



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE 101<sup>ST</sup> REGULAR SESSION VIA ZOOM MEETING OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT THE PROVINCE OF BATAAN ON SEPTEMBER 27, 2021

**PRESENT:**

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

**FIRST DISTRICT:**

- Hon. Benjamin C. Serrano, Jr., Board Member
- Hon. Jomar L. Gaza J.D., Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member
- Hon. Godofredo B. Galicia, Jr., M.D., Board Member
- Hon. Maria Khristine G. Dela Fuente, Board Member

**SECOND DISTRICT:**

- Hon. Maria Margarita R. Roque, Board Member
- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Jose C. Villapando, Sr., Board Member
- Hon. Romano L. Del Rosario, Board Member
- Hon. Doroteo M. Austria, Board Member (FABC President)
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)
- Hon. Rosita N. Sison, Board Member (IPM Representative)

**ABSENT:**

None

**ORDINANCE NO. 15  
Series of 2021**

**AN ORDINANCE ESTABLISHING BIKE-FRIENDLY COMMUNITIES IN THE PROVINCE OF BATAAN**

**SPONSORED BY: HON. ROMANO L. DEL ROSARIO**

**WHEREAS**, on 8 March 2020, President Rodrigo Roa Duterte declared a State of Public Health Emergency throughout the country due to COVID-19, and enjoined all government agencies and local government units (LGUs) to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent and appropriate responses and measures to curtail and eliminate the COVID -19 threat;

**WHEREAS**, on 17 March 2020, the Inter-Agency Task Force (IATF) and the Department of Transportation (DOTr) suspended all forms of public transportation, as the entire island of Luzon was placed under "Enhanced Community Quarantine" (ECQ);

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Provincial Governor

**"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"**

SANGGUNIANG PANLALAWIGAN  
CAPITOL BATAAN  
RELEASED  
RECORDS DIVISION  
OCT 07 2021

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**WHEREAS**, in anticipation of the downgrading of ECQ to a GCQ in some localities, the DOTr issued guidelines for the road transport sector on 30 April 2020, and encouraged the use of bicycles and similar devices, further LGUs were tasked to identify bike-lanes, or bike-only roads;

**WHEREAS**, it is the policy of the Province of Bataan to promote environmentally sound and affordable means of transportation for its citizens that shall serve as an alternative to vehicles which consume fuel;

**WHEREAS**, it is also the policy of the Province to protect the welfare and safety of the commuting public and all road users; towards this end, the Province of Bataan shall promote biking as a means of transport by establishing a comprehensive network of bike lanes and bike facilities and a road safety program;

**WHEREAS**, the use of bicycles and other light mobility and walking have been promoted as essential modes of transport for citizens who need to commute to work and other allowable daily activities;

**WHEREAS**, cycling allows people of varying ages, physical abilities, and economic conditions to access mobility through the use of specially sized, modified, or improvised bicycles and personal mobility devices, and a network of cycling lanes would thus result in the expansion of economic opportunity for all residents of Bataan;

**WHEREAS**, establishing a province-wide bicycle program would empower citizens by providing them with a concrete alternative means of commuting from one municipality to another; this integration of cycling into the province's transport system and development plans would ensure that the program becomes permanent;

**WHEREAS**, there is a need to establish bike lanes and bike-friendly zones and communities in order to safeguard bikers from accidents and other road-related incidents;

**WHEREAS**, Section 16 of the Local Government Code of 1991 provides that local government units shall exercise powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare;

**WHEREAS**, local government units have the power to enact ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of the same Code;

**NOW, THEREFORE, BE IT ORDAINED** by the Sangguniang Panlalawigan of Bataan, in regular session duly assembled, that:

**Section 1. Title.** This ordinance shall be called the **"Creating Bike-Friendly Communities Ordinance."**

**Section 2. Declaration of Principles and Policies.** It is the policy of the Province of Bataan to promote the active, safe, and efficient mobility of all people within its jurisdiction. Towards this end, the Province shall adopt:

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- a. A healthy approach to people's mobility, where active and healthy modes of transport through increased physical activity are promoted and institutionalized in the Province of Bataan; and
- b. A people-oriented road network and design, such that safe, efficient, and convenient mobility of pedestrians, cyclists, and other vulnerable road users are prioritized over the mobility of private motorized vehicles.

