

**NINETEENTH CONGRESS OF THE REPUBLIC)**  
**OF THE PHILIPPINES )**  
*First Regular Session )*



23 JAN 18 P5:23

**SENATE**  
**Senate Bill No. 1700**

RECEIVED BY: \_\_\_\_\_

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Introduced by: **Senator Raffy T. Tulfo**

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**"AN ACT PROVIDING ACCESSIBILITY OF PERSONS WITH DISABILITIES TO THE BUILT ENVIRONMENT, TRANSPORTATION, INFORMATION AND COMMUNICATION TECHNOLOGY AND OTHER FACILITIES AND SERVICES OPEN OR PROVIDED TO THE PUBLIC AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 344 OTHERWISE KNOWN AS THE ACCESSIBILITY LAW"**

EXPLANATORY NOTE

Nearly everyone faces hardships and difficulties at one time or another. But for people with disabilities, barriers can be more frequent and have greater impact. The World Health Organization (WHO) describes barriers as being more than just physical obstacles. In the Philippines, persons with disabilities (PWDs) represent at least twelve percent (12%) of the adult population. They constantly face significant barriers in a physical environment that is not accessible, lack of relevant assistive technology, people stereotyping disability, services, systems and policies that are either nonexistent or that hinder the involvement of all people with a health condition in all areas of life. In addition, due to lack of support services, PWDs who require personal assistance have to rely on

their family members who in turn have to reduce their working hours or stop working altogether to provide such support.

Despite the existence of Batas Pambansa Blg 344, also known as the Philippine Accessibility Law since 1983, very slow and little progress had been achieving because of poor compliance and implementation, especially by concerned government agencies. The BP 344 is being perceived to address only people with physical disabilities and not responsive to human rights-based approach to disability and development. However, owing to the evolving concept of disability, there is a strong clamor to amend this law and make it responsive to the needs of all persons with disabilities.

Article 9 of the UN Convention on the Rights of Persons with Disabilities states that "States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to the following:

- a) Buildings, roads, transportation, and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces.
- b) Information, communications, and other services, including electronic services and emergency services.

In addition, States Parties shall also take appropriate measures:

- a) To develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public.

- b) To ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities.
- c) To provide training for stakeholders on accessibility issues facing persons with disabilities.
- d) To provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms.
- e) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public.
- f) To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information.
- g) To promote access for persons with disabilities to new information and communications technologies and systems, including the Internet.
- h) To promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

Likewise, the participation of persons with disabilities in the development of the implementing rules and regulations, and monitoring and evaluation of the proposed law are important factors to ensure progressive realization of an environment that will allow them to live independently in the community with accessibility and inclusiveness for all.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



**Raffy T. Tulfo**  
Senator



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**"AN ACT PROVIDING ACCESSIBILITY OF PERSONS WITH DISABILITIES TO THE BUILT ENVIRONMENT, TRANSPORTATION, INFORMATION AND COMMUNICATION TECHNOLOGY AND OTHER FACILITIES AND SERVICES OPEN OR PROVIDED TO THE PUBLIC AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 344 OTHERWISE KNOWN AS THE ACCESSIBILITY LAW "**

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

1 Section 1. *Short Title.* - This Act shall be known as the "Accessible Environment  
2 for All Persons with Disabilities Act"

3  
4 Sec. 2. *Declaration of Policy.* - It is the policy of the State to adopt a universally  
5 design facilities and services open or provided to the public and the development of  
6 policies and plans promoting the universally design concepts in the implementation of  
7 actions and measures pertaining to accessibility of the physical environment for all  
8 persons.

9 Towards this end, the State shall facilitate the attainment of a barrier-free environment  
10 that will enable all persons to have access in public and private buildings for public  
11 use, establishments, and facilities. It shall exert efforts to remove all social, cultural,  
12 economic, environmental and attitudinal barriers that are prejudicial to persons with  
13 disabilities. Likewise, the State shall take appropriate measures for the integration of  
14 persons with disabilities into the mainstream of society.

15 Furthermore, the State shall take appropriate measures to ensure that persons with  
16 disabilities have access, on an equal basis with others, to the built environment, to  
17 transportation, to information and communications, including information and  
18 communication technologies and systems, and to other facilities and services open or  
19 provided to the public, both in urban and in rural areas.

