

NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

)
)
)
22 JUL 28 P5:03

SENATE

RECEIVED BY: 

S. B. NO. 926

Introduced by **SENATOR JOEL VILLANUEVA**

**AN ACT ENHANCING THE SAFETY OF PEDESTRIANS,
FURTHER AMENDING REPUBLIC ACT NO. 4136, AS AMENDED,
OTHERWISE KNOWN AS THE "LAND TRANSPORTATION AND
TRAFFIC CODE," APPROPRIATING FUNDS THEREFOR, AND
FOR OTHER PURPOSES**

EXPLANATORY NOTE

The current crisis faced by the Philippines in the realm of public transportation involves a wide array of stakeholders, and an even wider array of concerns. Specifically, the government must pay particular concern to the majority of the Filipino population that are directly affected by the use of roads and traffic routes: the pedestrian.

Indeed, protection of Filipino pedestrians should be of paramount concern. In 2018, the World Health Organization (WHO)'s Global Status Report on Road Safety found that incidents of road traffic deaths continue to rise in the Philippines. More specifically, the WHO found that 12,690 road traffic deaths occurred in the country in 2016, and that about half of these road traffic deaths involved vulnerable road users such as motorcyclists, cyclists and pedestrians.¹

Latest report from the United Nations Economic and Social Commission for Asia and the Pacific (UN ESCAP) shows that despite the lockdowns imposed during the COVID-19 pandemic, vehicular accidents persisted in Metro Manila.²

¹ ABS-CBN News, Road Traffic Deaths Continue to Rise in the Philippines: WHO report, December 21, 2018, accessible at <https://news.abs-cbn.com/news/12/21/18/road-traffic-deaths-continue-to-rise-in-the-philippines-who-report> (last accessed June 24, 2019).


² Sandy Mae Gaspay, UN ESCAP, Sustainable Urban Transport Index for Metro Manila and Impacts of COVID-19 on Mobility, October 2021, accessible at <https://repository.unescap.org/bitstream/handle/20.500.12870/4156/ESCAP-2021-RP-Sustainable-urban-transport-index-Metro-Manila-impacts-COVID-19-mobility.pdf?sequence=1&isAllowed=y> (last accessed July 14, 2022).

In 2020, a total of 345 Filipinos died due to vehicular crashes – 243 drivers, 27 passengers, and 75 pedestrians.³

In addition to establishing sufficient infrastructure, systems, and programs to alleviate traffic, institutionalizing the “right-of-way” culture in the use of roads, walkways and other means for pedestrian access will greatly help in lessening the number of road traffic deaths. This bill seeks to enhance the country’s traffic laws by (a) respecting the rights of pedestrians, (b) clarifying the rules on when a pedestrian should yield to a driver, or vice versa, (c) penalizing any person who violates the right-of-way of pedestrians; (d) establishing more pedestrian crossing signs; and (e) mandating the training of erring drivers and pedestrians.

The passage of this measure will not only ensure safety of our pedestrians, but also provide a comprehensive solution to the country’s persistent traffic problems, especially in Metro areas, by mandating a system of behavior and accountability for the commuting public, including both drivers and pedestrians.

The immediate passage of this bill is earnestly sought.


SENATOR JOEL VILLANUEVA

³ *Id.*



Senate
Office of the Secretary

NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

)
)
)
22 JUL 28 P5:03

RECEIVED BY: _____

SENATE

S. B. NO. 926

Introduced by SENATOR JOEL VILLANUEVA

**AN ACT ENHANCING THE SAFETY OF PEDESTRIANS,
FURTHER AMENDING REPUBLIC ACT NO. 4136, AS AMENDED,
OTHERWISE KNOWN AS THE "LAND TRANSPORTATION AND
TRAFFIC CODE," APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 **SECTION 1. Short Title.** – This Act shall be known as the "*Pedestrian*
2 *Safety Act.*"
3

4 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the
5 State to provide and ensure safe and convenient pedestrian travel and access,
6 whether by foot, wheelchair, walker, stroller or any other means. To this end,
7 the State shall provide convenient and safe passage for pedestrians on and
8 across all streets and highways, increase levels of walking and pedestrian
9 travel, and reduce pedestrian fatalities and injuries.
10