**Section 3. Scope and Coverage.** This ordinance shall apply to hospitals, public markets, schools, transport terminals, government centers and offices, historical and heritage sites, and local tourist destinations to promote safe cycling and active transport in the Province of Bataan;

**Section 4. General Objectives.** This Ordinance seeks to:

- a. Provide people on bicycles and light mobilities with direct access to the entire province and essential service establishments, such as, but not limited to: (i) Hospitals; (ii) Public markets; (iii) Schools; (iv) Transport terminals; (v) Government centers and offices; (vi) Historical and heritage sites; and (vii) Local tourist destinations. Direct access means that the preservation of direct routes for bicycles and light mobilities shall be preferred over the diversion of bicycle traffic in favor of reduced travel time for motor vehicles;
- b. Provide pedestrians, cyclists and other vulnerable road users, such as the elderly and those living with physical disability, with safe, efficient, convenient, and just access to the streets within the Province of Bataan;
- c. Ensure that the vulnerable road users, during their transport experience, are safe and protected from any road-related injuries that may involve higher-speed motorized vehicles; and
- d. Promote healthy and active transport methods to commuters and other daily road users, without compromising the safety, comfort, ease, and time or duration of travel.

**Section 5. Definition of Terms.** As used in this Ordinance, the following terms shall mean:

- a. **Active transport** refers to physical activity undertaken as means of transport;
- b. **Commuter** refers to any person who travels from one place to another, often using a combination of transportation modes to get to his/her destination;
- c. **Bicycle lanes** refer to roads, streets, or pathways where motorized transport is not allowed, to ensure the safety of bicycle users or those using light mobility transport such as kick scooters and skateboards;
- d. **Light mobility** refers to travel using electronic or non-motorized vehicles weighing not more than 100 kg.;

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- e. **Pedestrian** refers to any person who uses the shared paths or sidewalks;
- f. **Walking paths** refer to pathways which can be used by pedestrians;
- g. **Motorized transport** refers to motorized vehicles weighing more than 100 kg.

**CHAPTER II. THE ACTIVE MOBILITY COMMITTEE**

**Section 6. Creation and Composition of the Active Mobility Committee (AMC).** The local Active Mobility Committee (AMC) is hereby convened for purposes of identifying, establishing, and maintaining a bike lane network, as well as developing and maintaining pedestrian walkways. The AMC, to be constituted and convened by the Provincial Governor, shall be composed of the following:

- Chairperson: The Provincial Governor
- Vice Chairperson: The Provincial Vice Governor
- Members:
  - The SP Committee Chairman on Peace & Order & Public Safety
  - The SP Committee Chairman on Tourism
  - The SP Committee Chairman on Transportation & Communication
  - The Sangguniang Kabataan Federated President
  - The Mayors League President
  - The Provincial Engineer
  - The Provincial Legal Officer
  - The Provincial Tourism Officer
  - The Provincial Health Officer
  - The General Manager of MBDA
  - The Urban Redevelopment & Heritage Preservation Division
- Secretariat: The Provincial Planning and Development Office

A quorum of the AMC shall be composed of a simple majority of all voting members. The Chairperson shall vote only in case of a tie.

**Section 7. Functions and Duties of the Active Mobility Committee (AMC).** The AMC shall lead the development of the Bicycle Lanes Network Master Plan. For this purpose, the AMC shall:

- (a) determine sections of existing roads that may be developed into a continuous bicycle lane and pedestrian walkway network;
- (b) adopt traffic engineering solutions that will complement and support safe biking and walking;
- (c) identify local budget items for the development of bike lanes and improvement of walking paths;

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(d) approve the technical specifications prepared by the Provincial Engineer or other such entity assigned, in order to facilitate procurement or other administrative processes, as may be required;

(e) initiate communication and education campaigns promoting the proper use of cycling and walking facilities;

(f) coordinate with the different National Agencies for matters necessary for the design and construction of bicycle lanes and pedestrian walkways; and

(g) regularly oversee monitoring activities related to the implementation of this Ordinance.

