

AN ACT TO CREATE THE BUREAU OF PUBLIC HIGHWAYS, ABOLISHING THE DIVISION OF HIGHWAYS OF THE BUREAU OF PUBLIC WORKS.

REPUBLIC ACT NO. 1192, August 25, 1954

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

SECTION 1. Creation and chief officials of the Bureau of Public Highways.—There is created in the Department of Public Works and Communications an office to be known as the "Bureau of Public Highways," which shall have one chief to be designated as the Commissioner of Public Highways who shall be appointed by the President of the Philippines with the consent of the Commission on Ments and shall receive an annual compensation of thousand six hundred pesos. He shall, upon appointment, take and file the oath prescribed by law for public officers, shall be bonded in accordance with the Public Bonding Law in the sum of twenty-five thousand pesos, and shall be subject to removal by the President for neglect of duty or for nonfeasance or malfeasance in office.

No person shall be appointed Commissioner of Public Highways unless he is a competent civil engineer, graduate of an engineering college duly recognized by the Government, with at least fifteen years experience in highway and bridge construction, maintenance and repair.

Any reference made in any act, executive order, administrative order, proclamation, rules or regulations to the Bureau of Public Works or to the Division of Highways of said Bureau in relation to construction, improvement, maintenance or repair of public roads, streets or highways or other activities connected therewith, shall hereafter be understood to be a reference to the Bureau of Public Highways herein created: Provided, That no additional administrative expenditures for the operation of the Bureau of Public Highways created under this Act shall be drawn from the general funds, such expenditures being proper charges against the allotments already set aside under section six, paragraph (a), of Republic Act Numbered Nine hundred and seventeen, known as the "Philippine Highway Act of 1953."

SEC. 2. Powers, duties, functions and aims of the Bureau in general.—The Bureau of Public Highways shall have the following powers, duties, functions and aims in general:

- The planning of a national highway program and the administration of large highway construction expenditures;
- The conducting of research and investigation studies, including studies of highway administration, legislation, nuance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highly traffic control; investigations and experiments in the best methods of road making, especially by the use of local aterials; studies of types of mechanical plants and appliances used for road building and maintenance, and of methods of road repair and maintenance suited to the of different localities;
- The survey, construction, care, maintenance, improvement and repair of national roads, express highways through cities, main rural highways, and the establishment of a highway system connecting the principal metropolitan areas and important industrial centers, and a system of secondary or farm-to-market roads;

- The giving of advice to the President of the Philippines, the Congress, and the Secretary of Public Works and Communications upon matters pertaining to public high-ways;
- The making of needful preliminary investigations plans and specifications for the construction or repair of national roads, the obtaining of bids for contract work, the acceptance or rejection of the same and the awarding of contracts therefor;
- The preparation of plans and estimates with reference to provincial and municipal roads, the letting of contracts therefor, and supervision over the construction, improvement, maintenance, and repair thereof;
- The supervision over the engineering features of streets throughout the Philippines, whether pertaining to the National Government or to any political subdivision thereof;
- To cooperate with the department or departments concerned in the construction of roads in national forests, national parks and other areas belonging to the National Government.

SEC. 3. Powers and duties of the Commissioner.—The Commissioner of Public Highways shall possess the powers conferred generally on bureau chiefs, shall have full control, management, supervision, administration, and direction of the Bureau, and shall be responsible for the carrying out of the activities thereof. In particular, he shall be directly responsible for: (1) the administration of Republic Act Numbered Nine hundred seventeen, otherwise known as the Philippine Highway Act of 1953; (2) preparation of long-range programs of highway development, improvement and construction; (3) formulation of uniform practices for the physical design of highway facilities; (4) direction and search in matters of highway planning, location, design, construction and maintenance, including the testing of materials and the proper and efficient use of highway equipment; (5) promotion of sane economy in the expenditure of highway funds, utilization of supplies and materials, preservation of property and equipment, and management operations; (6) preparation of annual budgets of proposed expenditures for construction, reconstruction, and improvement work; (7) causing minutes of his acts to be kept; and (8) supervising the signing of vouchers, orders for supplies, materials, and any other expenditures.

The Commissioner shall not hold any other office, shall devote his entire time to the duties of his office, and shall not hold any position of trust or profit, nor engage in any business or occupation interfering or inconsistent with his duties, nor serve on or under any committee of any political party.

The Commissioner, or whosoever may be designated by him, may hold sessions or conduct investigations or hearings at his office or at any other place within the Philippines when deemed necessary to facilitate the work of his Bureau.

