



HOUSE OF REPRESENTATIVES

H. No. 6425

BY REPRESENTATIVES ALVAREZ (P.), FARIÑAS, SARMIENTO (C.), SUAREZ, ANDAYA, DUAVIT, COJUANGCO, KHO, ABU, SALIMBANGON, BATOCABE, NOGRALES (K.A.), YAP (A.), MACAPAGAL-ARROYO, FERNANDO, CASTELO, REVILLA, CAYETANO, TAMBUNTING, PRIMICIAS-AGABAS, ESCUDERO, BRAVO (M.V.), BELMONTE (J.C.), SALCEDA, GONZALES (A.P.), ROBES, ANTONIO, SARMIENTO (E.M.), DEL MAR, UYBARRETA, PANCHO, UNABIA, BILLONES, PANGANIBAN, SAMBAR, YAP (V.), TEJADA, PIMENTEL, GASATAYA, EVARDONE, BERTIZ, MONTORO, LOPEZ (M.L.), YU, ONG (H.), GONZALES (A.D.), ONG (E.), ROMUALDO, BIAZON, GONZALEZ, NIETO, SANDOVAL, MARQUEZ, GERON, VELASCO-CATERA, ARENAS, SUANSING (H.), BAGATSING, ACOPI, UY (J.), LOBREGAT, VARGAS, ANTONINO, CUARESMA, DY, LANETE, NUÑEZ-MALANYAON, OLIVAREZ, VILLAFUERTE, HOFER, GARBIN, VILLANUEVA, ESPINA, LIMKAICHONG, MANALO, CAMINERO, ROQUE (R.), DURANO, ERIGUEL, SUANSING (E.), UNGAB, LAOGAN, AMANTE, ABELLANOSA, NAVA, LACSON, SANTOS-RECTO, MANGAOANG, GULLAS, BELMONTE (R.), VARGAS-ALFONSO, MARCOLETA, BULUT-BEGTANG, VILLAR, GARCIA (G.), BATAOIL, COSALAN, TAN (A.), FLOIRENDO, TUGNA, RELAMPAGOS, VIOLAGO, MACEDA, LAZATIN, SAVELLANO, ROMUALDEZ, SY-ALVARADO, ABAYON, LOYOLA, CHIPECO, LAZATIN, DE VENECIA, AND DALIPE, PER COMMITTEE REPORT NO. 389

AN ACT PRESCRIBING AN URGENT, COMPREHENSIVE AND INTEGRATED LAND-BASED TRAFFIC MANAGEMENT TO EFFECTIVELY ADDRESS THE TRAFFIC CONGESTION CRISIS IN METRO MANILA,

METROPOLITAN CEBU AND METROPOLITAN DAVAO
AND APPROPRIATING FUNDS THEREFOR

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
2 “Traffic Crisis Act of 2018. Makiisa. Makisama. Magkaisa”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the
4 policy of the State to:

5 (a) Adopt responsive, effective, and comprehensive measures
6 that address the crisis brought about by land traffic congestion and
7 gridlock and the shortage of efficient, safe, secure, and accessible
8 mass transportation in the Metropolitan Manila, Metropolitan
9 Cebu, and Metropolitan Davao;

10 (b) Establish a strong primary policy-making, planning,
11 programming, coordinating, implementing, regulating, enforcement
12 authority under the control and supervision of the Department
13 of Transportation (DOTr) vested with exclusive power to control,
14 manage, and regulate land-based traffic and structures in
15 Metropolitan Manila, Metropolitan Cebu, and Metropolitan Davao;

16 (c) Harmonize all traffic rules, regulations, ordinances,
17 issuances, and policies in the metropolitan areas to achieve a
18 comprehensive, cohesive and integrated statutory and regulatory
19 framework for land-based traffic;

20 (d) Reform, modernize, and streamline the mass
21 transportation systems for the purpose of attaining sustainable,
22 organized, predictable, accessible and safe networks of public
23 transportation leading into and out of and within the metropolitan
24 areas;

1 (e) Institute a system of responsibility and accountability
 2 for all land-based traffic stakeholders, including public officials,
 3 public utility operators, road users, private property owners and
 4 business establishments, in the furtherance of mobility within the
 5 metropolitan areas; and

6 (f) Ensure transparency, accountability and compliance with
 7 applicable legal requirements in the procurement, award and
 8 execution of all projects implemented pursuant to this Act and
 9 with the objective of alleviating the land-traffic crisis.

10 SEC. 3. *Definition of Terms.* – As used in this Act:

11 (a) *Covered agencies* refer to the government agencies, offices,
 12 bureaus, and units enumerated under Section 6 of this Act and
 13 any and all other government agencies, bureaus, and offices tasked
 14 or empowered by law or regulation to control, oversee, regulate,
 15 or manage any aspect of land-based traffic or road use in any or
 16 all of the metropolitan areas;

17 (b) *Metropolitan Manila* refers to the National Capital Region
 18 of the Philippines composed of the cities of Manila, Quezon,
 19 Caloocan, Las Piñas, Makati, Malabon, Mandaluyong, Marikina,
 20 Muntinlupa, Navotas, Parañaque, Pasay, Pasig, San Juan, Taguig,
 21 and Valenzuela and the Municipality of Pateros;

22 (c) *Metropolitan* refers to any or all, as the case may be, of
 23 the three (3) metropolitan areas, namely: the Metropolitan Manila
 24 Area, Metropolitan Cebu, and Davao City;

25 (d) *Metropolitan Cebu* refers to the area composed of the
 26 cities of Cebu, Mandaue, Lapu-Lapu and any other city or
 27 municipality in the Province of Cebu as may be identified for

1 inclusion by the Traffic Chief, upon the recommendation of the
 2 Metropolitan Cebu Traffic Coordinating Council;

3 (e) *Metropolitan Davao* refers to the City of Davao;

4 (f) *Priority projects* refer to the projects identified by
 5 the Traffic Chief and submitted to the Joint Congressional
 6 Oversight Committee (JCOC) as priority or critical undertakings
 7 for the purpose of immediately alleviating and managing the
 8 traffic crisis; and

9 (g) *Traffic crisis* refers to the prevailing and exponentially
 10 worsening land traffic congestion and gridlock and mass
 11 transportation shortage and inefficiency within the metropolitan
 12 areas and in the areas leading into and out of these areas
 13 that disrupt the country's economic and social growth and
 14 development, and recognized to be of such nature, scope, and
 15 magnitude as to be considered a national emergency.

16 SEC. 4. *Coverage.* – This Act shall be limited in scope,
 17 application and effect to the metropolitan areas and the priority
 18 projects to be implemented under this Act. This Act shall authorize
 19 and apply only to such priority projects, programs, policies,
 20 rules, and regulations that will have immediate, significant, and
 21 measurable impact on the land-based traffic crisis as defined
 22 herein.

23 Notwithstanding the limited scope of this Act, the Traffic
 24 Chief may implement similar systems and mechanisms provided
 25 in this Act in other cities and municipalities experiencing land
 26 traffic crisis as defined in this Act.

27 SEC. 5. *Duration of the Act.* – Except as otherwise provided
 28 herein, the authority granted under this Act shall subsist and be

1 valid and effective for a period of three (3) years from the effectivity
2 of this Act, unless sooner withdrawn by a Joint Resolution of
3 Congress, without prejudice to rights and benefits that may have
4 been vested and culpabilities and liabilities that may have been
5 incurred under its provisions.