**CHAPTER III. BICYCLE LANE NETWORKS AND PEDESTRIAN WALKWAYS**

**Section 8. Identifying and Establishing a Bike Lane Network.** The Province, through the AMC, shall review all roads within its area of jurisdiction and determine sections that may be developed into a continuous bike lane network.

**Section 9. Complementary Traffic Engineering and Infrastructure Solutions.** The Province, through the AMC, shall adopt traffic engineering solutions that will prioritize, complement, and support safe and efficient biking and walking. Any such solution shall (a) be supported by an appropriate traffic study, and/or (b) form part of the LGU's Local Public Transport Route Plan (LPTRP).

All road infrastructure to be used by people on bicycles shall conform to one of the following categories:

**a. Protected Bike Lanes and Assigned Walkways on Existing Road Spaces:**

- i. A minimum width of 1.5 meters for one-way cycle tracks, and 2.4 meters for two-way cycle tracks shall be assigned as dedicated bike lanes, and protected accordingly from motor vehicle lanes, using barriers, traffic cones, or lane markers, with barriers being the most prioritized;
- ii. A minimum of 1.5 meters, excluding furnishing zones assigned for trees, poles, lights, and hydrants, shall be assigned as a walkway for pedestrians; This shall be recommended for existing roads with four or more lanes;
- iii. Vehicular and motorcycle speed limit of 30 kilometers per hour, and an active transport speed of up to 20 kilometers per hour shall be implemented;
- iv. The Traffic Management Office, Provincial Engineering Office, PG-ENRO, and all Barangays are immediately directed to facilitate the creation of protected bike lanes on all such roads with the assistance of the Bataan PNP.

**b. Slow Streets.** Slow streets are streets or roads where motor vehicle through traffic is permitted at low-speed levels, which allow safe mixing with bicycle traffic.

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- i. Design interventions and traffic calming schemes shall be incorporated to slow traffic to walking speed (10 kilometers per hour or less) upon entering the street;
  - ii. Vehicular and motorcycle speed limit of 20 kilometers per hour for all through traffic, and a bike speed of up to 15 kilometers per hour shall be implemented on Slow Streets;
  - iii. The Traffic Management Office, Provincial Engineering Office, PG-ENRO, and all Barangays are directed to evaluate and recommend candidate streets, and facilitate transition of identified streets into Slow Streets even after the lifting of community quarantine.
- c. **People's Streets.** People's streets are streets or roads where motor vehicle through traffic is not permitted, and the only kind of motor vehicle traffic allowed is access by residents of the street, emergency vehicles, or light delivery vehicles by commercial establishments during off-peak hours.
- i. Design interventions and traffic calming schemes shall be incorporated to slow down incoming vehicular traffic to walking speed upon entering the street. Traffic by walking, cycling or light mobility shall continue to be permitted;
  - ii. Roads identified for this intervention must be a result of a city- or municipal- wide traffic study for the new normal, preferably roads with a large number of residences whose doors open directly into street, and high foot traffic leading to establishments along the street;
  - iii. Operation of businesses with zero car parking spaces shall be permitted;
  - iv. An active mobility speed of up to 15 kilometers per hour shall be implemented. Permitted motorized vehicles shall follow a 10 kph speed limit when inside People's Streets;
  - v. The Traffic Management Office, Provincial Engineering Office, PG-ENRO, and all Barangays are directed to evaluate and recommend candidate streets, and facilitate transition of identified streets into People's Streets even after the lifting of community quarantine.
- d. **Safe Intersections**
- i. The Province shall evaluate all intersections, particularly intersections with high traffic levels, to ensure that cyclists and pedestrians are able to safely cross and change directions, at-grade. If the Province shall design an intersection requiring the use of a footbridge or other different-grade crossing infrastructure, the design decisions must be documented and submitted to the Department of Interior and Local Government (DILG) and Department of Public Works and Highways (DPWH);