The Commissioner shall be custodian of, and shall preserve, the files and records of the Bureau, which, under reasonable regulations, shall be open to public inspection. Copies of said files and records, when certified by the Commissioner as being true copies, shall be received in evidence in any court in the Philippines with the same force and effect as the originals.

He shall cause the books of account of the Bureau to be kept accurately and completely, showing, among other things, the following facts:

- The cost of maintaining the Bureau, including the salaries and expenses of the individual officers and employees thereof;
- The amounts of money expended for the construction maintenance of public highways, when and where, upon what job or portion of the road expended, so that the cost per kilometer of such construction or maintenance can be ascertained with ease; and

- The amount of road equipment and materials chased, and when and where and from whom purchased. Such books also shall show the price paid for each item. The original invoice shall form a part of the permanent files and records in the Bureau of Public Highways.

Any reference made in any act, executive order, administrative order, proclamation, rules or regulations to the Director of Public Works in relation to construction, improvement, maintenance or repair of public roads, street or highways or other activities connected therewith, shall hereafter be understood to be a reference to the Commissioner of Public Highways.

SEC. 4. Duties of the Chief Highway Engineer.—The Chief Highway Engineer, aside from duties assigned to his office under section five hereof, shall assist the Commissioner in carrying out the activities of the Bureau. In particular, he shall be directly responsible for: (1) coordinating the various phases of planning, location, design, construction and maintenance of public highways; (2) coordinating matters of line and grade with the services on design of bridges and railroad crossing's; (3) coordinating matters of research and specifications with other highway services; (4) checking and passing on final awards of contracts; and (5) reviewing and passing on highway budgets prepared by the corresponding division or service.

In the event of the sickness, absence or other temporary incapacity of the Commissioner, or if the office of Commissioner is vacant, the powers and duties of the Commissioner shall be exercised and performed by the Chief Highway Engineer.

SEC. 5. Organization.—Until properly determined by the Government Survey and Reorganization Commissioner created under Republic Act Numbered Nine hundred ninety-seven, the present organization and personnel of the Division of Highways in the Bureau of Public Works shall continue to function under the Bureau of Public Highways created by this Act, exercising the same powers and duties as are already assigned to the different offices of the said division under Republic Act Numbered Nine hundred seventeen.

The different specialized services under the said Division Highways shall be constituted regularly organized divisions. The Chief Highway Engineer shall perform the inherent to his position as prescribed in Republic Act Numbered Nine hundred seventeen and those provided under this Act, and he shall receive a salary of seven thousand eight hundred pesos per annum. The incumbent field Division and District Engineers shall become the Highway Division and Highway District Engineers, respectively, who shall serve as ex-officio Public Works Division and District Engineers, until the appointment of regular Division and District Engineers of the Bureau of Public Works is authorized by law.

SEC. 6. Authority of officials to administer oaths and take testimony.—The Commissioner of Public Highways, the Chief Highway Engineer, and the Chiefs of Divisions in the Bureau of Public Highways, and the Heads of the Highway Engineering Divisions, Highway Engineering Districts and City Highway Engineering Offices, shall have authority to administer oaths in the transaction of official business. The same officials or other officer or employee of the Bureau thereunto especially deputed by the Commissioner shall have further authority to take testimony in any matter within the jurisdiction of the Bureau.

SEC. 7. Medical supplies and attendance for employees the Bureau.—When officers and employees of the Bureau of Public Highways are engaged on authorized highway instruction, reconstruction, improvement, repair or maintenance at places where usual medical attendance is not accessible, the Commissioner of Public Highways may, with the approval of the Department Head, request the Secretary Health to assign such physicians in the Government service as in his judgment may be necessary for the best of the service.

SEC. 8. Abolition of the Division of Highways of Bureau of Public Works.—The Division of Highways the Bureau

of Public Works, as reorganized pursuant i the provisions of the Philippine Highway Act of 1953, is abolished, and its personnel, unexpended appropriation records, supplies, materials, equipment and other properties are transferred to the Bureau of Public Highways here created. The powers, duties and functions heretofore ercised and performed by the said Division shall hereafter be exercised and performed by the Bureau of Public High ways in so far as they are not inconsistent with this Act and the regulations issued thereunder.

SEC. 9. Regulations.—The Secretary of Public Works and Communications shall issue such rules and regulations as may be necessary to carry out the purposes of this Act.

SEC. 10. Laws repealed or amended.—All acts, executive orders, administrative orders, proclamations, rules and regulations, or parts thereof, inconsistent with this Act are repealed or amended accordingly.

SEC. 11. Date of effectivity.—This Act shall take effect on the first day of July, nineteen hundred fifty-four.

Approved, August 25, 1954.

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