1           Sec. 3. *Coverage.* - This Act applies to all government and privately owned  
2 buildings for public use to include common areas in residential condominiums,  
3 buildings, roads, and other indoor and outdoor facilities, including schools, public  
4 libraries, housing, medical facilities, restaurants, theaters, parks, workplaces, to  
5 transportation, to information and communications, including information and  
6 communications technologies and systems, and to other facilities and services open  
7 or provided to the public, both in urban and in rural areas.

8           Sec. 4. *Definition of Terms.* - For purposes of this Act

- 9           a) **Accessibility** refers to the infrastructure that enables persons with  
10 disabilities to live independently and participate fully in all aspects of life.  
11
- 12           b) **Accessible Environment** refers to the infrastructure such as the built  
13 environment including Information and Communications Technology that  
14 enables persons with disabilities to live independently and participate fully in  
15 all aspects of life.  
16
- 17           c) **Barrier-Free Environment** refers to the environment that is unhindered,  
18 without obstructions to enable persons with disability free passage or use of  
19 the facilities.  
20
- 21           d) **Built-environment** refers to the structure. It is the part of the physical  
22 environment that is constructed by human activity. By one definition, the built  
23 environment consists of the following elements: land use patterns, the  
24 distribution across space of activities and the buildings that house them; the  
25 transportation system, the physical infrastructure of roads, sidewalk, bike  
26 paths, etc., as well as the service this system provides; and urban design, the  
27 arrangement and appearance of the physical elements in a community.  
28
- 29           e) **Accessible ICT practices** refer to measures that remove access barriers  
30 that restrict business and social interactions between persons with disabilities  
31 and non-disabled individuals. They also refer to practices that remove age-  
32 related barriers to participation in society, and reduce language and literacy-  
33 related barriers in society. An example of accessible ICT practice is the use  
34 of descriptive text for images, Braille, large print, human-reader and  
35 augmentative and alternative formats. Accessible ICT practices apply to  
36 programs, products and services in various areas, such as education,  
37 employment, transportation, telecommunications, and other forms of  
38 infrastructure. For the web, accessible ICT practices include internationally  
39 accepted practices, such as the voluntary ISO accessibility practices in  
40 information technology and the Web Content Accessibility Guidelines Version  
41 2.0 of the World Wide Web Consortium, as well as the mandatory Joint

1 Memorandum Circular 01 (series 2010) on Accessible Website Design  
2 Guidelines.

- 3  
4 f) **Facility/Service Users** shall pertain to individuals using the facilities  
5 including information and communication systems of the public institutions  
6 and private establishments.  
7  
8 g) **Persons with Disabilities** refer to those who have long term physical,  
9 mental, intellectual or sensory impairments, which in interactions to various  
10 barriers may hinder their full and effective participation on an equal basis with  
11 others.  
12  
13 h) **Providers** refer to public institutions, private establishments and facilities  
14 providing programs and services open or provided to the public.  
15  
16 i) **Sign Language Interpreter** refers to a person trained in translating from  
17 a spoken to a signed language to facilitate communication between a deaf  
18 and a hearing person.  
19  
20 j) **Transportation and Facilities** refer to land, road, rail, sea  
21 and air transportation serving the general public, including facilities  
22 and other services for passengers with disabilities to complete their travel  
23 with ease and on an equal basis with others; (the use of facility users is to  
24 break the stigma that it is only for persons with disabilities.  
25  
26 k) **Universal Design** is the design of products, environments, programs and  
27 services to be usable by all people, to the greatest extent possible, without  
28 the need for adaptation or specialized design. "Universal design" shall include  
29 assistive devices for particular groups of persons with disabilities where this  
30 is needed.  
31  
32 l) **Web Accessibility** is the application of accessibility principle in the website  
33 such as providing for adjustment of font sizes, audio options and others to  
34 facilitate users' equal access to information and communication regardless of  
35 abilities and disabilities.

36 Sec. 5. *Coverage.* - This Act applies to all government and privately owned  
37 buildings for public use to include common areas in residential and commercial  
38 buildings, roads, and other indoor and outdoor facilities, including schools, public  
39 libraries, housing, medical facilities, restaurants, theaters, parks, workplaces, to  
40 transportation and transport terminals, including information and communications  
41 technologies and systems, and to other facilities and services open or provided to the  
42 public, both in urban and in rural areas.