11 **SEC. 3. Definition of Terms.** – For the purposes of this Act, the
12 following terms shall be defined as follows:
13

14 (a) **Crosswalk** refers to the part of the roadway set aside for
15 pedestrian traffic;
16

17 (b) **Intersection** refers to any place where one line of roadway meets
18 another roadway. Intersections include cross streets, side streets,
19 alleys, freeway entrances, and any other location where vehicles
20 traveling on different highways or roads join each other; and
21

22 (c) **Pedestrian** refers to a person on foot or who uses a conveyance
23 such as roller skates, skateboard, etc., other than a bicycle, an

1 electric scooter or similar equipment. A pedestrian can also be a
2 person with a disability using a tricycle, quadricycle, or wheelchair
3 for transportation.
4

5 **SEC. 4. *Right-of-Way of Pedestrians.*** – A new Article III-A of the Land
6 Transportation and Traffic Code, as amended, is hereby provided to read as
7 follows:
8

9 **ARTICLE III-A**
10 **RIGHT-OF-WAY OF PEDESTRIANS**

11 **SECTION 44-A. *RIGHT-OF-WAY OF PEDESTRIANS.*** –

- 12
13
14 (a) THE DRIVER OF A VEHICLE SHALL YIELD THE RIGHT-
15 OF-WAY TO A PEDESTRIAN CROSSING THE
16 ROADWAY WITHIN ANY MARKED CROSSWALK OR
17 WITHIN ANY UNMARKED CROSSWALK AT AN
18 INTERSECTION, EXCEPT AS OTHERWISE PROVIDED
19 IN THIS SECTION.
20
21 (b) THE DRIVER OF A VEHICLE APPROACHING A
22 PEDESTRIAN WITHIN ANY MARKED OR UNMARKED
23 CROSSWALK SHALL EXERCISE ALL DUE CARE AND
24 SHALL REDUCE THE SPEED OF THE VEHICLE OR
25 TAKE ANY OTHER ACTION RELATING TO THE
26 OPERATION OF THE VEHICLE AS NECESSARY TO
27 SAFEGUARD THE SAFETY OF THE PEDESTRIAN.
28
29 (c) NOTWITHSTANDING ANYTHING TO THE CONTRARY,
30 THIS SECTION SHALL NOT RELIEVE:
31
32 (1) A PEDESTRIAN FROM THE DUTY OF USING
33 DUE CARE FOR HIS OR HER SAFETY. NO
34 PEDESTRIAN SHALL SUDDENLY LEAVE A
35 CURB OR OTHER PLACE OF SAFETY AND
36 WALK OR RUN INTO THE PATH OF A VEHICLE
37 THAT IS SO CLOSE AS TO CONSTITUTE AN
38 IMMEDIATE HAZARD. NO PEDESTRIAN SHALL
39 ALSO UNNECESSARILY STOP OR DELAY
40 TRAFFIC WHILE IN A MARKED OR UNMARKED
41 CROSSWALK; AND
42
43 (2) A DRIVER OF A VEHICLE HAS THE DUTY OF
44 EXERCISING DUE CARE FOR THE SAFETY OF
45 ANY PEDESTRIAN WITHIN ANY MARKED
46 CROSSWALK OR WITHIN ANY UNMARKED
47 CROSSWALK AT AN INTERSECTION.
48

49 **SECTION 44-B. *REMOVAL OF CROSSWALKS.*** –
50

- 1 (a) AN EXISTING MARKED CROSSWALK MAY NOT BE
2 REMOVED UNLESS NOTICE AND OPPORTUNITY TO
3 BE HEARD IS PROVIDED TO THE PUBLIC NOT LESS
4 THAN THIRTY (30) DAYS PRIOR TO THE SCHEDULED
5 DATE OF REMOVAL. IN ADDITION TO ANY OTHER
6 PUBLIC NOTICE REQUIREMENTS, THE NOTICE OF
7 PROPOSED REMOVAL SHALL BE POSTED AT THE
8 CROSSWALK IDENTIFIED FOR REMOVAL.
9
- 10 (b) THE NOTICE REQUIRED BY SUBSECTION (A) ABOVE
11 SHALL INCLUDE, BUT NOT BE LIMITED TO,
12 NOTIFICATION TO THE PUBLIC OF THE FOLLOWING:
13
- 14 (1) THAT THE PUBLIC MAY PROVIDE INPUT
15 RELATING TO THE SCHEDULED REMOVAL;
16 AND
17
- 18 (2) THE FORM AND METHOD OF PROVIDING THE
19 INPUT AUTHORIZED UNDER PARAGRAPH (1)
20 ABOVE.
21

