver in control.
- o. Obstruction – is the act of operating, stopping, standing/waiting, or loading/unloading by a motor vehicle on any part of a road in such a manner as to block that part of the road, prevent or disturb the normal flow of traffic, and impede the free and clear passage of other motor vehicles or pedestrians, with the act done either willfully or when the driver of the motor vehicle is able to avoid doing so by ordinary care.
- p. Nose-in/nose-out – is the movement or maneuver of a motor vehicle (a) which exits a travelway and enters into an abutting property, such as a bus terminal or parking area, with the front-end or nose of the vehicle entering the property first; and (b) which exits the abutting property and moves into the travelway, with the front-end or nose of the vehicle entering the travelway first. The nose-in/nose-out movement shall be in the same direction as the allowable flow of vehicles on the travelway
- q. Design Speed – is the speed of motor vehicles determined for the engineering design and correlation of the physical features of a road that influence vehicle operation. It is the maximum safe vehicle speed that can be maintained over a specific section of the road when conditions are so favorable that the design features of the road govern. The choice of the design speed is influenced principally by the character of the terrain, the extent of man-made features, road safety criteria, and economic considerations. Once selected, the design speed sets the limits for curvature, sight distance and other geometric features to be considered in the design of the road. The national standards for the design speed shall be set by the Department of Public Works and Highways (DPWH).
- r. Allowable Speed Limit – is the maximum speed that motor vehicles are legally permitted to travel on a specific road, as set by the concerned traffic management and control authority through an appropriate ordinance or other legal issuance, considering the functions, design, and actual conditions of the road, the characteristics, volume and mix of vehicular and pedestrian traffic thereon, the requirements for road safety, and the kind of land uses in the area. The allowable speed is usually lower than the design speed as defined above.
- s. Traffic Rules – are the overall standards, principles, and instructions, at the policy level, that mandate, control and restrict actions concerning traffic on roads in the Philippines, in accordance with the provisions of this Act. Under this Act, traffic rules shall be prescribed by the Department of Transportation (DOTr) through Department Orders, in consultation with the DPWH, the Metropolitan Manila Development Authority (MMDA), and other concerned entities.
- t. Traffic Regulations – are the specific orders, procedures and requirements, at the end-user level, that implement the national traffic rules prescribed by the DOTr, pursuant to the provisions of this Act. Under this Act, traffic regulations shall be established and enforced by the concerned traffic management and control entities, primarily the LGUs,

the MMDA, the Philippine National Police-Highway Patrol Group (PNP-HPG), and the toll expressway concessionaires, through their respective ordinances or other legal statutes.

- u. Traffic Supervision – is the exercise of oversight on the traffic management and control performed by the traffic management and control entities concerned vis-a-vis the approved national traffic rules issued by the DOTr. This includes visitorial powers, monitoring, identifying deviations from rules, and instructions for corrective actions. Traffic supervision shall be undertaken by (i) the DOTr, through its Land Transportation Office (LTO) and Land Transportation Franchising and Regulatory Board (LTFRB), (ii) the MMDA for special cases in the National Capital Region (NCR) or Metropolitan Manila with prior clearance from the DOTr, or (iii) personnel of LGUs, the PNP-HPG, and private developers/homeowners' associations who are duly delegated/deputized by the DOTr. In the case of toll expressways, traffic supervision shall be performed by the Toll Regulatory Board (TRB).
- v. Traffic Management and Control – is the power to direct and guide the movement of vehicles and pedestrians on the roads - including the operation of traffic signals and devices - and to enforce traffic regulations, in accordance with approved national traffic rules set by the DOTr and other provisions of this Act. Traffic management and control shall be undertaken by (i) the concerned LGUs, (ii) the MMDA in Metropolitan Manila, or (iii) personnel of Government or private entities, such as the PNP-HPG, private developers and homeowners' associations, who are duly delegated/deputized by the LGUs or the MMDA. In the case of toll expressways, traffic management and control shall be undertaken by the authorized concessionaire.

3.2 The following acronyms and abbreviations used in this Act shall have the meanings as indicated.

- a. BG – Barangay Government
- b. CG – City Government
- c. DA – Department of Agriculture
- d. DILG – Department of Interior and Local Government
- e. DOLE – Department of Labor and Employment
- f. DOT – Department of Tourism
- g. DOTr – Department of Transportation
- h. DPWH – Department of Public Works and Highways
- i. DTI – Department of Trade and Industry
- j. HLURB – Housing and Land Use Regulatory Board
- k. kph – kilometers per hour
- l. LGU – Local Government Unit
- m. LTFRB – Land Transportation Franchising and Regulatory Board
- n. LTO – Land Transportation Office
- o. MG – Municipal Government
- p. MMDA – Metropolitan Manila Development Authority
- q. NEDA – National Economic and Development Authority
- r. NGA – National Government Agency
- s. NGO – Non-Government Organization
- t. PG – Provincial Government
- u. PNP-HPG – Philippine National Police-Highway Patrol Group
- v. TRB – Toll Regulatory Board

SEC. 4. General Principles.