6 The following provisions of this Act shall continue to take
7 effect unless revoked or repealed by other subsequent laws:

8 (a) Section 6 on the continuing reorganization power of the
9 President of the Philippines;

10 (b) Sections 9 and 10 on the existence of the Metropolitan
11 Cebu Traffic Coordinating Council and the Davao Traffic
12 Administrator, without prejudice to the prerogative and power
13 of Congress to replace the same and create new development
14 authorities covering the said areas, and Section 11 on their
15 policy-making power, including that of the Metropolitan Manila
16 Development Authority (MMDA);

17 (c) Section 7(c) which will then be continuing powers of
18 the MMDA and the Metropolitan Cebu Traffic Coordinating
19 Council and the Davao Traffic Administrator or the development
20 authorities as may have been created, to issue and enact, and
21 review, harmonize, amend, revise, or repeal regulations, policies,
22 ordinances, orders, and circulars issued and enacted by the
23 covered agencies and the component local government units
24 (LGUs) pertaining to land-based traffic and road use, regulation,
25 and management;

26 (d) Section 13, on the mandatory updating of the Traffic
27 Management Plan (TMP) at least once a year and its continued
28 implementation;

1 (e) Section 14, on the extension of the opening of friendship
2 routes, private village and subdivision roads as additional access
3 points for motorists subject to the determination of the Traffic
4 Chief that the necessity for the use of such additional access
5 road still exists and compliance with the minimum procedures
6 and standards set forth in Section 14;

7 (f) Section 15, on continued route rationalization;

8 (g) Section 19, on public utility vehicle (PUV) operator
9 obligations and responsibilities;

10 (h) Section 21, on the requirement of obtaining a
11 development clearance certificate from the relevant metropolitan
12 development authority;

13 (i) Sections 24, on testing for professional driver's license
14 holders;

15 (j) Sections 25, on roadworthiness testing; and

16 (k) Section 37, on the requirements for publication of
17 information.

18 SEC. 6. *The Traffic Chief; Supervision and Control.* – The
19 Secretary of Transportation is hereby designated as the *de officio*
20 Traffic Chief during the effectivity of this Act, with full power
21 and authority as herein provided, to streamline the management
22 of traffic and transportation, and to control road use in the
23 identified metropolitan areas.

24 During the effectivity of this Act, the Traffic Chief shall
25 have the power of supervision and control over:

26 (a) Metropolitan Manila Development Authority (MMDA);

27 (b) Metropolitan Cebu Traffic Coordinating Council created
28 under Section 9 of this Act;

- 1 (c) Philippine National Police-Highway Patrol Group
 2 (PNP-HPG);
 3 (d) Land Transportation Office (LTO);
 4 (e) Land Transportation Franchising and Regulatory Board
 5 (LTFRB);
 6 (f) Road Board;
 7 (g) All other executive agencies, bureaus, and offices with
 8 functions related to land transportation regulation; and
 9 (h) Davao Traffic Administrator created under Section 10 of
 10 this Act.

11 The Traffic Chief shall supervise all LGUs within the
 12 metropolitan areas with respect to the enforcement of rules,
 13 regulations, policies, and programs enacted pursuant to this Act
 14 and for the harmonization and enforcement of all traffic rules
 15 and regulations, the implementation of this Act and the unified
 16 traffic system throughout each of the metropolitan areas, inclusive
 17 of ingress and egress into such areas.

18 The primary authority for the implementation of the plans,
 19 programs, and priority projects pursuant to this Act shall be
 20 with the Traffic Chief, who may delegate the same to the
 21 MMDA, Metropolitan Cebu Traffic Coordinating Council, or the
 22 Davao Traffic Administrator, in coordination with the component
 23 LGUs, the covered agencies, and other relevant and appropriate
 24 national government agencies.

25 To ensure the effective management of land-based
 26 traffic during the effectivity of this Act, the President of the
 27 Philippines may abolish or create offices; split, group, or merge
 28 offices; transfer functions, equipment, properties, records, and

1 personnel in accordance with existing law; and take such other
 2 actions necessary to carry out the purposes of this Act: *Provided,*
 3 That there is no resulting diminution of the present salaries
 4 and benefits of the personnel of the agencies and any official
 5 or employee who may be terminated from employment by
 6 reason of the reorganization is entitled to such benefits as
 7 may be provided by existing retirement laws, in coordination
 8 with the Commission on Audit (COA) and the Civil Service
 9 Commission (CSC).

10 *SEC. 7. Powers and Functions of the Traffic Chief.* – The
 11 Traffic Chief shall have the following powers and functions
 12 during the effective period of this Act:

13 (a) Formulate, coordinate and monitor policies, standards,
 14 programs, and projects to rationalize the existing public transport
 15 operations, infrastructure requirements, the use of thoroughfares,
 16 and promotion of safe and convenient movement of persons and
 17 goods;

18 (b) Administer and implement all traffic enforcement
 19 operations, traffic engineering services, and traffic education
 20 programs;

21 (c) Issue, enact, review, harmonize, amend, revise, revoke,
 22 or repeal existing traffic regulations, policies, ordinances, orders,
 23 and circulars issued and enacted by the covered agencies to
 24 promote efficient mobility in the three (3) metropolitan areas.
 25 Such issuances and enactments shall specifically address, among
 26 others:

27 (1) Licensing, operation, and regulation of PUVs and
 28 registration and regulation of private vehicles;

- 1 (2) Testing and licensing of drivers;
 2 (3) Clearing of sidewalks and side streets;
 3 (4) Regulation of street parking of vehicles;
 4 (5) Enforcement of setbacks and construction of driveways,
 5 especially on main thoroughfares;
 6 (6) Establishment and operation of transport terminals and
 7 removal of illegal terminals on the road;
 8 (7) Regulation of licensing of, and commencement and
 9 operation of businesses with direct negative impact on traffic flow;
 10 and
 11 (8) Closure of or imposition of monetary and other penalties
 12 on businesses that consistently or continuously impede traffic for,
 13 among others, failure to provide sufficient parking to customers,
 14 adequate ingress and egress for PUVs, and the required setback on
 15 streets and main thoroughfares.
- 16 (d) Modify, amend, or expand the functions and authority of
 17 any of the covered agencies and officers in relation to matters
 18 affecting land-based traffic as approved by the President of the
 19 Philippines;
- 20 (e) Ensure a single traffic coordinator in each of the
 21 metropolitan areas and establish and implement therein a
 22 comprehensive and unified road use plan and a unified traffic
 23 management system to be followed by all component LGUs, by
 24 harmonizing the provisions of the following existing laws related
 25 to traffic management, road use, and all rules, regulations,
 26 ordinances, and orders duly issued and implemented by the
 27 covered agencies pursuant to such laws:

- 1 (1) Republic Act No. 7160 or the "Local Government Code
 2 of 1991";
 3 (2) Republic Act No. 6975 or the "Department of the Interior
 4 and Local Government Act of 1990";
 5 (3) Republic Act No. 7924 or An Act Creating the
 6 Metropolitan Manila Development Authority;
 7 (4) Republic Act No. 4136 or the "Land Transportation and
 8 Traffic Code"; and
 9 (5) Executive Order No. 292, as amended or the
 10 "Administrative Code of 1987";
- 11 (f) Enforce all traffic laws and regulations in the
 12 metropolitan areas, enlisting and deputizing for the purpose,
 13 members of the PNP-HPG, traffic enforcers of LGUs, duly
 14 licensed security guards, or members of nongovernmental
 15 organizations to whom certain authority may be delegated,
 16 subject to such conditions and requirements as the Traffic
 17 Chief may impose;
- 18 (g) Review, modify, override, or cancel franchises,
 19 concessions, contracts, permits, and licenses issued by any of
 20 the covered agencies or component LGUs, as well as the rules
 21 and procedures for awarding such;
- 22 (h) Establish and administer within each of the metropolitan
 23 areas a single ticketing system which shall fix, impose, and
 24 collect unified, graduated fines and penalties for all kinds of
 25 violations of traffic rules and regulations, whether moving or
 26 nonmoving in nature; and
- 27 (i) Confiscate, suspend, or revoke driver's licenses for
 28 violations of traffic laws and regulations, the provisions of

1 Republic Act No. 4136, Presidential Decree No. 1605, granting
 2 the Metropolitan Manila Commission certain powers related to
 3 traffic management and control in Metropolitan Manila, and
 4 Republic Act No. 7924 to the contrary notwithstanding.