1           Sec. 6. *Granting of Permit and Licenses To Build, Renovate and Operate*  
2 *Building Establishments and Public Transport to Ensure Accessibility.* - In order to  
3 promote the realization of the rights of persons with disabilities to participate fully in  
4 the society and in the development of the societies in which they live and the  
5 enjoyment of the opportunities on an equal basis with others, the following shall be  
6 complied and fulfilled by all concerned individuals, government and private entities:

7           1. No license or permit shall be granted or issued, unless the owner or operator  
8 thereof shall include the installation and incorporation of accessibility features  
9 in the design and work plan for the construction, repair or renovation of public  
10 and private buildings for public use. The following shall include in securing  
11 permits and license to build the following, but not limited to, structures such  
12 as:

- 13           a. All educational institutions, especially public schools, state universities,  
14           training institutions accredited by TESDA, DEPED and Commission on  
15           Higher Education, and other educational and training institutions.
- 16           b. All airports and terminals for buses, trains, ships and ferries and other  
17           forms of public transport.
- 18           c. recreation centers, sports complexes, gymnasias, public multipurpose  
19           halls, evacuation centers
- 20           d. shopping centers, public markets, and related establishments,
- 21           e. public parking places, parks, tourist destinations and accommodations,  
22           restaurants and
- 23           f. government offices, workplaces, action centers and all facilities that  
24           provide services to the public
- 25           g. hospitals, barangay health units, diagnostic centers, medical clinics,  
26           rehabilitation, and other facilities intended for the public
- 27           h. public utility vehicles such as (aircraft, buses, trains, public jeepneys and  
28           other local mode of transportation)

29  
30           2. In all buildings, establishments, institutions and other facilities for  
31 construction or renovation, the following accessibility features shall be  
32 installed to enhance the mobility and safety of all persons with disabilities,  
33 such as, but not limited to:

- 34           a. Parking Space for vehicles conveying persons with disabilities using  
35           mobility devices or driven by drivers with disabilities
- 36           b. Ramps with handrails
- 37           c. Elevator
- 38           d. Directional Tactile leading to toilets, stairs, elevators, and other facilities
- 39           e. Wheelchair Accessible toilets with grab bars (at least 2 cubicles in  
40           common toilets for male and female) with sink wash area accessible for  
41           wheelchair users and other types of disabilities
- 42           f. Non-skid tiles on walkways and inside the toilets

- 1 g. Entrance door in compliance with the agreed measurements
  - 2 h. Wheelchair accessible rooms for hotels and accommodation
  - 3 i. Audio warning signals
  - 4 j. Signages usable by people with all types of disabilities
- 5 3. All operators of public transportation shall ensure availability of vehicles with
   
6 accessibility features for people with all types of disabilities for their safety,
   
7 ease of boarding and disembarkation.
  - 8 4. A 25 % discount in form of tax rebate, shall be granted on the first three
   
9 years of registration for vehicles with accessibility features, such as buses,
   
10 jeepneys, tricycles and other modes of transportation for the public provided
   
11 that such features such as lift, ramps and safety belts are certified safe by
   
12 the supplier.

13 *Sec. 7. Accessibility in Buildings intended for public use.* - All buildings as
   
14 defined in the Building Code of the Philippines, sports and recreational facilities,
   
15 including outdoor and indoor facilities provided or open to public shall be made
   
16 accessible and safe to all facility users including children, older persons and persons
   
17 with disabilities by providing ramps, tactile guides, priority lanes, accessible toilets,
   
18 audio instructions, signages and other forms of communication in accessible formats
   
19 to facilitate independent mobility in
   
20 the facility;

21 Universally designed products, features, and facilities shall be incorporated in the
   
22 design and construction of all government and privately owned buildings for public
   
23 use, transportation facilities, and all other public components of the built environment.

24 Service providers whenever necessary shall make available forms of live assistance
   
25 and intermediaries, including guides, readers and certified sign language interpreters,
   
26 including service guide dogs to facilitate accessibility to buildings, transportation, and
   
27 information communications and other facilities open to the public;

28 *Sec. 8. Accessibility to Transportation.* - All land, (rail and road, including buses,
   
29 jeepneys, tricycles, and trains), sea and air transport vehicles such as ships and
   
30 airplanes and other common carriers open for public use shall have accessibility
   
31 features and mechanisms as deemed necessary to facilitate safe boarding and
   
32 disembarkation of persons with disabilities without discrimination of any form.

33 All Service providers and operators of public transportation and implementing agencies
   
34 are required to provide training to their personnel on assisting persons with disabilities
   
35 in terminals during boarding and disembarkation.