- 4.1 The planning and design of all roads in the country, covering both Government roads and private roads, shall conform to the approved national, regional and local development plans and zoning ordinances, be harmonized with the provisions of the National Building Code of the Philippines, as amended, and be consistent with the rules of the Housing and Land Use Regulatory Board (HLURB).
- 4.2 Roads shall be designed and used to achieve the optimum blend of mobility and accessibility of the road users. Mobility shall be measured in terms of the ability of the traffic to pass through a defined area within a reasonable amount of time, as indicated by (a) operating speed, (b) level of service, (c) riding comfort, and related indices. Accessibility shall be measured in terms of the capability of the roads to provide access to and between land uses and communities within a defined area. In all cases, road safety shall be adequately provided in the design and use of roads to avoid accidents and shall never be traded off in favor of mobility or accessibility. The design and use of roads shall also be economical and environment-friendly.
- 4.3 To achieve consistency in the functionality and quality of the road network across the Philippines, the design, construction, and maintenance of all public-use roads in the country – which include both Government roads and private roads - shall adhere to the common national technical and performance standards prescribed by the DPWH.
- 4.4 To attain uniformity in the management and regulation of the use of roads across the Philippines, the movement by motor vehicles and pedestrians of all public-use roads in the Philippines shall conform to the common national traffic rules prescribed by the DOTr. These traffic rules shall be standard and uniform throughout the country so that motorists can easily follow and adopt them for safety to life and property, for comfort and ease in traveling, and so that motorists can be free of any regulatory discretion and harassment leading to corruption and general disorder.
- 4.5 To provide for proper accountability in road development and use, the LGUs concerned shall be responsible for the design, construction, maintenance, use, management and control, including traffic regulations, for Local Roads in their respective administrative jurisdictions, subject to compliance with the national standards and rules established by the DPWH and the DOTr. The LGUs concerned shall enact the appropriate ordinances to implement and enforce these responsibilities.
- 4.6 To provide for transparency and public participation, before any ordinance on road use is enacted by an LGU, the LGU shall duly consult the road users, residents, and other stakeholders affected.
- 4.7 To ensure that public-use roads efficiently serve their function of facilitating the movement of motor vehicles and pedestrians, uses and activities that are not directly related to this road function shall be prohibited within the whole road right-of-way.
- 4.8 To optimize the use of the roads for the movement of motor vehicles and pedestrians, parking of vehicles shall not be allowed within the entire road right-of-way of all Government roads and private roads that function as public-use roads. The exception is existing roads with prevalent unlimited access from adjoining properties, as of the effectivity of this Act, where parking may be allowed in designated areas outside the carriageway and sidewalks.

- 4.9 To encourage walking, adequate pedestrian facilities shall be provided within the road right-of-way and between major parking areas (outside the right-of-way) and main commercial areas, parks, churches, terminals, markets, hospitals, and public service establishments. Pedestrian bridges shall be installed whenever practicable to separate pedestrians and motor vehicles, especially in areas with heavy pedestrian traffic and those in the immediate vicinity of major schools, transport terminals, markets, Government buildings, churches, malls, and related establishments, as identified by the LGUs or the DPWH.

SEC. 5. Delineation of Road Use Functions and Responsibilities.

- 5.1 All concerned persons and entities shall observe the delineation of major road use functions and corresponding Agency responsibilities shown in Table 1.

Table 1. Delineation of Major Road Use Functions and Agency Responsibilities

	Road Needs Assessment	Road Planning	Road Design	Road Construction	Road Maintenance	Road Operation	Traffic Rules Promulgation	Traffic Supervision	Traffic Regulation, Management and Control
DPWH	X	X	X	X	X	X			
DOTr	X	X	X				X	X thru LTO and LTFRB	X thru LTO and LTFRB
LGUs – PGs, CGs, MGs, BGs	X	X	X	X	X			X as delegated/deputized by DOTr	X
MMDA	X	X	X	X			X	X	X
PNP-HPG								X as delegated/deputized by DOTr	X
Concessionaire for toll expressways	X	X	X	X	X	X			X
TRB - for toll expressways							X	X	
HLURB	X	X							
Private developer/homeowners' association	X	X	X	X	X	X		X as delegated/deputized by DOTr	X
Other NGAs – NEDA, DILG, DOLE, DA, DTI, DOT, Others	X	X							
Other private/NGO stakeholders	X	X							

- 5.2 These road use functions and Agency responsibilities are further amplified or supplemented in the succeeding Sections of this Act.

SEC. 6. Classification and Functions of Government Roads and Agency Responsibilities.

- 6.1 The DPWH shall classify all Government Roads in the Philippines according to their functions, with the corresponding Agency responsibilities, as shown in Table 2.

Table 2. Government Roads Classification, Functions, and Agency Responsibilities

<i>Road Class</i>	<i>Function</i>	<i>Agency Responsibility</i>
A. National Roads		
A.1 National Primary Roads	Serve as the main trunkline or backbone of the National Road System of the Philippines, consisting of contiguous lengths of significant road sections that extend linearly without any breaks or forks and that connect major urban centers and cities of the country.	<ul style="list-style-type: none"> a. Design, construction and maintenance by the DPWH. b. Traffic supervision by the DOTr, through the LTO and LTFRB outside Metropolitan Manila; by the MMDA in Metropolitan Manila. c. Traffic management and control by the DOTr-LTO/LTFRB or the delegated/deputized PG/CG outside Metropolitan Manila; by the MMDA in Metropolitan Manila.
A.2 National Secondary Roads	<ul style="list-style-type: none"> (1) Directly connect cities to National Primary Roads, except in metropolitan areas. (2) Directly connect major ports and major ferry terminals to National Primary Roads. (3) Directly connect major airports to National Primary Roads. (4) Directly connect major tourist service centers to National Primary Roads. (5) Directly connect other cities that are not included in the category of major cities. (6) Directly connect Provincial capitals within the same region. (7) Directly connect major National Government infrastructure to National Primary Roads or other National Secondary Roads. 	<ul style="list-style-type: none"> a. Design, construction and maintenance by the DPWH. b. Traffic supervision by the DOTr-LTO/LTFRB outside Metropolitan Manila; by the MMDA in Metropolitan Manila. c. Traffic management and control by the DOTr-LTO/LTFRB, or the delegated/deputized PG/CG, outside Metropolitan Manila; by the MMDA in Metropolitan Manila.
B. Local Roads		
B.1 Provincial Roads	<ul style="list-style-type: none"> (1) Connect cities and municipalities without traversing National Roads. (2) Connect National Roads to Barangays through rural areas. (3) Connect to major Provincial government infrastructure. 	<ul style="list-style-type: none"> a. Design, construction and maintenance by the PG. b. Traffic supervision by the DOTr-LTO/LTFRB. c. Traffic management and control by the PG, or by the LTO where the PG is unable to perform this function.
B.2 City Roads	<ul style="list-style-type: none"> (1) Roads within the poblacion of the City. (2) Connect to Provincial Roads or National Roads. (3) Provide inter-Barangay connections to major City infrastructure without traversing Provincial Roads. 	<ul style="list-style-type: none"> a. Design, construction and maintenance by the CG. b. Traffic supervision by the DOTr-LTO/LTFRB outside Metropolitan Manila; by the MMDA in Metropolitan Manila. c. Traffic management and control by the CG, or the CG-designated BG, or the CG-designated/deputized private developer or homeowners'