22 **SECTION 44-C. NO OVERTAKING AT INTERSECTIONS WITH**
23 **MARKED OR UNMARKED CROSSWALKS.** – WHENEVER
24 ANY VEHICLE HAS STOPPED AT A MARKED CROSSWALK
25 OR AT ANY UNMARKED CROSSWALK AT AN
26 INTERSECTION TO PERMIT A PEDESTRIAN TO CROSS THE
27 ROADWAY, THE DRIVER OF ANY OTHER VEHICLE
28 APPROACHING FROM THE REAR SHALL NOT OVERTAKE
29 AND PASS THE STOPPED VEHICLE.
30

31 **SECTION 44-D. SIDEWALKS.** – THE DRIVER OF ANY MOTOR
32 VEHICLE, PRIOR TO DRIVING OVER OR UPON ANY
33 SIDEWALK, SHALL YIELD THE RIGHT-OF-WAY TO ANY
34 PEDESTRIAN APPROACHING THEREON.
35

36 **SECTION 44-E. UNDERPASS AND OVERPASS.** –
37 WHENEVER ANY PEDESTRIAN CROSSES A ROADWAY
38 OTHER THAN BY MEANS OF A PEDESTRIAN TUNNEL OR
39 OVERHEAD PEDESTRIAN CROSSING, IF A PEDESTRIAN
40 TUNNEL OR OVERHEAD CROSSING SERVES THE PLACE
41 WHERE THE PEDESTRIAN IS CROSSING THE ROADWAY,
42 SUCH PEDESTRIAN SHALL YIELD THE RIGHT-OF-WAY TO
43 ALL VEHICLES ON THE HIGHWAY SO NEAR AS TO
44 CONSTITUTE AN IMMEDIATE HAZARD.
45

46 NOTWITHSTANDING ANYTHING TO THE CONTRARY, THIS
47 SECTION SHALL NOT BE TAKEN AS A PROHIBITION
48 AGAINST THE INSTALLATION OF CROSSWALKS WHERE A
49 PEDESTRIAN TUNNEL OR OVERHEAD CROSSING EXISTS,
50 SHOULD PUBLIC NECESSITY AND SAFETY DICTATE.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

SECTION 44-F. INSTANCES WHERE PEDESTRIANS SHALL YIELD TO VEHICLES. – EVERY PEDESTRIAN UPON A ROADWAY AT ANY POINT OTHER THAN WITHIN A MARKED CROSSWALK OR WITHIN AN UNMARKED CROSSWALK AT AN INTERSECTION SHALL YIELD THE RIGHT-OF-WAY TO ALL VEHICLES UPON THE ROADWAY SO NEAR AS TO CONSTITUTE AN IMMEDIATE HAZARD: *PROVIDED, THAT,* THE DRIVER OF A VEHICLE SHALL CONTINUE TO EXERCISE DUE CARE FOR THE SAFETY OF ANY PEDESTRIAN UPON A ROADWAY.

SECTION 44-G. CROSSING ON CROSSWALKS. – BETWEEN ADJACENT INTERSECTIONS CONTROLLED BY TRAFFIC CONTROL SIGNAL DEVICES OR BY POLICE OFFICERS, PEDESTRIANS SHALL NOT CROSS THE ROADWAY AT ANY PLACE EXCEPT IN A CROSSWALK.