36 *Sec. 9. Accessible Communication.* - All government institutions and private
   
37 establishments providing services to the public shall consider ICT accessible practices



1 by making available accessible information and communications technologies including  
2 computers to facilitate accessible telecommunication and accessible broadcasting  
3 services to all persons with disabilities; It shall ensure compliance to as stipulated in  
4 Republic Act No. 10905 otherwise known as, "An Act Requiring All Franchise Holders  
5 or Operators of Television Stations and Producers of Television Programs to Broadcast  
6 or Present their Programs with Closed Captions Option, and For Other Purposes."

7 The Department of Information, Communication Technology (DICT) should come-up  
8 with a research study on and development with appropriate agencies in ICT.

9 All national and local government offices shall take into account accessibility for  
10 persons with disabilities in providing public information by making available  
11 information materials in accessible formats, providing sign language interpretation and  
12 ensuring website accessibility for all users. Compliance to Republic Act No. 11006 also  
13 known as the Filipino Sign Language Law shall be observed and included in monitoring  
14 and evaluation of this act.

15 Service providers for telecommunication, broadcasting, information, computer and  
16 other information technology devices shall make efforts to take into account  
17 accessibility for persons with disabilities in providing services or manufacturing devices  
18 on the basis of  
19 usability;

20 Information and communication technology devices, hardware and other components  
21 shall be designed appropriately for the ease of use of persons with disabilities;

22         *Sec. 10. Access Audit Teams.* - The Department of Public Works and Highways  
23 (DPWH) through its Regional Offices shall lead the creation of Access Audit Teams in  
24 coordination with the LGU Provincial/ City government units to monitor the full  
25 implementation of the law. The Access Audit Teams shall include representatives from  
26 the Department of Transportation, Department of Information and Communications  
27 Technology, and persons with disabilities to participate in the assessment of  
28 accessibility of facilities.

29         *Sec. 11. Penalty Clause.* - Any person violating any provision of this Act or of  
30 the rules and regulations shall suffer the following penalties:

31 For the first violation, a fine of not less than Two Hundred Fifty Thousand Pesos (PhP  
32 250,000.00) but not exceeding Five Hundred Thousand Pesos (PhP 500,000.00) or  
33 imprisonment of not less than six (6) months but not more than two (2) years, or both  
34 at the discretion of the court;

35  
36 For any subsequent violation, a fine of not less than Five Hundred Thousand Pesos  
37 (PhP 500,000.00) but not exceeding One Million Pesos (PhP 1,000,000.00) or

1 imprisonment for not less than two (2) years but not more than six (6) years, or  
2 both at the discretion of the court.

3 Any person who abuses the privileges granted herein shall be punished with  
4 imprisonment of not less than six (6) months or a fine of not less than Five Thousand  
5 Pesos (PhP 5,000.00) but not more than Fifty Thousand Pesos (PhP 50,000.00), or  
6 both at the discretion of the court.

7 If the violator is a corporation, organization or any similar entity, the officers including  
8 the building administrator and local government unit (LGU) building officials thereof  
9 directly involved shall be liable therefor.

10 If the violator is an alien or a foreigner, he shall be deported immediately after service  
11 of sentence without further deportation proceedings.

12         *Sec. 12. Appropriations.* - All government agencies shall include in their budget  
13 the amount necessary to carry out the provisions of this Act. Thereafter, such amount  
14 shall be included in the General Appropriations Act. The Department of Budget and  
15 Management (DBM), Commission on Audit (COA) and National Council on Disability  
16 Affairs (NCDA) shall monitor the implementation of this Act.

17         *Sec. 13. Implementing Rules and Regulations.* - The Department of Public  
18 Works and Highways (DPWH) in coordination with Department of Transportation  
19 (DOTr), Department of Information and Communications Technology (DICT), with the  
20 Department of Interior and Local Government (DILG), Department of Education  
21 (DepED) and National Council on Disability Affairs (NCDA), and Civil Society  
22 Organizations and Disabled People's Organizations (CSO/DPO) representatives shall  
23 promulgate the necessary rules and regulations for the effective implementation of  
24 the provisions of this Act.

25         *Sec. 14. Separability Clause.* - If any provision of this Act is held invalid or  
26 unconstitutional, the remainder of the law or the provision not otherwise affected shall  
27 remain valid and in effect.

28         *Sec. 15. Repealing Clause.* - Any law, presidential decree or issuance, executive  
29 order, letter of instruction, administrative order, rule or regulation contrary to or  
30 inconsistent with the provision of this Act is hereby repealed, modified, or amended  
31 accordingly.

32         *Sec. 16. Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
33 publication in at least two (2) newspapers of general circulation.

34 Approved,