		association, or the LTO in case the CG/BG/designated or deputized private entity is unable to perform this function; in Metropolitan Manila by the MMDA.
B.3 Municipal Roads	(1) Roads within the poblacion of the Municipality. (2) Connect to Provincial Roads or National Roads. (3) Provide inter-Barangay connections to major Municipal infrastructure without traversing Provincial Roads.	a. Design, construction and maintenance by the MG. b. Traffic supervision by the DOTr-LTO/LTFRB outside Metropolitan Manila; by the MMDA in Metropolitan Manila. c. Traffic management and control by the MG, or the MG-designated/deputized BG, or the MG-designated/deputized private developer or homeowners' association, or the LTO where the MG/BG/designated or deputized private entity is unable to perform this function; in Metropolitan Manila by the MMDA.
B.4 Barangay Roads	Other Government Roads within the Barangay not covered in the above classes.	a. Design, construction and maintenance by the CG/MG/BG. b. Traffic Supervision by the DOTr-LTO/LTFRB outside Metropolitan Manila; by the MMDA in Metropolitan Manila. c. Traffic management and control by CG/MG or CG/MG-designated/deputized BG, or LTO in case the CG/MG/BG/designated or deputized private entity is unable to perform this function.
C. Other Roads		
Expressways	Serve through vehicular traffic between major activity centers, with no direct access to and from adjoining property except through controlled entries and exits; normally with interchanges; may include facilities for levying tolls for passage.	a. Design, construction, operation and maintenance by the DPWH/LGU/private concessionaire. b. Toll rates and regulation of the concessionaire's operations by the Toll Regulatory Board (TRB). c. Traffic supervision by the DOTr-LTO/LTFRB; in Metropolitan Manila by the MMDA. d. Traffic management and control by the private concessionaire.

6.2 From time to time, the DPWH may reclassify a road into the above classes to consider changes in the spatial configuration of settlements and economic activities, road network development, and traffic characteristics, among other factors.

SEC. 7. Standards for Design, Construction and Maintenance of Roads.

- 7.1 The DPWH shall prescribe and enforce the national minimum standards - including guidelines and manuals - for the design, construction, and maintenance of all roads, covering both Government roads and private roads. These minimum standards shall be observed by all concerned Government Agencies and private entities and concessionaires.
- 7.2 The DPWH national standards for the design of roads shall consider the following factors:
- a. National Roads shall be designed to provide a high level of mobility for through traffic, while City Roads and Municipal Roads shall be designed to render high accessibility services. Provincial Roads which connect National Roads with City or Municipal Roads shall be designed to provide an appropriate combination of mobility and accessibility services. Private Roads shall be designed to provide a proper mix of mobility and accessibility services. In all cases, the design shall include adequate road safety features, and be cost-effective and environmentally sustainable.
 - b. The DPWH national design standards for roads shall include the following:
 - (1) Engineering specifications - such as right-of-way width, travelway width, number and width of lanes, shoulders, sidewalks, curbs and gutters, pedestrian crossings, type of surfacing, thickness of pavement, bridges, drainage, safety and traffic control devices, signage, vertical and horizontal alignment, and location of permissible lay-bys, among others - corresponding to the allowable motor vehicle types, volumes and loads, characteristics of the traffic, and level of service to be provided by each class of road.
 - (2) Performance standards - such as travel speeds, traffic capacity, level of service, degree of congestion, structural strength, design life, road safety rating, road roughness, and riding comfort that shall be provided by each class of road.
- 7.3 In the design of Government Roads, the following major requirements shall be observed:

Table 3. Major Design Requirements for Government Roads

<i>Road Class</i>	<i>Major Requirements</i>
Expressways	<p>(1) Minimum design speed shall be as follows: Flat topography: ninety (90) kilometers per hour (kph) Rolling topography: seventy (70) kph Mountainous topography: sixty (60) kph</p> <p>(2) Number of lanes shall usually be four (4) lanes or more, which are divided.</p> <p>(3) There shall be no frontage access from and to the adjoining property along the entire expressway.</p> <p>(4) Access to the expressway shall only be at designated entries/exits or interchanges. The prescribed minimum intervals between designated entries/exits and interchanges shall be observed to ensure the desired level of service and safety.</p> <p>(5) Developments shall be well set back from the expressway right-of-way.</p> <p>(6) Intersections and other intersecting expressways shall be grade-separated.</p> <p>(7) Parking shall not be permitted within the entire road right-of-way.</p>

	<p>(8) Where necessary or for emergency purposes, lay-by or stopping facilities shall be provided clear of the travelway.</p> <p>(9) There shall be no vendors and other prohibited uses as provided in Section 8.14 of this Act.</p>
National Primary Roads	<p>(1) Minimum design speed shall be as follows: Flat topography: eighty (80) kph Rolling topography: sixty (60) kph Mountainous topography: fifty (50) kph</p> <p>(2) Number of lanes shall usually be at least four (4).</p> <p>(3) There shall be limited frontage access to the road from the adjoining property, that is, access to the road shall be at designated entry/exit points and intersections only.</p> <p>(4) Number of entry/exit points and intersections shall be minimized to ensure the desired level of service and safety.</p> <p>(5) Developments shall be well set back from the road right-of-way.</p> <p>(6) All access to premises shall be provided via National Secondary, Provincial, City, Municipal or Barangay Roads.</p> <p>(7) At-grade intersections shall be channelized for minor flows.</p> <p>(8) Parking shall not be permitted within the entire road right-of-way, except for existing roads with prevalent direct access from abutting properties as of the approval of this Act, in which case parking may be allowed in designated areas outside the carriageway and sidewalks.</p> <p>(9) There shall be no vendors and other prohibited uses as provided in Section 8.14 of this Act.</p>
National Secondary Roads	<p>(1) Minimum design speed shall be as follows: Flat topography: seventy (70) kph Rolling topography: sixty (60) kph Mountainous topography: forty (40) kph</p> <p>(2) Number of lanes shall be at least two (2).</p> <p>(3) There shall be limited frontage access. In exceptional circumstances, large individual developments may have direct access when a high-level intersection is provided.</p> <p>(4) Developments shall be well set back from the road right-of-way.</p> <p>(5) All access to premises shall be provided via Provincial, City, Municipal or Barangay Roads.</p> <p>(6) Number of intersections shall be minimized.</p> <p>(7) At-grade intersections shall be channelized for minor flows.</p> <p>(8) Parking shall not be permitted within the entire road right-of-way, except for existing roads with prevalent direct access from abutting properties as of the approval of this Act, in which case parking may be allowed in designated areas outside the carriageway and sidewalks.</p> <p>(9) There shall be no vendors and other prohibited uses as provided in Section 8.14 of this Act.</p>
Provincial Roads	<p>(1) Minimum design speed shall be as follows: Flat topography: seventy (70) kph Rolling topography: sixty (60) kph Mountainous topography: forty (40) kph</p> <p>(2) Number of lanes shall be at least two (2).</p> <p>(3) There shall be limited frontage access. In exceptional circumstances, large individual developments may have direct</p>

