

AMENDING FURTHER THE REVISED PHILIPPINE HIGHWAY ACT, AS AMENDED, TO FACILITATE THE MAINTENANCE OF LOCAL ROADS

PRESIDENTIAL DECREE NO. 1108, March 22, 1977

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WHEREAS, the allocation and use of funds for the maintenance of the country's network of roads and bridges is prescribed in the Revised Philippine Highway Act, as amended;

WHEREAS, it has become necessary to improve procedures for funding the maintenance of local roads and bridges to ensure fully effective local road maintenance programs by local governments; and

WHEREAS, it is desirable to improve the capability of local government to carry out their road maintenance programs in consonance with the concept of local autonomy;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. The provisions of Section 8(d), Article IV of Republic Act 917, as amended, are further amended to read as follows:

"Sec. 8. National Aid-Highway Maintenance Funds. — The apportionment for national aid for tenance of local roads shall be determined as follows:

"(d) In order to qualify for national aid for said maintenance, provinces, cities and municipalities shall be required to submit for approval by the Secretary of the Department of Public Highways, an annual maintenance program two months prior to the start of each new financial year, for the entire network of roads under their jurisdiction. Provincial, city or municipal treasurers shall submit to the Department of Public Highways a quarterly certification of counterpart road and bridge maintenance funds for their respective municipality, city or province. Certifications made by municipal treasurers shall be attested to by their respective provincial treasurers. The President may set the level of counterpart road and bridge maintenance fund to be appropriated by local government units. These shall be initially at least equal to one-half of the amount of national aid in the case of provincial roads; at least twice the amount of national aid for city roads; at least two-thirds of national aid for municipal roads: PROVIDED, That the President may set local counterpart maintenance requirements for barangay roads which shall be appropriated by the municipalities or cities concerned."

SECTION 2. Section eleven of the same Act is hereby amended to read as follows:

"Sec. 11. Supervision and control of projects financed by the national government. — The provisions of any existing law, rule or regulation to the contrary notwithstanding, all highways work project financed by the national government through the Department of Public Highways expenditure program shall be under the control and supervision of the Department of Public Highways, subject to such laws, rules and regulations governing the prosecution of public works projects: PROVIDED, That local government projects supported by the national government through the Department of Public Highways expenditure program, whether for maintenance, rehabilitation, betterment or for improvement, shall be under the direct control and supervision of the respective local government units; PROVIDED, HOWEVER, That the Department of Public Highways

shall set maintenance standards, planning requirements and control procedures governing the approval and release of national aid funds as necessary to carry out the requirements of Section eight of this Act, and for this purpose, may inspect the financial accounts, work records and maintenance sites of local authorities; PROVIDED, Further, That the Department of Public Highways shall adopt the necessary procedures for monitoring the financial and physical aspects of road maintenance activities of local governments, to be augmented by appropriate mechanisms for reporting on such maintenance activities which may be separately established by the Department of Finance and the Department of Local Government and Community Development in the exercise of their respective jurisdictions over local governments, as authorized by law."

SECTION 3. Changes in Procedure. — The President may change the procedural requirements and waive in whole or in part, local counterpart requirements for financially distressed local government units, which are prescribed in the Revised Philippine Highway Act (Presidential Decree No. 17, as amended), for the purpose of achieving the timely release of National Government funds intended as aid to local government for local maintenance and generally to ensure the efficient maintenance of local roads.

SECTION 4. Repealing Clause. — The provisions of laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Decree are hereby repealed or modified accordingly.

SECTION 5. Effectivity. — This Decree shall take effect immediately.

DONE in the City of Manila, this 22nd day of March, in the year of Our Lord, Nineteen Hundred and Seventy-Seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

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