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- ii. Any crossing infrastructure that diverts pedestrians or people on bicycles away from street level must be designed such that it: (a) incorporates bicycle- friendly design i.e. inclusion of bicycle ramps; (b) enables independent use of a wheelchair to traverse it in a time that would no more than double the time needed for an able-bodied person to cross at-grade; and, (c) is developed with accessibility infrastructure for people on wheelchairs, and must be compliant with all existing laws and design standards regulating the design of such infrastructure;
- iii. The provision of bike boxes on road intersections shall be adopted where possible;
- iv. Traffic signals shall be timed to allow bicycles and pedestrians a safe and reasonable time to cross intersections before motor vehicles, to avoid traffic conflicts;
- v. To improve safety of cyclists and pedestrians crossing on intersections, motor vehicles shall not be allowed to turn right on a red signal. Entities in charge of operating traffic signals, such as the Traffic Management Office, or any such entity that has control and/or ownership of the traffic signal light in the Province, shall utilize the appropriate traffic signal timing which prioritizes cyclists and pedestrians.

**Section 10. Bike Lane and Sidewalk Designs.** The specifics of the bike lane and sidewalk designs, which the Province shall use in implementing the bicycle lane networks and improving walking paths for pedestrians. The design may be subject to modification by the DPWH and DOTr Technical Working Group assigned to evaluate and assess bike lanes and sidewalks.

**Section 11. Traffic Signages.** To ensure the safety of all road users, appropriate traffic lights and signages shall be installed to indicate bicycle lane and motor vehicle lane signals, speed limits, and other traffic rules. The same shall indicate the beginnings and ends of special road categories set out in Section 9 of this Ordinance. Where traffic lights and/or signages cannot be installed, traffic enforcers must be deployed for purposes of these rules.

**Section 12. Maintenance of Bicycle Lane Network.** The Province, through the Traffic Management Office or such other relevant offices, shall strictly and effectively implement the following for the maintenance of the bicycle lanes and pedestrian walkway networks:

- a. Dedicated bicycle lanes and/or pedestrian walkways in existing road spaces shall be protected at all times from the entry of or use by any motorized transport vehicle;
- b. All road spaces designated as bicycle lanes and/or pedestrian walkways shall be cleared of any illegal obstruction, including, but not limited to illegally parked cars, pursuant to DILG Memorandum Circular No. 2020-027;

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- c. All at-grade and/or object separators, crossing infrastructures, and other engineering solutions installed to support the establishment of the bicycle lane networks shall be routinely inspected by the Traffic Management Office or other relevant offices to ensure the protection of cyclists, pedestrians, and other vulnerable road users;
- d. LGUs shall ensure that designated stops for Public Utility Vehicles (PUV) are incorporated into the road design without obstructing bicycle lanes. LGUs may opt to use lane markers or other engineering solutions in ensuring the aforementioned.

**Section 13. Personal Protective Gear.** To further ensure safety, the use standard and age- or user- appropriate personal protective gear, including, but not limited to closed shoes, helmets, head gears, and bicycle lights or reflectors, shall be mandatory among cyclists and other users of the bicycle lanes. Minors below the age of 18 using bicycle lanes on major roads shall be required to use the appropriate protective gear.

**Section 14. Auxiliary Programs, Projects, and Activities.** The Province, in support of the implementation of the bicycle lane and pedestrian walkway networks, shall endeavor to:

- a. Install safe, sufficient, and proper bike use facilities, such as bicycle parking spaces, bike racks, and shower and change rooms in strategic locations accessible to cyclists, including, but not limited to government centers and public establishments;
- b. Develop incentive mechanisms to encourage private entities, office establishments, and commercial buildings to provide the same bike use facilities to promote active transport among their clients and employees;
- c. Develop and implement a local bike sharing program, to encourage active transport within the Province of Bataan;
- d. Invest in and strategically distribute free bike units and bike accessories to local government employees and students in local public schools;
- e. Implement training and information campaigns, programs, projects, or activities which educate citizens on road safety and proper etiquette for walking, biking, and driving, and promote healthy lifestyle and active transport.