	<p>access when a high-level intersection is provided.</p> <p>(4) Developments shall be well set back from the road right-of-way</p> <p>(5) Most developments shall be given access via intersections with Local Roads.</p> <p>(6) All intersections shall normally be at-grade.</p> <p>(7) For high-volume traffic, turning traffic shall be separated from through traffic by auxiliary lanes.</p> <p>(8) Where feasible, separated pedestrian/bikeways shall be provided remote from the travelway.</p> <p>(9) Pedestrian crossings shall be clearly defined and controlled.</p> <p>(10) Parking shall not be permitted within the entire road right-of-way, except for existing roads with prevalent direct access from abutting properties as of the approval of this Act, in which case parking may be allowed in designated areas outside the carriageway and sidewalks.</p> <p>(11) Bus/public vehicle stops, as well as other loading and unloading areas permitted in exceptional circumstances, shall be in separate well-designed lay-bys or properly marked areas.</p> <p>(12) There shall be no vendors and other prohibited uses as provided in Section 8.14 of this Act.</p>
City Roads	<p>(1) Minimum design speed shall be as follows: Flat topography: seventy (70) kph Rolling topography: sixty (60) kph Mountainous topography: forty (40) kph</p> <p>(2) Number of lanes shall be at least two (2).</p> <p>(3) Roads shall be mainly for local traffic.</p> <p>(4) Through traffic shall, to the extent feasible, be accommodated on an alternative more direct main road or bypass road.</p> <p>(5) Where feasible, an industrial traffic route shall not pass through a residential area.</p> <p>(6) Vehicle speeds shall be kept low and long straight alignments shall be avoided.</p> <p>(7) Parking shall not be permitted within the entire road right-of-way, except for existing roads with prevalent direct access from abutting properties as of the approval of this Act, in which case parking may be allowed in designated areas outside the carriageway and sidewalks.</p> <p>(8) Bus/public vehicle stops, as well as other loading and unloading areas permitted in exceptional circumstances, shall be in separate well-designed lay-bys or properly marked areas.</p> <p>(9) Where non-motorized traffic needs to use a local distributor road, it shall be separated from motorized traffic.</p> <p>(10) There shall be no vendors and other prohibited uses as provided in Section 8.14 of this Act.</p>
Municipal Roads	<p>(1) Minimum design speed shall be as follows: Flat topography: seventy (70) kph Rolling topography: sixty (60) kph Mountainous topography: forty (40) kph</p> <p>(2) Number of lanes shall be at least two (2).</p> <p>(3) Roads shall be mainly for local traffic.</p> <p>(4) Through traffic shall, to the extent feasible, be accommodated on an alternative more direct main road or bypass road.</p>

	<ul style="list-style-type: none"> (5) Where feasible, an industrial traffic route shall not pass through a residential area. (6) Vehicle speeds shall be kept low and long straight alignments shall be avoided. (7) Parking shall not be permitted within the entire road right-of-way, except for existing roads with prevalent direct access from abutting properties as of the approval of this Act, in which case parking may be allowed in designated areas outside the carriageway and sidewalks. (8) Bus/public vehicle stops, as well as other loading and unloading areas permitted in exceptional circumstances, shall be in separate well-designed lay-bys or properly marked areas. (9) Where non-motorized traffic needs to use a local distributor road, it shall be separated from motorized traffic. (10) There shall be no vendors and other prohibited uses as provided in Section 8.14 of this Act.
Barangay Roads	<ul style="list-style-type: none"> (1) Minimum design speed shall be as follows: Flat topography: 60 kph Rolling topography: forty (40) kph Mountainous topography: thirty (30) kph (2) Number of lanes shall usually be two (2). (3) Through traffic shall be minimized. (4) Vehicle speeds shall be kept low. (5) Access roads shall be kept short where possible. (6) Cul-de-sac and loop roads shall be used where feasible to deter through traffic. (7) Intersections shall, to the extent feasible, be three-legged rather than four-legged, and kept compact to aid pedestrian movements. (8) Parking shall not be permitted within the entire road right-of-way, except for existing roads with prevalent direct access from abutting properties as of the approval of this Act where parking may be allowed in designated areas outside the carriageway and sidewalks. (9) Pedestrians and vehicles may share road space where vehicular traffic is light. Travelway width can be reduced to give priority to pedestrians. (10) Entrance/exit points of access streets shall be clearly identified by threshold treatments, such as changes in geometric layout, landscaping, building development or gateways and signage. (11) Fully mountable curbs for motor vehicles may be provided to be used by emergency and service vehicles. (12) Fire lanes or paths shall be provided, marked, and kept clear for emergency access of fire trucks and other firefighting vehicles. (13) There shall be no vendors and other prohibited uses as provided in Section 8.14 of this Act.

7.4 In the design of private roads in housing/subdivision and commercial/industrial/institutional areas, the following major requirements shall be observed, consistent with the DPWH minimum design standards for roads:

- a. The development plans for the housing/subdivision and commercial/industrial/institutional areas, including the roads and circulation system thereof, shall conform to the local zoning ordinances and land use plans, be consistent with the provisions of the National Building Code of the Philippines, as amended, and be compliant to the rules of the HLURB.
 - b. The said development plans shall provide for a functional hierarchy of internal roads and for adequate linkages of these roads to external Government Roads.
 - c. All major buildings and establishments shall undergo a Traffic Impact Assessment (TIA) before the issuance of any locational clearance that is a prerequisite to a building permit. The TIA shall include an assessment of the traffic circulation within and around the premises of the building/establishment and the external influence area, the sufficiency of parking for the generated and attracted traffic, and the measures to mitigate any traffic and parking problems and safety concerns.
 - d. In any land development covering more than one hundred thousand (100,000) square meters, through roads shall be provided where required by the estimated trip generation based on the TIA. To the extent feasible, these through roads shall align and interconnect with existing public-use roads in the vicinity.
- 7.5 The DPWH national standards for the construction and maintenance of roads shall preferably be performance-based and adequately consider the factors of safety, structural integrity, efficiency, economy, socio-environmental impact, and sustainability.
- 7.6 The Agency responsibilities and accountabilities for the design, construction, and maintenance of roads shall be based on the provisions of Sections 5 to 7 of this Act.
- 7.7 To minimize disruption to traffic and provide for the safety of the public in road construction projects, the concerned Government implementing agency shall prepare and execute (a) a traffic management plan that will stage the works, identify alternate routes as necessary, and manage traffic throughout the construction period, and (b) a construction safety and health plan in accordance with the standards and guidelines of the DPWH and the Department of Labor and Employment (DOLE). For heavily travelled roads, the implementing agencies shall, to the extent feasible, require the works to be done continuously round-the-clock, with adequate safety and environmental safeguards.
- 7.8 To avoid delays in road construction and obstruction to traffic, the relocation of utilities affected by a road construction project must be part of the project scope of work and must be done in phase with the approved general construction schedule for the project. The time and cost for the relocation of utilities shall be based on standards prepared by the concerned Government utility regulatory agencies, with the consent of the implementing agencies and the utility entities.

SEC. 8. Rules and Regulations for Use of Roads.

- 8.1 The DOTr shall prescribe and enforce the rules for the use of the roads, particularly the national traffic rules for the movement of vehicles and pedestrians on all roads, covering both Government roads and private roads. These national traffic rules shall be observed by all concerned Government Agencies and private entities and concessionaires. The DOTr

national traffic rules shall reflect the pertinent provisions of this Act and include the following:

- a. Allowable movements of motor vehicles on roads, including but not limited to appropriate locations and conditions for parking and stopping of motor vehicles, bus/public transport routes, loading and unloading zones, and terminals, among others.
- b. Allowable movements of pedestrians on roads, including but not limited to appropriate areas for walking and crossing.
- c. Other traffic rules, including but not limited to those pertaining to obstruction to traffic, allowable speed limits in accordance with Sections 8.2 to 8.4 hereof, load limits, reckless driving, overtaking or passing, turning, driving without license or vehicle registration or outside the franchised routes, driving under the influence of liquor or prohibited drugs, and nose-in/nose-out movements to and from the travelway.

8.2 The DPWH shall establish the allowable speed limits on the different sections of National Roads, considering the functions, design, and actual conditions of the road sections, the characteristics, volume and mix of vehicular and pedestrian traffic thereon, the requirements for road safety, and the kind of land uses in the area. These shall include crowded sections of National Roads, that is, those with heavy pedestrian traffic and those in the immediate vicinity of major schools, transport terminals, markets, Government buildings, churches, malls, and related establishments, as identified by the LGUs or the DPWH. The allowable speeds for National Roads established by the DPWH are subject to concurrence by the DOTr and to their inclusion in the set of national traffic rules to be issued by the DOTr in accordance with the provisions of Section 8.1 hereof. The DPWH shall install the proper signage for the approved allowable speed limits on the National Roads for the information of the road users.

8.3 LGUs may enact ordinances for purposes of enforcing the allowable speed limits on National Roads set by the DPWH. When necessary for the safety of road users, an LGU may propose allowable speed limits that are lower than those set by the DPWH on specific sections of National Roads, to be submitted to the DPWH for approval and to the DOTr for concurrence, prior to the enactment of the corresponding LGU ordinance.

8.4 In the case of Local Roads, the concerned LGUs shall set and enforce, through appropriate ordinances, the allowable speed limits on the different road sections, considering the same factors mentioned in Section 8.2, including crowded road sections as defined in Section 8.2. These shall be subject to compliance with the national standards for allowable speed limits on Local Roads to be prescribed by the DPWH with the concurrence of the DOTr. The concerned LGU shall provide the proper signage for the approved allowable speed limits on the Local Road sections for the information of the road users.

8.5 Parking of motor vehicles shall not be allowed within the entire road right-of-way of all Government roads and private roads that function as public-use roads, except for existing road sections as of the effectivity of this Act with prevalent unlimited access from adjoining properties, where parking may be allowed within the road right-of-way but only in designated areas outside the carriageway and sidewalks.

8.6 Subject to the provision of Section 8.5 hereof, all parking shall be within the allocated area inside the building or property outside of the road right-of-way. All establishments shall provide enough parking spaces for the use by their in-house vehicles, cars of customers,

clients, visitors, and staff, delivery vans, and other vehicles, consistent with the provisions of the National Building Code of the Philippines, as amended. This shall be in the form of standard parking spaces and staging areas inside their premises. Fast-moving entrance and exits to/from and within the parking areas shall be provided.

- 8.7 Perpendicular parking inside the property within the setback required under the National Building Code of the Philippines, as amended, between the building line and the property/road right-of-way boundary, may be allowed if the setback is at least six (6) meters wide. Otherwise, setback parking shall be parallel or skewed to the road. In all cases, no part of a parked vehicle shall extend over any part of the road right-of-way.
- 8.8 Use of any space as staging or queuing area outside the entrance gates of the establishment, which is part of the road right-of-way and obstructs the movement of people and vehicular traffic, shall not be allowed. Vehicles shall not be allowed to stand/wait in these areas beyond ten (10) seconds to avoid obstructing the flow of people and passing vehicles. For a property with a long frontage, direct access from and to the travelway shall be limited to a few entrance and exit gates to avoid undue obstruction to the external road traffic.
- 8.9 On private roads classified as public-use roads, facilities for vehicle inspection shall be provided inside the premises of the subdivisions and establishments in order to avoid queues outside the premises which hinder the traffic flow on external public-use roads.
- 8.10 Motor vehicles shall be prohibited from loading and unloading passengers or goods or stopping that causes obstruction on any public use road, except in loading and unloading zones or parking areas designated under appropriate ordinances enacted by the concerned LGUs or, in the case of Metropolitan Manila, by the MMDA, which ordinances shall comply with the national traffic rules and the other provisions of this Act. Motor vehicles shall not be allowed to remain standing/waiting on any public-use road for more than ten (10) seconds to avoid obstructing the normal flow of other vehicles.
- 8.11 The requirement for nose-in/nose-out movements of vehicles from and to the travelway as defined in Section 3 of this Act shall be strictly observed on all public-use roads. Nose-in/nose-out maneuvers shall be done within the premises of the property owner, that is, outside the road right-of-way, in order not to obstruct the normal flow of vehicles and pedestrians; in difficult cases, however, such maneuvers may be allowed on the sidewalks without unduly hampering the flow of pedestrians.
- 8.12 Only motor vehicles shall be allowed to use the travelways of National Roads and Provincial Roads. Conveyances other than motor vehicles, such as human-driven bicycles, tricycles and pedicabs, and animal-drawn calesas and carromatas, may be allowed to use the shoulders of or separate passageways outside the travelway of these roads. Until such time that separate passageways for human-driven bicycles and tricycles are provided outside the travelways of these roads, the DPWH or PG concerned may, through appropriate Department Orders or PG ordinances, allow these vehicles to use designated sections of the travelways of these roads, provided that adequate safety measures are adopted.
- 8.13 Pedestrians shall be allowed to use only the shoulders, sidewalks, pedestrian lanes and crossings of roads, as designated by the appropriate Government Agency.
- 8.14 The following uses and activities shall be prohibited within the right-of-way of all public-use roads:

- a. Vending of any kind and item.
- b. Installation of public and private temporary and permanent structures, such as buildings, houses, shanties, stores, shops, stalls, posts, canopies, billboards, commercial signage and messages, advertisements, names of donors/sponsors, fences, walls, railings, barriers, pipes, basketball courts, plants and plant boxes, garbage receptacles, and the like, except bus/public vehicle stops and passenger waiting sheds authorized by the DPWH, the MMDA, or the LGU concerned.
- c. Construction or repair work without the required permit from the DPWH, the MMDA, or the LGU responsible for the road, and without the required signage and safety or protective devices.
- d. Repair and washing of vehicles, and related businesses.
- e. Installation of driveways and ramps.
- f. Provision of humps, whether permanent or temporary, except for platforms for pedestrian crossings compliant with DPWH design standards.
- g. Placement of construction materials, such as sand, gravel, cement, lumber and steel bars, earth spoils, waste materials, debris, embankment, heaps, and the like.
- h. Installation or placement of equipment, including junked items, storage of soda and liquor bottles and cases, and the like.
- i. Disposal of garbage and household/commercial/industrial wastewater and sewage.
- j. Raising of animals or allowing them to roam in the area.
- k. Drying of palay and other crops.
- l. Doing house chores, such as washing and hanging clothes, and bathing; drinking liquor and beverages; and holding picnics, wakes, and other gatherings.
- m. Sports and related activities.
- n. Unauthorized extraction of tolls or fees from road users, that is, without the approval of the TRB.
- o. Other uses and activities that are not directly related to the basic road functions of mobility and accessibility, as jointly determined by the DPWH and the DOTr.

8.15 The CG or MG concerned shall be responsible for enforcing the provision on prohibited uses and activities within the road right-of-way stated in Section 8.14 for all sections of National, Provincial, City/Municipal and Barangay Roads, as well as private roads which serve as public-use roads, within its territorial jurisdiction. This responsibility shall include the immediate removal of all existing prohibited uses and activities and the prevention of future prohibited uses and activities within the road right-of-way. The DPWH, the MMDA or the CG/MG concerned shall take immediate action on any legitimate request, notice or

complaint regarding prohibited uses and activities under this Section of the Act within seven (7) days upon receipt of the request, notice or complaint.

- 8.16 All above-ground utilities within the carriageway shall be removed by the respective utility entities within one (1) month upon receipt of the notice for the removal thereof from the DPWH or LGUs concerned.
- 8.17 When a private road meets the definition of a public-use road in Section 3 hereof – that is, the road serves multiple property owners, settlers, road users, and beneficiaries – and is part of a subdivision project duly approved by appropriate authorities, that road is deemed withdrawn from the commerce of man and is open for public use, whether or not the title to the property remains with the developer or owner.
- 8.18 After the issuance by the HLURB of the license to a developer to develop a subdivision, but before the issuance by the concerned LGU of a permit by the concerned LGU to the developer to implement the development of the subdivision, the developer shall transfer to the LGU the title to all road lots in the approved subdivision plan at no cost, subject to compliance with the relevant DPWH road design standards. In the case of existing subdivisions as of the effectivity of this Act, the ownership of all road lots is hereby transferred to the concerned LGUs at no cost, subject to compliance with the relevant DPWH road design standards. Thereafter, the LGUs shall be responsible for the proper maintenance and use of the roads, including the enforcement of traffic rules and regulations thereon. The LGU concerned may allow the private developer or homeowners' association to maintain the roads at the latter's expense provided that the maintenance work complies with DPWEH road maintenance standards.
- 8.19 The Government, through the DPWH or the LGU concerned, may declare or convert a private road within a subdivision or housing site into a Government road, under the following conditions:
- a. The subject private road shall serve a public use or purpose as it will improve the overall traffic flow in the vicinity, thus benefiting the general public. The subject private road forms an integral part of the overall hierarchical network of roads in and around the subdivision or housing site.
 - b. There is no existing Government road in the vicinity that can alternatively serve the same purpose as the subject private road sought to be converted into a Government road.
 - c. The DPWH or the LGU concerned has conducted due consultations with the developer or homeowners' association concerned regarding the proposed conversion of the subject private road into a Government road.
 - d. The subject private road is compliant with the pertinent DPWH design standards for a Government road.
 - e. The DPWH or the LGU concerned shall provide adequate safety, security, and environmental safeguards for the benefit of the affected residents and road users.
 - f. The DPWH or the LGU concerned shall acquire the subject private road for public use through donation by the private developer or homeowners' association, or through an easement agreement with the private developer or homeowners association, or through

negotiated sale or expropriation, with due compensation to the owners of affected properties outside of the road lots, in accordance with the provisions of Republic Act No. 10752 (Right-of-Way Act).

SEC. 9. Powers and Responsibilities of Concerned Agencies.

9.1 Consistent with the provisions of Sections 5 to 8 of this Act, the concerned Agencies shall exercise the following powers and responsibilities in relation to provision and use of roads.