5 In the interest of efficiency, the Traffic Chief may delegate
 6 any of the aforementioned powers and authority to the MMDA,
 7 the Metropolitan Cebu Traffic Coordinating Council, or to the
 8 Davao Traffic Administrator.

9 The Traffic Chief, the Undersecretaries, Assistant
 10 Secretaries, and Directors of the DOTr, and officers of the
 11 MMDA, Cebu Traffic Coordinating Council, the Cebu Traffic
 12 Coordinator, and the Davao Traffic Administrator shall be required
 13 to take at least once a week a mode of public transportation,
 14 whether land, rail, or maritime, primarily used by the masses, in
 15 order to monitor the traffic crisis during the effectivity of this Act.

16 SEC. 8. *Comprehensive Traffic Rule Handbook*. – The Traffic
 17 Chief, in coordination with the covered agencies, shall develop
 18 and issue a comprehensive traffic rules and regulations handbook
 19 for the metropolitan areas which, among others, identifies
 20 traffic-related violations and offenses and imposes corresponding
 21 graduated penalties, including the following:

- 22 (a) Reckless driving;
- 23 (b) Obstruction of roads and intersections;
- 24 (c) Counterflow;
- 25 (d) Lack of or inadequate parking spaces, setback, or
 26 driveway;
- 27 (e) Illegal loading and unloading of passengers or cargo; and

1 (f) Such other traffic violations that may be determined by
 2 the Traffic Chief to be contrary to the policies set forth by this Act.

3 The final list of traffic violations and corresponding penalties
 4 shall be submitted to the JCOC, created under Section 12 hereof,
 5 within ninety (90) days from the effectivity of this Act.

6 SEC. 9. *Metropolitan Cebu Traffic Coordinating Council*. –
 7 There shall be established a Metropolitan Cebu Traffic Coordinating
 8 Council, hereinafter to be referred to as the Council, which shall
 9 be the sole and central authority for land-based traffic in
 10 Metropolitan Cebu. The decisions of the Council shall be made
 11 by a majority vote of its members in a meeting called for the
 12 purpose, there being a quorum. The Council shall be composed of
 13 the local chief executives of component LGUs of Metropolitan
 14 Cebu. It shall convene within fifteen (15) days from the effectivity
 15 of this Act and, within the same period, appoint a Metropolitan
 16 Cebu Traffic Coordinator who must be a resident of
 17 Metropolitan Cebu, and must possess the appropriate academic
 18 background and work experience on land transportation and
 19 traffic management.

20 In case of the Council's failure to appoint a Metropolitan
 21 Cebu Traffic Coordinator, the Traffic Chief shall immediately
 22 appoint one. Upon the appointment by the Council or the
 23 Traffic Chief, as the case may be, the Metropolitan Cebu
 24 Traffic Coordinator, as *alter ego* of the Traffic Chief, shall head
 25 the Council.

26 The component LGUs of Metropolitan Cebu and Davao City
 27 shall set aside funds from any available local revenues to fund the

1 creation of the Council and the Metropolitan Davao Traffic
2 Administrator.

3 SEC. 10. *Davao Traffic Administrator.* – The Traffic Chief
4 shall, in consultation with the component barangays of Davao
5 City, appoint the Davao Traffic Administrator, who must be a
6 resident of Davao City and must possess the appropriate
7 academic background and work experience on land transportation
8 and traffic management.

9 SEC. 11. *Policy-Making Power of the MMDA, the Council*
10 *and the Davao Traffic Administrator.* – The MMDA, the Council,
11 and the Davao Traffic Administrator, with the approval of the
12 Traffic Chief, shall set the policies on land-based traffic and
13 road use in their respective metropolitan areas, and shall
14 coordinate and regulate the implementation of all programs
15 and projects on traffic management pertaining to enforcement,
16 engineering and education.

17 Upon the request of the Traffic Chief, the MMDA, the
18 Council, or the Davao Traffic Administrator, all other government
19 agencies, LGUs and offices involved in traffic management and
20 enforcement shall provide personnel and logistical support, among
21 other forms of assistance.

22 SEC. 12. *Joint Congressional Oversight Committee.* – There
23 is hereby created a Joint Congressional Oversight Committee
24 (JCOC) tasked with the monitoring of the implementation of
25 this Act during the effectivity of this Act:

26 The JCOC shall be composed of the following members:

27 (a) Senate President;

28 (b) Speaker of the House of Representatives;

1 (c) Chairperson of the Committee on Public Services of the
2 Senate;

3 (d) Chairperson of the Committee on Transportation of the
4 House of Representatives;

5 (e) Chairperson of the Committee on Finance of the Senate;

6 (f) Chairperson of the Committee on Appropriations of the
7 House of Representatives;

8 (g) Member of the Committee on Public Services of the
9 Senate; and

10 (h) Member of the Committee on Transportation of the
11 House of Representatives.

12 The JCOC shall constitute an Executive Committee
13 (ExeCom), to be headed by an Executive Director, who shall
14 oversee the day-to-day coordination with the concerned public
15 officers and stakeholders.

16 The JCOC shall hold bimonthly meetings which shall be
17 hosted alternately by the Senate and the House of Representatives.
18 Any action or decision of the JCOC as mandated under this Act
19 must be approved by a majority of its members at a duly constituted
20 meeting where a quorum is present throughout.

21 The Traffic Chief shall submit a monthly report to the
22 JCOC on the efficiency and effectiveness of the measures
23 undertaken to implement this Act and alleviate the traffic crisis.
24 The JCOC shall conduct ocular inspections of the priority
25 projects at least once per quarter.

26 Upon the expiration of the term of the JCOC, which shall
27 be coterminous with the effectivity period of this Act, the
28 JCOC shall submit a comprehensive report to Congress on the

1 implementation of this Act and shall recommend appropriate
 2 measures to ensure the continued effective regulation and
 3 management of land traffic within the metropolitan areas and their
 4 surrounding areas.

5 SEC. 13. *Traffic Management Plan.* – The Traffic Chief
 6 shall, in consultation with the affected private stakeholders, the
 7 MMDA, the Council, and Davao Traffic Administrator, as the case
 8 may be, formulate a separate Traffic Management Plan (TMP) for
 9 each of the metropolitan areas.