SECTION 44-H. ROADWAYS. –

- (a) NO PEDESTRIAN MAY WALK UPON ANY ROADWAY OUTSIDE OF A BUSINESS OR RESIDENTIAL DISTRICT OTHERWISE THAN CLOSE TO HIS OR HER LEFT-HAND EDGE OF THE ROADWAY.
- (b) A PEDESTRIAN MAY WALK CLOSE TO HIS OR HER RIGHT-HAND EDGE OF THE ROADWAY IF A CROSSWALK OR OTHER MEANS OF SAFELY CROSSING THE ROADWAY IS NOT AVAILABLE OR IF EXISTING TRAFFIC OR OTHER CONDITIONS WOULD COMPROMISE THE SAFETY OF A PEDESTRIAN ATTEMPTING TO CROSS THE ROAD.

SEC. 44-I. SOLICITATION OF RIDES. – NO PERSON SHALL STAND IN A ROADWAY WHICH IS NOT AN AUTHORIZED LOADING AND UNLOADING ZONE FOR THE PURPOSE OF SOLICITING A RIDE FROM THE DRIVER OF ANY VEHICLE.

SEC. 44-J. RIGHT-OF-WAY SIGNS. – PROVINCIAL BOARD, MUNICIPAL BOARD, OR CITY COUNCIL HAVING JURISDICTION OVER AN AREA SHALL PROVIDE APPROPRIATE SIGNS OR MARKINGS FOR PEDESTRIAN CROSSING.

SECTION 44-K. PENALTY. –

- (a) THE DRIVER OF A VEHICLE THAT VIOLATES THE PROVISIONS OF THIS ACT SHALL BE PUNISHED BY A FINE RANGING FROM TWO THOUSAND PESOS

1 (PHP2,000.00) TO TWENTY THOUSAND PESOS
2 (PHP20,000.00);
3

4 (b) A PEDESTRIAN FOUND TO BE VIOLATING THE
5 PROVISIONS OF THIS ACT SHALL BE PUNISHED BY A
6 FINE RANGING FROM ONE THOUSAND PESOS
7 (PHP1,000.00) TO TEN THOUSAND PESOS
8 (PHP10,000.00).
9

10 THE FINES IMPOSED HEREIN SHALL BE WITHOUT
11 PREJUDICE TO ANY OTHER CRIMINAL, CIVIL AND
12 ADMINISTRATIVE CASE THAT MAY BE FILED AGAINST THE
13 OFFENDER.
14

15 **SECTION 44-L. TRAINING OR REFRESHER COURSE.** – ANY
16 PERSON WHO HAVE VIOLATED THE PROVISIONS OF THIS
17 ACT SHALL BE REQUIRED TO UNDERGO THE
18 APPROPRIATE TRAINING OR REFRESHER COURSE WITH
19 THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT
20 AUTHORITY (TESDA) OR ITS ACCREDITED TRAINING
21 CENTERS.
22

23 **SEC. 5. Information Campaign.** – The Department of Transportation
24 (DOTr) shall conduct sustained information and education drives aimed at
25 enhancing pedestrian and driver education.
26

27 The DOTr and the Land Transportation Office shall also closely
28 coordinate with TESDA for the establishment of a training program for drivers
29 and motorists consistent with the provisions of this Act.
30

31 **SEC. 6. Implementing Rules and Regulations.** – Within sixty (60) days
32 from the effectivity of this Act, the DOTr, in consultation with the appropriate
33 stakeholders and in coordination with different government agencies that
34 regulate traffic, shall promulgate the implementing rules and regulations to
35 effectively implement this Act.
36

37 **SEC. 7. Appropriations.** – The amount necessary to carry out the
38 provisions of this Act shall be included in the annual General Appropriations Act
39 (GAA).
40

41 **SEC. 8. Separability Clause.** – If any provision of this Act is declared
42 unconstitutional or invalid, the other provisions not affected thereby shall
43 continue to be in full force and effect.
44

45 **SEC. 9. Repealing Clause.** – Section 42(c) of Republic Act No. 4136,
46 otherwise known as Land Transportation and Traffic Code, as amended, is
47 hereby repealed.
48

1 In addition, all laws, proclamations, executive orders, rules and
2 regulations or parts thereof inconsistent with this Act are hereby repealed,
3 modified or amended accordingly.
4

5 **SEC. 10. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days
6 after its publication in the Official Gazette or in two (2) newspapers of general
7 circulation.
8

9 **Approved,**