**Section 15. Mandatory Bike Use Facilities.** The Province shall endeavor to require the availability of a bicycle parking facility as a regulatory requirement prior to issuance of local Building or Business Permit/s to new proposed buildings and establishments, or to buildings and establishments proposed for improvement or expansion. The requirement shall be applicable to categories or types of buildings and establishments, as may be defined in existing relevant Provincial ordinances.

**Section 16. Emergency Services.** Emergency medical services shall be made available by the LGU for all road users, including cyclists and pedestrians, in case of road collisions.

  
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Provincial Governor









**CHAPTER IV. ENFORCEMENT AND PENALTIES**

**Section 17. Enforcement and Penalties.** Any violation of the provisions of this Ordinance and other existing rules relative to the implementation of the bicycle lane and pedestrian walkway networks, shall incur the corresponding penalties as herein provided:

- |                                    |                     |
|------------------------------------|---------------------|
| i. First Offense                   | Admonition/ Warning |
| ii. Second Offense                 | ₱ 500.00            |
| iii. Third and Subsequent Offenses | ₱ 1,000.00          |

**CHAPTER V. MONITORING**

**Section 18. Reporting and Monitoring.** The Province, through the Local Government Operations Officer (LGOO) and in coordination with the AMC, shall regularly monitor the implementation of the bicycle lane and pedestrian walkway networks, and other indicators related to components of this Ordinance. Feedback from the public shall be incorporated into the monitoring process. Monitoring data shall be consolidated by the AMC and reported on a regular basis by the Province to the relevant regional National Government Agencies (NGAs).

**CHAPTER VI. APPROPRIATIONS**

**Section 19. Appropriations.** The funding necessary to implement the provisions of this Ordinance, to establish and maintain bicycle lanes, to improve sidewalks, and to implement other related programs, may be sourced from the following, in order of priority:

- a. The LGU's annual Internal Revenue Allotment (IRA);
- b. Total collections from penalty fees incurred through road users' violation of traffic rules related to bicycle lane and bicycle use;
- c. Local parking levies;
- d. National Government subsidies to related programs, projects, and activities through the relevant agencies; and/or,
- e. Supplemental funding requests from relevant NGAs.

**CHAPTER VII. MISCELLANEOUS PROVISIONS**

**Section 20. Implementing Rules and Regulations (IRR).** The Provincial Governor may issue appropriate and relevant rules and regulations, as necessary for the proper implementation of any and all provisions of this Ordinance.

**Section 21. Separability Clause.** If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts which are not affected thereby shall remain to be in full force and effect.

**Section 22. Repealing Clause.** All other orders and issuances, or parts thereof, inconsistent herewith are repealed, amended, or modified accordingly.

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Provincial Governor

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**Section 22. Effectivity.** This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local or general circulation within the Province of Bataan.

APPROVED UNANIMOUSLY.

  
MA. LILIOSA B. OCONER  
Assistant Secretary to the SP

  
BENJAMIN C. SERRANO, JR.  
Board Member

  
JOMAR L. GAZA J.D.  
Board Member

  
REYNALDO T. IBE, JR.  
Board Member

  
GODOFREDO B. GALICIA, JR., M.D.  
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MARIA KRISTINE G. DELA FUENTE  
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EDGARDO P. CALIMBAS  
Board Member

  
JOSE C. VILLAPANDO, SR.  
Board Member

  
ROMANO L. DEL ROSARIO  
Board Member

  
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Provincial Governor

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DOROTEO M. AUSTRIA  
Board Member  
(FABC President)



NOEL JOSEPH L. VALDECAÑAS  
Board Member  
(PCL President)



PRECIOUS D. MANUEL  
Board Member  
(SKF President)



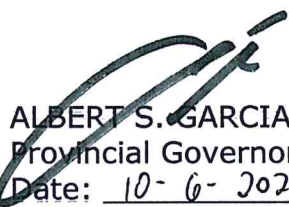
ROSITA N. SISON  
Board Member  
(IPM Representative)

ATTESTED:



MA. CRISTINA M. GARCIA  
Vice Governor  
(Presiding Officer)

APPROVED:



ALBERT S. GARCIA  
Provincial Governor  
Date: 10-6-2021

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