10 The TMP must sufficiently detail the concrete steps to be
 11 taken to immediately and effectively alleviate the traffic crisis
 12 in the metropolitan areas in a measurable or quantifiable
 13 manner. The TMP shall include the following minimum
 14 components:

15 (a) Organizational structure allocating the respective duties
 16 and responsibilities of the covered agencies for traffic management
 17 and regulation, including traffic law enforcement;

18 (b) Route rationalization of PUVs, as provided in Section 15
 19 of this Act;

20 (c) Promotion of sustainable transport including the setting
 21 up of bicycle lanes;

22 (d) Coordinated odd-even, number coding or other vehicle
 23 volume reduction scheme throughout the metropolitan areas;

24 (e) Synchronized truck ban throughout the metropolitan
 25 areas;

26 (f) Creation of a traffic flow system, including identification
 27 and designation of one-way streets and u-turn slots;

1 (g) Identification of friendship routes and private village or
 2 subdivision roads to serve as alternate or secondary routes;

3 (h) Designation of PUV terminals including the relocation of
 4 existing or removal of illegal terminals;

5 (i) Removal of traffic signs and PUV stops which block or
 6 encroach upon the right-of-way to or along major thoroughfares;

7 (j) Prohibition against and designation of parking areas on
 8 certain roads;

9 (k) Clearing of sidewalks and determination of the need for
 10 elevated crosswalks and their suitable locations which must be
 11 integrated to the designated PUV terminals and bus stops, and
 12 the design for such crosswalks which should be sustainable, safe,
 13 convenient and accessible to persons with disability;

14 (l) Efficient and coordinated waste and flood management;

15 (m) Comprehensive traffic rules and regulations handbook
 16 which identifies traffic-related violations and offenses and imposes
 17 corresponding graduated penalties;

18 (n) Single ticketing system, including procedures on the
 19 confiscation, suspension, or revocation of driver's licenses for
 20 violations of traffic laws and regulations;

21 (o) Traffic system for roads leading to airport terminals and
 22 ports in the three (3) metropolitan areas;

23 (p) Procedures for the expeditious reporting, processing and
 24 clearing of vehicular accidents to avoid vehicular congestion,
 25 including among others, the requirements for the filing of the
 26 police report or other traffic investigation reports: *Provided, That*
 27 *digital photographs shall be considered as sufficient and acceptable*
 28 *basis of such reports or any other report of similar nature as*

1 may be allowed by the Insurance Commission for processing of
2 insurance claims;

3 (q) A clear policy on ridesharing or carpooling technologies
4 and other traffic management programs; and

5 (r) A Clark Airport Development Plan, to be developed in
6 coordination with the Clark International Airport Corporation,
7 Clark Development Corporation, Department of Tourism (DOT),
8 Bases Conversion and Development Authority (BCDA), Philippine
9 Overseas Employment Administration (POEA), and the Regional
10 Development Council (RDC).

11 Except for the route rationalization plan for PUVs, which
12 must be studied and completed within eight (8) months from the
13 effectivity of this Act, the TMPs must be completed within ninety
14 (90) days from the effectivity of this Act. At such time, the Traffic
15 Chief shall submit the TMPs to the JCOC.

16 The TMP shall be updated at least once every year, and
17 even after the lapse of the effectivity of this Act.

18 SEC. 14. *Friendship Routes.* – The Traffic Chief, in
19 coordination with the component LGUs, shall identify the
20 private subdivision or village roads which shall be designated
21 as friendship routes and shall serve as additional access points
22 and secondary channels for road traffic.

23 The procedures and standards for the establishment of
24 friendship routes are as follows:

25 (a) Conduct of two (2) public consultations with the affected
26 private village residents;

27 (b) Reasonable determination that there are no other
28 available public route other than the proposed friendship route;

1 (c) Implementation by government of other remedial
2 measures such as road clearing and sidewalk clearing in the
3 contiguous or adjacent public roads; and

4 (d) Exercise by a private road owner of the option to
5 impose toll fees in the form of selling pass-through stickers to
6 pay for road maintenance and security, without prejudice to the
7 government's right to expropriate the private road if it is deemed
8 to be in the best interest of the public.

9 The friendship routes shall be open to the public only
10 during the effective period of this Act. The opening and public use
11 of any such friendship route may be extended by the Traffic
12 Chief subject to the determination that the necessity for the use
13 of such additional access road still exists beyond the duration of
14 this Act and the observance of the minimum procedures and
15 standards set forth in this section.

16 SEC. 15. *Route Rationalization for Public Utility Vehicles.* –
17 There shall be established a Route Rationalization Plan for PUVs
18 which shall be submitted to the JCOC not later than eight (8)
19 months from the effectivity of this Act. It shall include the following
20 minimum components:

21 (a) Procedure for integration of different transportation
22 modes into a unified public transport infrastructure network;

23 (b) Identification of the various primary, secondary, and
24 ancillary routes, with the corresponding determination of the
25 primary and secondary routes' measured capacity based on the
26 passenger demand and the destination of the demand during
27 certain times of the day, with particular focus on traffic rush hours
28 and road size;

1 (c) Determination of the size, type, and number of PUVs
 2 including double-decker bus, articulated bus, minibus, jeepney,
 3 Asian utility vehicle, multicab, and tricycle appropriate to a
 4 particular route's measured capacity;

5 (d) Determination of the applicable fares per type of PUV for
 6 each of the identified routes; and

7 (e) Design, roll-out, and maintenance of unified or single
 8 dispatching mechanism with minimum safe headway between
 9 PUVs.

10 SEC. 16. *Revocation and Modification of PUV Franchises*
 11 *and Permits.* – The Traffic Chief, upon consultation with the
 12 LTFRB and other relevant covered agencies and the conduct of
 13 public hearings, may revoke or modify a PUV franchise to conform
 14 to the viable capacity of a certain route.

15 Upon determination of the optimal number of PUVs in
 16 a route and that such route requires larger PUVs, the Traffic
 17 Chief shall, through the LTFRB, restrict the issuance of PUV
 18 franchise to operators employing PUVs with the appropriate
 19 capacity to serve the route. Any previously issued PUV franchise
 20 covering smaller capacity PUVs, such as tricycles and pedicabs,
 21 shall be revoked within a period of six (6) months after the
 22 publication of the notice of revocation in a newspaper of general
 23 circulation in the locality and the posting of such notice for
 24 four (4) consecutive weeks in the concerned barangay, city and
 25 municipal halls.

26 No cancellation of franchise shall take place without
 27 compensation to PUV operators and proper social support

1 mechanisms provided to the displaced workers in accordance
 2 with Sections 22 and 23 of this Act.

3 SEC. 17. *Suspension of PUV Franchising Authority.* – The
 4 power of LGUs in the metropolitan areas to issue franchises to
 5 *padyak*, tricycles, and all other PUV units as provided in the
 6 Local Government Code is hereby suspended during the effective
 7 period of this Act.

8 The Traffic Chief, or upon delegation, the LTFRB, can revoke
 9 or revise the franchises previously issued by LGUs to tricycles
 10 and other forms of PUVs. A franchise may not be cancelled without
 11 compensation to the concerned PUV operator in accordance with
 12 Section 22 of this Act. Likewise, workers displaced by the
 13 cancellation of a franchise shall be socially alleviated in accordance
 14 with Section 23 of this Act.