9.2 The DPWH shall have the following powers and responsibilities:

- a. Classify all Government roads in the Philippines according to functional criteria pursuant to the provisions of Section 6 of this Act.
- b. Prescribe and enforce national standards, including guidelines and manuals, for the design, construction, and maintenance of all roads – Government and private - in accordance with Section 7 of this Act.
- c. Design, construct and maintain National Roads.
- d. Maintain a central database on road inventory and conditions, road traffic data, accident data, and related information for National Roads, which shall be linked to related databases of the DOTr, the MMDA and the LGUs.

9.3 The DOTr shall have the following powers and responsibilities:

- a. Prescribe the national traffic rules for public-use roads, in accordance with Section 8 of this Act.
- b. Enforce, through the LTO and the LTFRB, national traffic rules on all National Roads, prescribed by the DOTr under Section 8 of this Act.
- c. Exercise traffic supervision over the traffic management and control undertaken by the concerned agencies on all roads.
- d. As deemed necessary, deputize the DPWH, MMDA, LGUs, PNP-HPG, and other entities to enforce the DOTr national traffic rules prescribed under Section 8 of this Act.
- e. Maintain a central database for national traffic rules, LGU and MMDA ordinances, traffic violations, traffic accident data, and related information, with nationwide coverage, which shall be linked to related databases of the DPWH, the MMDA, the LGUs, and the PNP-HPG, and be accessible the general public. Require regular reports on traffic violations and related data from all concerned LGUs , the MMDA, and the PNP-HPG.

9.4 The MMDA shall have the following powers and responsibilities:

- a. Undertake traffic management and control on all roads in Metropolitan Manila.
- b. Adopt and enforce MMDA ordinances regulating the design, construction, and maintenance of roads in Metropolitan Manila, and the movements of motor vehicles

and pedestrians on all roads in Metropolitan Manila, including the allowable areas and conditions for parking and stopping of motor vehicles and loading and unloading of passengers and goods, allowable speed limits, and other traffic rules, in accordance with the national standards and rules prescribed by the DPWH and the DOTr under Sections 7 and 8 of this Act. Ensure that proper consultation with the affected stakeholders has been conducted on each proposed ordinance before the same is issued.

- c. As deemed necessary, deputize LGUs in Metropolitan Manila, the DPWH, and other entities to exercise traffic supervision and enforce MMDA ordinances adopted under Section 9.4b of this Act.
- d. Maintain a database on road inventory and conditions, road traffic data, traffic violations, road accidents, and related information for Metropolitan Manila, which shall be linked to the DPWH and DOTr databases. Submit regular reports on these data and information to the DPWH and the DOTr.

9.5 The concerned PG shall have the following powers and responsibilities:

- a. Design, construct and maintain Provincial Roads in accordance with the design standards prescribed by the DPWH under Section 7 of this Act.
- b. Undertake traffic management and control on its Provincial Roads, by itself or through a duly delegated CG or MG.
- c. Adopt and enforce PG ordinances regulating the design, construction, and maintenance of its Provincial Roads, and the movements of motor vehicles and pedestrians on its Provincial Roads, including the allowable locations and conditions for parking and stopping of motor vehicles and loading and unloading of passengers and goods, allowable speed limits, and other traffic signage and regulations, in accordance with the national standards and rules prescribed by the DPWH and the DOTr under Sections 7 and 8 of this Act. Ensure that proper consultation with the affected stakeholders has been conducted on each proposed ordinance before the same is issued.
- d. Maintain a PG database on its road inventory and conditions, road traffic data, traffic violations, road accidents, and related information, which shall be linked to the DPWH and DOTr databases. Submit regular reports on these data and information to the DPWH and the DOTr.

9.6 The concerned CG shall have the following powers and responsibilities:

- a. Design, construct and maintain City Roads in accordance with the design standards prescribed by the DPWH under Section 7 of this Act.
- b. Undertake traffic management and control on its City Roads, by itself or by a duly delegated BG or private developer or homeowners' association.
- c. Adopt and enforce CG ordinances regulating the design, construction, and maintenance of its City Roads, and the movements of motor vehicles and pedestrians on its City Roads and on private roads within the jurisdiction of the CG - including the allowable locations and conditions for parking and stopping of motor vehicles and loading and unloading of passengers and goods, allowable speed limits, and other traffic signage and regulations, in accordance with the national standards and rules

prescribed by the DPWH and the DOTr under Sections 7 and 8 of this Act. Ensure that proper consultation with the affected stakeholders has been conducted on each proposed ordinance before the same is issued.

- d. Prevent and remove prohibited uses and activities within the right-of-way of all sections of National, Provincial, City/Municipal and Barangay Roads, as well as private roads which serve as public-use roads, within its territorial jurisdiction, as provided in Sections 8.14 and 8.15 of this Act.
- e. Maintain a CG database on its road inventory and conditions, road traffic data, traffic violations, road accidents, prohibited uses in the right-of-way, and related information, which shall be linked to the DPWH and DOTr databases. Submit regular reports on these data and information to the DPWH and the DOTr.

9.7 The concerned MG shall have the following powers and responsibilities:

- a. Design, construct and maintain Municipal Roads in accordance with the design standards prescribed by the DPWH under Section 7 of this Act.
- b. Undertake traffic management and control on its Municipal Roads, by itself or by a duly delegated BG or private developer or homeowners' association.
- c. Adopt MG ordinances regulating the design, construction, maintenance, and use of its Municipal Roads, and the movements of motor vehicles and pedestrians on its Municipal Roads and on private roads within the jurisdiction of the MG - including the allowable locations and conditions for parking and stopping of motor vehicles and loading and unloading of passengers and goods, allowable speed limits, and other traffic signage and regulations, in accordance with the national standards and rules prescribed by the DPWH and the DOTr under Sections 7 and 8 of this Act. Ensure that proper consultation with the affected stakeholders has been conducted on each proposed ordinance before the same is issued.
- d. Prevent and remove prohibited uses and activities within the right-of-way of all sections of National, Provincial, City/Municipal and Barangay Roads, as well as private roads which serve as public-use roads, within its territorial jurisdiction, as provided in Sections 8.14 and 8.15 of this Act.
- e. Maintain a MG database on road inventory and conditions and traffic data, traffic violations, road accidents, prohibited uses in the right-of-way, and related information, which shall be linked to the DPWH and DOTr databases. Submit regular reports on these data and information to the DPWH and the DOTr.

