

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City



SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL No. 8446

Introduced by
ACT Teachers Party-List Rep. ANTONIO L. TINIO

AN ACT
MANDATING A MINIMUM DISTANCE FOR OVERTAKING OF CYCLISTS BY MOTOR VEHICLES,
AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

EXPLANATORY NOTE

Cycling plays an important role in transportation, recreation, and sports. It offers a healthy, environmentally friendly mode of transportation for commuters and plays an integral part in any holistic approach to the problem of traffic congestion in highly urbanized areas.

However, due to a lack or absence of cycling-friendly infrastructure throughout the country, cyclists are forced to journey side-by-side with motor vehicles, exposing them daily to the risk of serious or fatal accidents. According to the Metro Manila Development Authority, more than 900 persons - nearly 3 cyclists and other road users per day - were reported to have been involved in accidents in Metro Manila in 2015.

One way to protect cyclists and other road users and encourage more people to take up cycling, whether for commuting, exercise, or leisure, is through the enactment of cycling safety laws and regulations. Other countries have had positive experiences with the introduction of a mandated minimum overtaking distance, encouraging drivers to "stay wider of the rider."

This bill seeks to make cycling safer throughout the country by mandating a minimum distance of 1.5 meters for overtaking of cyclists by motor vehicles.

A handwritten signature in black ink, appearing to read "Antonio L. Tinio", written over a horizontal line.

Rep. ANTONIO L. TINIO
ACT Teachers Party-List

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

SECTION 1. Short Title. – This act shall be known as the “The Minimum Overtaking Distance Law.”

SECTION 2. Minimum Overtaking Distance. – The driver of a motor vehicle overtaking and passing a bicycle that is travelling in the same direction as the driver shall maintain a minimum overtaking distance of one meter and a half (1.5 m) between any part of the motor vehicle and any part of the bicycle or its operator.

SECTION 3. Nationwide Public Information Campaign. – The Department of Transportation-Land Transportation Office (DOTr-LTO), in coordination with the Philippine Information Agency, the Department of Education, the Department of the Interior and Local Government, the Metro Manila Development Authority (MMDA), the Philippine National Police (PNP), and private agencies and organizations shall undertake a nationwide information, education and communication campaign for a period of six (6) months from the effectivity of this Act.

SECTION 4. Penalties. – Any person who shall violate Section 2 of this Act shall be penalized with:

- (a) A fine of five thousand pesos (P5,000.00) for the first offense;
- (b) A fine of ten thousand pesos (P10,000.00) for the second offense;

(c) A fine of fifteen thousand pesos (P15,000.00) and suspension of driver's license for three (3) months for the third offense; and

(d) A fine of twenty thousand pesos (P20,000.00) and revocation of driver's license: Provided, That the implementing agency may increase the amount of fine herein imposed once every five (5) years in the amount not exceeding ten percent (10%) of the existing rates sought to be increased which shall take effect only upon publication in at least two (2) newspapers of general circulation.

The foregoing penalties shall be imposed without prejudice to other liabilities under the Revised Penal Code or any special law, arising out or on occasion of any violation of Section 2.

SECTION 5. *Enforcement and Assistance by Other Agencies.* – The MMDA, the PNP, local government units, and other concerned government agencies and instrumentalities shall be responsible for the enforcement of the foregoing provisions and shall render such assistance as may be required by the DOTr-LTO in order to effectively implement the provisions of this Act.

SECTION 6. *Implementing Rules and Regulations.* – The DOTr-LTO shall promulgate the necessary implementing rules and regulations within sixty (60) days from the effectivity of this Act.

SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 8. *Separability Clause.* – If, for any reason, any part or provision of this Act is declared invalid, such declaration shall not affect the other provisions of this Act.

SECTION 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,