15 After the effective period of this Act, and upon the resumption
 16 of the LGUs' franchise-issuance power under the Local Government
 17 Code, the LTFRB shall:

18 (a) Designate the particular routes in the metropolitan
 19 areas which tricycles, pedicabs, and other small PUVs can ply
 20 and for which the LGUs may issue the appropriate franchise.
 21 Such routes shall be limited to secondary and tertiary roads,
 22 which are not serviceable by bigger PUVs such as jeepneys or
 23 minibuses; and

24 (b) Set the maximum number of PUV franchises that an
 25 LGU may issue for each particular route. All PUV franchises to
 26 be issued by the LGUs shall be automatically reviewed by the
 27 LTFRB.

1 The exercise of the LGU's power to issue franchises to PUVs
2 and the franchises shall be subject to review and amendment by
3 the DOTr, through the LTFRB.

4 SEC. 18. *Government Take-Over of the Operations of a PUV*
5 *Franchise.* – In accordance with Section 17, Article XII of the
6 1987 Constitution, the Traffic Chief may take over or direct the
7 operation of any PUV franchise as may be necessary to
8 implement this Act and related rules and regulations. To the
9 extent feasible, the management of such PUV franchises shall
10 be directed and supervised by the Traffic Chief, or the latter's
11 designated representative. The Traffic Chief shall render a full
12 accounting to the President of the Philippines and the JCOC
13 of the operations of such transportation services taken over:
14 *Provided,* That whenever the President or the Traffic Chief
15 shall determine that the further use or operation by the government
16 of such PUV franchise or enterprise is no longer necessary under
17 existing conditions, the same shall be restored to the person entitled
18 to the possession thereof.

19 SEC. 19. *PUV Operator Obligations and Responsibilities.* – A
20 PUV driver shall work no more than twelve (12) hours per shift
21 within a twenty-four (24)-hour period. The Department of Labor
22 and Employment (DOLE) shall determine the appropriate work
23 shift for the different classes of PUVs.

24 A PUV Operator must ensure compliance with all labor
25 laws and standards, including the payment to drivers of a
26 minimum prescribed monthly salary based on applicable laws
27 and regulations. For this purpose, the DOLE and the LTFRB
28 shall, within sixty (60) days from the effectivity of this Act, complete

1 a wage study to determine, among others, the different minimum
2 wages appropriate and applicable based on the type of PUV driven
3 by covered drivers. The study shall be submitted to the JCOC upon
4 completion.

5 All public transit operators, including taxi operators, must
6 maintain and update in a publicly accessible website, a list of all
7 drivers in their employ and their respective professional driver's
8 license details, as well as information on their franchise number or
9 LTFRB case number and the vehicles or units owned and operated
10 by the PUV operator under its franchise, including the chassis
11 numbers of said vehicles.

12 Failure of the PUV franchisee to disclose complete and
13 accurate information regarding its professional drivers and
14 franchised units shall be a sufficient ground for the revocation
15 or suspension of such franchise, depending on the gravity of the
16 nondisclosure or misrepresentation.

17 SEC. 20. *Traffic Impact Plan.* – During the effective period
18 of this Act, the Traffic Chief, in coordination with the LGUs and
19 other relevant covered agencies shall:

20 (a) Prescribe the rules, regulations, and standards for large
21 mixed-use property developments to ensure adherence to best
22 practices for long-term sustainability, avoid disturbance to
23 adjoining communities and public convenience, and to minimize
24 adverse environmental impact; and

25 (b) Prescribe rules, regulations, and development standards
26 to optimize and rationalize land use and transportation
27 development to promote urban dispersal to decongest the

1 metropolitan areas and provide direction to urban growth and
2 expansion.

3 SEC. 21. *Development Clearance Certificate.* – The Traffic
4 Chief shall pass upon and approve or disapprove all plans,
5 programs, and projects proposed by LGUs, government offices
6 and agencies within the metropolitan areas, the Department of
7 Public Works and Highways (DPWH), public corporations, and
8 private persons or enterprises where such plans, programs or
9 projects, including expansion or rehabilitation of existing
10 infrastructure are either located along any of the radial or
11 circumferential roads and their respective arterial roads
12 within or leading into or out of the metropolitan areas or any
13 other road, street, or thoroughfare as may be identified by the
14 Traffic Chief, or are determined to have potential adverse
15 effects on traffic flow, movement, or management of any of the,
16 roads, streets, or thoroughfares as identified herein, regardless of
17 their location in the metropolitan area.

18 The approval of the Traffic Chief shall take the form of a
19 development clearance certificate that shall be issued prior to
20 any land development and shall be in lieu of all other permits
21 such as those issued by the MMDA and the LGUs, except the
22 Environmental Compliance Certificate issued by the Department
23 of Environment and Natural Resources (DENR) or the
24 Environmental Management Bureau. The Traffic Chief shall
25 issue the development clearance certificate within a non-extendible
26 period of five (5) working days from the submission of any plan,
27 program or project to be undertaken within the relevant

1 metropolitan area and the required supporting documents,
2 otherwise the latter shall be considered approved.

3 Among other criteria, the Traffic Chief and the LGU
4 concerned shall ensure compliance with the Traffic Impact Plan,
5 the mandated setbacks, provisions for sufficient vehicle parking
6 and other requirements of the National Building Code and other
7 applicable statutes prior to the issuance of the Development
8 Clearance Certificate.

9 The Traffic Chief, or any duly designated agent or
10 representative is hereby empowered to institute necessary legal
11 proceedings before the Special Traffic Crisis Court to be created
12 under Section 34 of this Act, against any person who shall
13 commence or continue the implementation, without previous
14 clearance from the Traffic Chief under this section, of any plan,
15 program or project within the relevant metropolitan area:
16 *Provided,* That any local government office, agency, public
17 corporation, private person, or enterprise whose plans, programs
18 or projects have been disapproved by the Traffic Chief may,
19 within fifteen (15) days from receipt of such disapproval, appeal
20 such decision to the Office of the President, whose decision
21 on the matter shall be final: *Provided, further,* That the expansion
22 plans of existing developments shall be considered as new plans
23 subject to the review of the Traffic Chief.

24 SEC. 22. *Compensation to PUV Operators.* – Public
25 transportation operators whose franchises are revoked or modified
26 as a consequence of the policies carried out pursuant to this Act,
27 such as, the shortening of routes, or reduction of covered PUV

1 units, shall be compensated based on the number of units affected
2 or rendered redundant.

3 Compensation shall be based on depreciated value of the
4 units affected, upon presentation of the actual unit and validation
5 that the unit and its chassis number are included in the list of
6 registered vehicles that have been issued a Certificate of Public
7 Convenience and Necessity (CPCN).

8 Likewise, loss of income shall also be compensated based
9 on the average annual income generated by that unit from a
10 particular route, as evidenced by the affected parties' official
11 receipts and income tax returns filed in the last three (3) preceding
12 years. The one-time compensation for loss of income shall be
13 equivalent to such annual average income and shall be exempt
14 from income and other taxes.

15 The benefit of compensation under this section, may be
16 availed only if the franchise holder, within the five (5)-year period
17 immediately preceding the revocation, has fully complied with all
18 statutory and regulatory requirements pertaining to the operation
19 of its PUVs and the exercise of its privileges under its franchise,
20 and does not have any derogatory record with the LTFRB, MMDA,
21 LGU, or any other relevant government agency or office.