9.8 The concerned BG shall have the following powers and responsibilities:

- a. Design, construct and maintain Barangay Roads in accordance with the design standards prescribed by the DPWH under Section 7 of this Act.
- b. Undertake traffic management and control on its Barangay Roads.
- c. Adopt BG ordinances regulating the design, construction, maintenance, and use of its Barangay Roads, and the movements of motor vehicles and pedestrians on its Barangay Roads and on private roads within the jurisdiction of the BG - including the

appropriate locations and conditions for parking and stopping of motor vehicles and loading and unloading of passengers and goods, allowable speed limits, and other traffic signage and regulations, in accordance with the national standards and rules prescribed by the DPWH and the DOTr under Sections 7 and 8 of this Act. Ensure that proper consultation with the affected stakeholders has been conducted on each proposed ordinance before the same is issued.

- d. Maintain a BG database on road inventory and conditions, road traffic data, traffic violations, road accidents, and related information, which shall be linked to the DPWH and DOTr databases. Submit regular reports on these data and information to the DPWH and the DOTr.

9.9 The HLURB shall enforce the regulations for the design, construction, maintenance and use of private roads in housing and subdivision sites, including traffic regulations, consistent with the DPWH and DOTr national standards and rules prescribed under Sections 7 and 8 of this Act.

9.10 The PNP-HPG shall enforce traffic rules and regulations, as authorized by the DOTr, including the arrest of traffic violators. The PNP-HPG shall also be responsible for collecting road accident data for inclusion in the DOTr road traffic accident database.

9.11 The MMDA, PG, CG, MG, and BG shall not adopt any ordinance, rule, or regulation affecting the design, construction, maintenance, and operation, and use of Expressways and National Roads, or affecting the movement of motor vehicles and pedestrians and traffic rules on Expressways and National Roads, without the prior approval of the DPWH in the case of the design, construction, maintenance, operation, and use of these roads, and without the prior approval of the DOTr in the case of the movement of motor vehicles and pedestrians and traffic rules on these roads.

9.12 No LGU, developer, homeowners' association or other entity shall prevent entry to, or otherwise close, a public-use road without the prior approval of the DPWH and the DOTr.

9.12 The concerned Government Regulators of utilities, including but not limited to, the National Telecommunications Commission (NTC), Metropolitan Waterworks and Sewerage Authority (MWSS) Regulatory Office, Local Water Utilities Administration (LWUA), Energy Regulatory Commission, and National Electrification Administration (NEA), shall exercise the following responsibilities with respect to the location and operation of utilities affecting Government and private roads:

- a. Establish the technical and operational standards for utilities affecting the design, construction, maintenance, operation and use of the roads, including the time and cost for the relocation of utilities affected by road projects, consistent with the provisions of this Act.
- b. Monitor and enforce compliance to the said standards by the utility companies and entities.
- c. Impose appropriate sanctions on the utility companies and entities that fail to comply with the standards.

SEC. 10. *Transitory Provisions.* – Within a period of one (1) year from the effectivity of the Implementing Rules and Regulations of this Act, to be promulgated under Section 11 hereof, all

existing housing/subdivision and commercial/industrial/institutional establishments shall fully comply with the provisions of Section 8 hereof.

SEC. 11. *Implementing Rules and Regulations.*

- 11.1 Within ninety (90) days after the effectivity of this Act, a Committee shall, formulate and prescribe, after due public hearing, the Implementing Rules and Regulations (IRR) for the proper execution of the provisions of this Act.
- 11.2 The Committee shall be composed of the following officials or their duly designated representatives:
 - a. The Secretary of the DPWH as Chairperson.
 - b. The Secretary of the DOTr as Co-Chairperson.
 - c. The Secretary of the DILG as Member.
 - d. The Chairman of the HLURB as Member.
 - e. The President the League of Provinces of the Philippines as Member
 - f. The President of the League of Cities of the Philippines as Member
 - g. The President of the League of Municipalities of the Philippines as Member.
 - h. Other representatives of concerned entities, determined by the Committee, as Members.
- 11.3 The IRR, as approved by the Committee, shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.
- 11.4 From time to time, the Committee may formulate and prescribe, after due public hearing, amendments or revisions to the IRR, consistent with the provisions of this Act. The amended or revised IRR shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.
- 11.5 All concerned LGUs and other Agencies shall promulgate and enforce the provisions of the approved IRR in their respective jurisdictions.

SEC. 12. *Penal Provisions.*

- 12.1 Fines. Violations of the traffic rules shall warrant the imposition of the following fines:
 - a. Any person who violates a traffic rule for the first time shall be liable to a fine equivalent to an appropriate multiple of the minimum wage prescribed by the National Capital Region Wage Board. The said multiple shall range from one (1) to ten (10) depending on the severity of the violation, with one (1) as the least severe and ten (10) as the most severe.
 - b. A repeat offender shall be liable to a fine of at least fifty percent (50%) higher than the corresponding fine of a first-time offender. An individual shall be considered a repeat offender if he violates the same traffic rule within the last twelve (12) months from the date of his latest offense.

The IRR to be formulated and prescribed under Section 11 of this Act shall include a matrix indicating the schedules of fines corresponding to the different violations of traffic rules set under this Act.

12.2 **Demerit Points.** Aside from the imposition of fines, demerit points shall be assessed against erring individuals. Committing violations of the traffic rules shall result in the recording of these points. Accumulation of points to a certain number shall result in the suspension or revocation of the offender's driving license. The IRR under Section 11 of this Act shall also provide the schedule of demerit points.

12.4 **Criminal Liability.** Any person who commits any of the prohibited uses and activities stated in Section 8.14 hereof shall be subject to criminal liability. Criminal liability shall also be incurred through the commission of bribery, extortion or when the violation of the provisions of this Act is done deliberately and maliciously to solicit favors in cash or in kind.

12.4 **Liability of Public Officers.** Public officers who fail to enforce and implement the traffic rules and other provisions of this Act shall be subject to administrative and criminal liability. The Office of the Ombudsman shall have jurisdiction over these cases as determined by appropriate laws and issuances.

SEC. 13. *Separability Clause.* - If any portion of this Act is declared unconstitutional or invalid, the other portions which are not affected thereby shall continue in full force and effect.

SEC. 14. *Repealing Clause.* - All existing laws, decrees, executive orders, rules, regulations or parts thereof that are inconsistent with this Act are hereby repealed.

SEC. 15. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.