22 SEC. 23. *Social Support Mechanisms.* – Drivers, driver's
23 assistants, mechanics, and other employees of a PUV operator
24 affected by a revocation or modification of franchise is entitled
25 to financial assistance and other social support services in the
26 following forms:

27 (a) The Department of Social Welfare and Development
28 (DSWD) shall extend financial assistance using funding from

1 available social protection programs and services. The DSWD shall
2 report the availability of such programs and any disbursement
3 made to the JCOC. In coordination with the LGUs, the LTFRB
4 shall identify under oath the displaced employees based on
5 eligibility and profiling requirements. Upon identification, the
6 employees shall be included and immediately be classified as
7 qualified persons under the available social protection programs
8 of the DSWD;

9 (b) The Technical Education and Skills Development
10 Authority (TESDA) shall prioritize the training of affected
11 employees in its training courses to empower them to pursue
12 alternative gainful employment or source of livelihood;

13 (c) The DOLE and the POEA shall obtain a list of displaced
14 professional drivers and mechanics and shall assist them in
15 looking for employment, whether here or abroad;

16 (d) Displaced employees shall be entitled to separation pay
17 as mandated under the Labor Code of the Philippines; and

18 (e) The legal dependents of affected employees shall be
19 qualified for scholarships from the government, in accordance
20 with the applicable rules and regulations of the DSWD, the
21 Department of Education (DepEd), or the TESDA.

22 SEC. 24. *Professional Driver's Examination.* – Effective
23 January 1, 2019, licensed professional drivers operating PUVs
24 in the metropolitan areas must undergo testing and examination
25 prior to the issuance of new professional driver's licenses. The test
26 shall be specifically designed for the type of vehicle that the
27 driver intends to operate. The LTO shall administer the retesting
28 free of charge.

1 Professional drivers operating PUVs within the metropolitan
2 area who are found to have not complied with this requirement
3 will have their professional driver's licenses revoked and shall be
4 banned from driving professionally for a period of two (2) years.

5 The LTO shall coordinate with established driving schools
6 that have existed, operated, and have been in good standing for
7 at least ten (10) years, in preparing the written and driving test
8 appropriate to the vehicle and route the applicant intends to
9 operate. The LTO is hereby authorized to accredit established
10 driving schools to conduct the professional driver's examination.

11 Only drivers who have passed the new LTO test and
12 provided a suitable bond as may be required by the LTO, shall
13 be allowed to operate PUVs in the areas covered by this Act.

14 New driver's license cards with special determinable features
15 shall be issued to professional drivers corresponding exclusively
16 to the type of PUVs they have been tested for and the
17 metropolitan area where they will be licensed to drive. Such
18 driver's license may not be used to lawfully operate any other
19 type of PUV in any other area or locality.

20 SEC. 25. *Roadworthiness.* - Within ninety (90) days from
21 the effectivity of this Act, the LTO shall conduct roadworthiness
22 testing of all PUVs operating within the metropolitan areas. The
23 testing shall cover the following:

- 24 (a) Emission testing;
- 25 (b) Chassis stability and actual capacity as determined by
26 the manufacturer;
- 27 (c) Working headlights, break lights, and signal lights; and

1 (d) Other testing that may be done by the LTO using
2 equipment that it presently has.

3 The Secretary of the DOTr, or upon delegation, the LTO,
4 shall work with established vehicle manufacturers to determine
5 and conduct the appropriate roadworthiness test and vehicle
6 limitations such as number of passengers and load limits per
7 type of vehicle. Vehicle manufacturers possessing equipment to
8 determine roadworthiness of certain types of PUVs can be
9 accredited for this purpose.

10 New license plates or stickers that make the existing license
11 plates of PUVs discernible shall be issued to PUVs that have
12 passed the roadworthiness test and shall be authorized to
13 operate within the metropolitan areas. The license plate shall
14 authorize the PUV to operate only within the designated
15 metropolitan area.

16 Noncompliance by a PUV operator with the requirement for
17 roadworthiness testing shall be penalized with the cancellation
18 of the unit's franchise, immediate impounding, and a fine of not
19 more than ten thousand pesos (P10,000.00).

20 In the event that the LTO is unable to accredit private
21 vehicle manufacturers and dealers to conduct the roadworthiness
22 testing of vehicles, the LTO shall directly conduct such testing in
23 the metropolitan areas.

24 SEC. 26. *Financial Assistance to PUV Modernization.* - The
25 Development Bank of the Philippines (DBP) shall reserve funds
26 to facilitate the improvement and enhancement of PUVs in the
27 metropolitan areas.

1 The DBP shall extend financial assistance to existing public
 2 transportation operators with valid franchise to enable them to
 3 modernize their units. It shall provide financing to qualified
 4 applicants at preferred rates and shall report to the JCOC on
 5 the funding made available to support the implementation of
 6 this section.

7 The DBP can only offer this loan facility for procurement
 8 of vehicles with engines that are Euro 4-compliant, hybrid, fully
 9 electric-powered or those which are more environment-friendly:
 10 *Provided*, That the said vehicles are accessible to persons with
 11 disability.

12 **SEC. 27. Priority Projects.** – Pursuant to the enumerated
 13 policies of this Act, it is hereby declared and recognized that the
 14 traffic crisis is in the nature of a man-made calamity or
 15 catastrophe; that time is of the essence and immediate action
 16 is urgently necessary to prevent further damage to the national
 17 economy, public health, and social welfare or loss of life
 18 and property as a result of the traffic crisis; and that there is
 19 urgent necessity as well to restore, improve, and make accessible
 20 vital public transportation services, infrastructure, and facilities.

21 As such, the traffic crisis is declared to be an emergency
 22 case, as defined in Section 53 of Republic Act No. 9184 or the
 23 Government Procurement Reform Act (GPRA) and Section 53.2
 24 of its Implementing Rules and Regulations (IRR). In accordance
 25 with Republic Act No. 9184, the President of the Philippines,
 26 through the Traffic Chief, is hereby authorized, during the
 27 effective period of this Act and without prejudice to the use
 28 of other available procurement methods under the GPRA,

1 to enter into negotiated contracts for priority projects for the
 2 construction, repair, restoration, rehabilitation, improvement, or
 3 maintenance of critical infrastructure, projects, and facilities, and
 4 any directly related procurement of goods or services, subject to
 5 the following requirements and conditions:

6 (a) The priority projects must be aimed to immediately and
 7 effectively alleviate the traffic crisis, thereby promoting public
 8 interest;

9 (b) The terms and conditions of the priority projects must be
 10 advantageous to the government; and

11 (c) The Traffic Chief, in coordination with the covered
 12 agencies, must submit a list of priority projects to the JCOC
 13 together with their respective description, the budgetary
 14 estimates, identification of necessary rights-of-way, and other
 15 salient features, within ninety (90) days from the effectivity of
 16 this Act.

17 The bidding or procurement of priority projects submitted
 18 to the JCOC shall be conducted by the Procurement Service of
 19 the Department of Budget and Management (PS-DBM). The
 20 procurement method or negotiated contract process resorted to
 21 for any procurement related to the certified priority projects must
 22 be complete, clear, transparent, and in accordance with Republic
 23 Act No. 9184.

24 The contracts for projects to be carried out pursuant to and
 25 in accordance with this Act shall be awarded only to contractors
 26 or project proponents with:

27 (1) Proven competence in, capability and experience with
 28 similar projects;

1 (2) Competent and qualified key personnel and sufficient and
2 reliable equipment and facilities;

3 (3) Sound financial capacity; and

4 (4) Legal capacity consistent with Republic Act No. 9184
5 and its IRR.

6 All awarded priority projects shall be subject to existing
7 government auditing rules and regulations governing negotiated
8 contracts.

9 Contracts or concession agreements covering the priority
10 projects shall have no confidentiality clause, except with respect
11 to matters protected by the Intellectual Property Code of the
12 Philippines. In case of technology-related priority projects, the
13 terms of reference (TOR) and contract or agreement must explicitly
14 provide for technology transfer and assignment of any and
15 all source codes to the DOTr.

16 SEC. 28. *Priority Projects, Disclosure Mechanism.* – The list
17 of priority projects and their pertinent details shall be published
18 in a newspaper of general circulation within the metropolitan
19 area concerned within fifteen (15) days from submission to
20 the JCOC. In addition, the said list shall also be published
21 with its own separate category in the Philippine Government
22 Electronic Procurement System (PhilGEPS) established under
23 Republic Act No. 9184.

24 SEC. 29. *Rescission or Nullification of Contracts.* – Contracts
25 covering the priority projects and any other procurement of goods
26 and services resorted to in furtherance of this Act shall be subject
27 to rescission in accordance with Article 1191 of the Civil Code
28 of the Philippines or shall be declared null and void if found

1 to be manifestly and grossly disadvantageous to the government,
2 whether or not the public officer involved profited or will profit
3 thereby. Any action for such rescission or declaration of nullity
4 shall fall within the exclusive jurisdiction of the Special Traffic
5 Crisis Courts to be created under Section 34 of this Act and shall
6 be initiated only upon the recommendation of the Traffic Chief.

7 Sufficient funds shall be appropriated to answer for any
8 compensation and damages that may be adjudicated to the
9 counterparties.

10 SEC. 30. *Suspension of Statutes Otherwise Applicable to*
11 *Priority Projects.* – To promptly address the traffic crisis, the
12 following are hereby temporarily suspended throughout the
13 effectivity of this Act, but only insofar as they apply to the priority
14 projects under this Act:

15 (a) Provisions of the Local Government Code requiring
16 prior consultation with, and approval of LGUs, with respect to
17 traffic-related projects within their respective localities; and

18 (b) Provisions of the Labor Code of the Philippines
19 requiring clearances and permits for the employment of
20 foreigners, specifically foreign technicians and experts working
21 in traffic-related projects.

22 SEC. 31. *Liability for Priority Projects.* – The following
23 persons may be held liable for noncompliance with Republic Act
24 No. 9184 and other applicable statutes and violations against
25 the provisions of this Act in relation to the implementation of
26 priority project contracts:

27 (a) DOTr Secretary;

28 (b) DOTr Undersecretary responsible;

1 (c) Chief Executive Officer or President of private
2 concessionaires;

3 (d) Directors of private concessionaires; and

4 (e) Persons directly involved in the implementation of the
5 projects.

6 The liability of the above persons for the violation of
7 Republic Act No. 9184 shall be incurred without prejudice to
8 any criminal liability under any other laws or statutes, such as
9 the Revised Penal Code, Republic Act No. 3019 or the Anti-Graft
10 and Corrupt Practices Act, and Republic Act No. 6713 or the
11 Code of Conduct and Ethical Standards for Public Officials
12 and Employees.

13 Presentation or submission to the JCOC of the priority
14 projects shall not exempt the responsible officials and private
15 persons from criminal or administrative liability if it is duly
16 proven that they have engaged in acts that influenced the
17 determination of and award to the winning concessionaire or
18 violated any provision of other applicable statutes.

19 *SEC. 32. Review of Existing Contracts and Concessions.* –

20 The Traffic Chief, in coordination with the covered agencies, shall
21 review contracts, permits, and licenses entered into or issued
22 by any of the covered agencies within the metropolitan areas
23 or component LGUs for the purpose of determining whether
24 they contribute to the alleviation of the traffic crisis and are
25 advantageous to the government, and the level of compliance
26 of the other party or grantee with its statutory and contractual
27 undertakings and obligations.

1 The review must be completed within forty-five (45) days
2 from the effectivity of this Act.

3 Within sixty (60) days from the effectivity of this Act, the
4 Traffic Chief shall submit to the JCOC a list of contracts and
5 concessions that may be the subject of modification, revocation,
6 rescission, or nullification.

7 Upon submission to the JCOC, the Traffic Chief, or the
8 duly designated representative may initiate any action necessary
9 to effect the modification, revocation, rescission, or nullification of
10 the identified contracts and concessions.

11 *SEC. 33. Power of Eminent Domain.* – The Traffic Chief
12 shall reasonably exercise the power of eminent domain for
13 right-of-way acquisition or expropriation of private property
14 necessary for priority projects, including the construction,
15 rehabilitation or maintenance of infrastructure projects, road
16 widening, and clearance on the construction of road setback.

17 For the approved priority projects to be implemented under
18 this Act, the DOTr and the relevant covered agencies must
19 determine whether it is appropriate to lease real property to
20 facilitate a temporary right-of-way necessary for the construction
21 of temporary terminals until permanent ones are constructed,
22 or to purchase or expropriate land for right-of-way purposes.

23 The rules and procedures prescribed under Republic Act
24 No. 10752 or “The Right-of-Way Act” for the negotiated sale or
25 expropriation of a right-of-way shall apply to the priority
26 projects.

1 Government financial institutions shall issue for a reasonable
2 fee the appraisal and valuation report for the private property to
3 be expropriated for the priority projects.

4 SEC. 34. *Special Traffic Crisis Court.* – There shall be
5 created a Special Traffic Crisis Court in each of the metropolitan
6 areas. The Special Traffic Crisis Court shall have exclusive
7 jurisdiction to hear and expeditiously resolve all actions that
8 may emanate from the implementation of this Act. These cases
9 include the:

10 (a) Legality or constitutionality of priority projects, programs,
11 policies, rules and regulations to be implemented under this Act;

12 (b) Bidding and award of a priority project and the
13 nullification or rescission of contracts covering such priority
14 projects;

15 (c) Necessary right-of-way acquisition for the priority
16 projects;

17 (d) Relocation of utilities or facilities and of informal
18 settlers to implement the priority projects;

19 (e) Opening of private village gates necessary to provide
20 alternate routes or friendship route throughout the effectivity of
21 this Act;

22 (f) Termination or amendment of PUV franchises;

23 (g) Violations involving the implementation of any plan,
24 program, and project without the requisite Development Clearance
25 Certificate; and

26 (h) Criminal violations penalized under this Act, unless
27 they fall within the exclusive jurisdiction of the Ombudsman
28 and/or Sandiganbayan.

1 All judicial actions arising from the implementation or
2 violation of this Act must be heard in accordance with the
3 Supreme Court's guidelines on continuous trials.

4 Resolutions, orders, and decisions issued by the Special
5 Traffic Crisis Court may not be enjoined unless by a temporary
6 restraining order or writ of preliminary injunction issued by the
7 Supreme Court.

8 Where an action for expropriation of private property is
9 necessary for a priority project, the government is entitled to
10 the immediate issuance of a writ of possession over the subject
11 private property upon presentation of an appraisal report issued
12 by a government financial institution, and the deposit of just
13 compensation set at one hundred twenty percent (120%) of fair
14 market value. Right-of-way cases shall be resolved within thirty
15 (30) days from filing with the Special Traffic Crisis Court.

16 All right-of-way and expropriation cases pending in other
17 courts that will affect any priority project shall immediately be
18 transferred to the Special Traffic Crisis Courts for immediate
19 resolution.

20 SEC. 35. *Temporary Restraining Order (TRO).* – In the
21 implementation of this Act and except as otherwise provided
22 herein, no other court other than the Supreme Court may issue
23 a TRO or preliminary injunction against the government or any
24 of its subdivisions, officials, or any person or entity, whether public
25 or private acting under government direction, to restrain, prohibit
26 or compel the following acts:

27 (a) Bidding out or procurement of the priority projects,
28 including infrastructure projects, software or information

1 technology components and attendant acquisition of necessary
2 goods and consulting services, as identified by the Traffic Chief
3 and submitted to the JCOC;

4 (b) Acquisition, clearance, and development of the
5 right-of-way or site or location of any transportation project
6 identified by the Traffic Chief and submitted to the JCOC;

7 (c) Commencement, prosecution, execution, implementation,
8 and operation of any transportation project;

9 (d) Termination or cancellation of any transportation project;

10 (e) Opening of private village gates necessary to provide
11 alternate routes throughout the effective period of this Act;

12 (f) Termination or amendment of PUV franchises; and

13 (g) Undertaking or authorization of any other lawful activity
14 necessary for any transportation project.

15 Upon their creation, the Special Traffic Crisis Courts shall
16 have the power to issue TROs and preliminary injunctions on
17 matters enumerated herein.

18 *SEC. 36. Actions of the Commission on Audit and the Civil*
19 *Service Commission.* – The COA and the CSC shall resolve
20 issues arising from the implementation of this Act falling within
21 their constitutional and statutory jurisdiction within thirty (30)
22 days from their cognizance of such issues.

23 The COA and the CSC shall monitor the implementation
24 of this Act, immediately determine possible issues, and recommend
25 measures to rectify such issues.

26 *SEC. 37. Publication of Information.* – The DOTr must
27 maintain a separate website for the publication of complete and

1 accurate information regarding the implementation of this Act.
2 The website should contain information on:

3 (a) All traffic-related traffic policies, rules, and regulations
4 with updates on all new issuances;

5 (b) The TMP and its updates;

6 (c) Information on traffic data and projects;

7 (d) Information on the priority projects and policies that are
8 being or intended to be implemented under this Act;

9 (e) Status of priority projects during bidding or negotiation,
10 award, and implementation;

11 (f) Project budget and implementation status including
12 right-of-way acquisition;

13 (g) Cost of each project indicating the specific source of funds
14 and the breakdown of allocations;

15 (h) Terms of reference of the priority projects, including the
16 terms and conditions of any applicable concession agreements;

17 (i) Detailed minutes of meetings including pre-bid and
18 negotiations, during bidding and awarding of projects;

19 (j) Master list of all franchised and licensed public transit
20 operators in the metropolitan areas, with the names and license
21 details of their PUV drivers and the brands, types, models and
22 chassis numbers of the vehicles covered by the respective
23 franchises;

24 (k) List of public officials involved in the implementation
25 of the priority projects, including the statement of assets, liabilities,
26 and net worth of public officials involved in the bidding and
27 negotiation of priority projects;

1 (l) List of consultants and contractors engaged for the
2 priority projects with sworn statement on previous employment,
3 projects undertaken, and experience; and

4 (m) Centralized database for traffic violations.

5 SEC. 38. *Protection Against Law Suits.* – Public officers
6 involved in the implementation of policies and priority projects
7 covered by this Act shall be insured against litigation by the
8 Government Service Insurance System (GSIS) in the event that
9 the Office of the Solicitor General or the Office of the
10 Government Corporate Counsel is not authorized to represent
11 them. The concerned public officer shall obtain the needed
12 insurance coverage from the GSIS and hire legal counsel, unless
13 the GSIS itself determines that such official has clearly violated
14 the laws.

15 SEC. 39. *Penalties for Violations Under this Act.* – As part of
16 the TMP, the Traffic Chief, in coordination with the MMDA,
17 Council, and Davao Traffic Administrator, shall, within the
18 metropolitan areas:

19 (a) Formulate and administer a single ticketing system;

20 (b) Fix, impose and collect graduated fines and penalties for
21 all kinds of violations of traffic rules and regulations, whether
22 moving or nonmoving in nature; and

23 (c) Confiscate and suspend or revoke driver's licenses in the
24 enforcement of such traffic rules and regulations.

25 Any violation of or noncompliance with this Act that
26 qualifies as a criminal offense under the Revised Penal Code
27 or any special penal act shall be subject to the penalties of
28 imprisonment or fine as stipulated in such other laws: *Provided,*

1 That the maximum applicable penalty shall be imposed for
2 violations of this Act. Convicted public officers shall, in addition
3 to penalties imposed, be removed from office and be perpetually
4 disqualified from holding any public office.

5 The resolution of any administrative complaint against a
6 public officer pertaining to the performance of functions under
7 this Act, including malfeasance, misfeasance, and nonfeasance in
8 relation to a particular priority project, program, policy, or the
9 implementation of this Act shall not absolve the erring public
10 officer concerned from criminal liability under this Act or any
11 other applicable penal statute.

12 SEC. 40. *Appropriation of Funds.* – The amount needed for
13 the implementation of this Act shall be taken from:

14 (a) The Motor Vehicle User's Charge Special Vehicle Pollution
15 Control Fund created under Section 7 of Republic Act No. 8794 or
16 the "Anti-Overloading Act of 2000"; and

17 (b) Current fiscal year's appropriation of the agencies
18 involved in the implementation of this Act.

19 Thereafter, the amount needed for the implementation of
20 this Act shall be included in the annual General Appropriations Act.

21 SEC. 41. *Traffic Education.* – The DOTr, LTO, LTFRB,
22 DepEd, and TESDA shall jointly develop a program for driver's
23 education and for road and pedestrian etiquette education that
24 shall be incorporated as a mandatory subject in the senior high
25 school curriculum.

26 SEC. 42. *Separability Clause.* – In the event that any
27 provision of this Act is declared unconstitutional, invalid, or

1 illegal, the constitutionality, validity, or legality of the remaining
2 provisions of this Act shall not be affected thereby.

3 SEC. 43. *Repealing Clause.* – Pertinent provisions of the
4 following laws which are inconsistent with this Act are hereby
5 repealed or amended accordingly:

6 (a) Sections 21, 25, 447, 458, and 468 of the Local Government
7 Code of 1991;

8 (b) Republic Act No. 6975, Department of the Interior and
9 Local Government Act of 1990;

10 (c) Batas Pambansa Blg. 129, The Judiciary Reorganization
11 Act of 1980;

12 (d) Republic Act No. 7924, MMDA Charter;

13 (e) Presidential Decree No. 1112, Toll Regulatory Board
14 Charter;

15 (f) Republic Act No. 4136, Land Transportation and Traffic
16 Code;

17 (g) Republic Act No. 9184, Government Procurement Reform
18 Act;

19 (h) Section 7 of Republic Act No. 8794, creating the Motor
20 Vehicle User's Charge; and

21 (i) Presidential Decree No. 612, as amended, or the Insurance
22 Code of the Philippines.

23 SEC. 44. *Effectivity.* – This Act shall take effect fifteen (15)
24 days after its publication in the *Official Gazette* or in a newspaper
25 of general circulation.

Approved,

O