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SENATE

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S.B. No. 2173

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Introduced by Senator Ralph G. Recto

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AN ACT

**ALLOWING THE USE OF MOTORCYCLES AS PUBLIC UTILITY VEHICLES,  
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4136, OTHERWISE KNOWN  
AS THE "LAND TRANSPORTATION AND TRAFFIC CODE"**

Republic Act (R.A.) No. 4136 or the Land Transportation and Traffic Code mandates that motorcycles can only be registered as private vehicles or as government vehicles, but not vehicles for hire. Under the law, motorcycles cannot be used as public utility vehicles, thus making the operations of motorcycles-for-hire and motorcycle ride-hailing apps like Angkas illegal.<sup>1</sup> Unlike Grab and the then Uber which are allowed to operate under the Department of Transportation's Department Order No. 2015-011, there is no regulation allowing the use of motorcycles-for-hire.

Motorcycles are a common mode of transportation in the Philippines. In 2018, Angkas has over 20,000 riders and over 1 million downloads because it has made a reputation of providing fast and reliable service.<sup>2</sup> In the recent years, motorcycles-for-hire also known as *habal-habal*, has been considered as the fastest means of transportation, particularly amidst traffic congestion in urban areas like Metro Manila. In some rural areas, it is the only mode of transportation in rugged, winding and narrow roads that cannot be negotiated by regular vehicles.

Unfortunately, *habal-habal* is an unregulated, illegal mode of transport and considered *colorum*, despite being widely used in rural areas and increasingly in urban locales.

With the worsening traffic situation coupled with the lack of better options, *habal-habals* became a means to ease the suffering of the riding public. This is the reason why there is a need to allow motorcycles-for-hire to operate because they help in ferrying people. Legalizing motorcycles-for-hire would help regulate its operations, at the same time protect both the operator and the riding public. This move will also allow our fellow Filipinos a decent livelihood as motorcycles-for-hire drivers or operators.

It is high time to allow the clamor from commuters heard: to legalize the operations of motorcycles-for-hire and motorcycle ride-hailing apps like Angkas legal.

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

  
RALPH G. RECTO

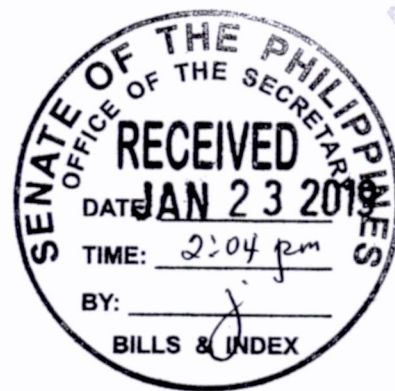
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<sup>1</sup> Subingsubing, Krixia. (January 18, 2019). "DOTr prefers amending law to legalize Angkas". Information retrieved at <http://newsinfo.inquirer.net/1074422/dotr-prefers-amending-law-to-legalize-angkas> on January 21, 2019.

<sup>2</sup> Reyes, Riza Raoul (30 November 2018). "Angkas: Riding with the winds of change". Information retrieved at <https://businessmirror.com.ph/2018/11/30/angkas-riding-with-the-winds-of-change/> on January 22, 2019.

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



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

1           **SECTION 1.** Section 3 of Republic Act (R.A.) No. 4136 shall be amended to read as  
2 follows:

3           “ X X X, AND

4           “(N) PUBLIC UTILITY MOTORCYCLES – ANY TWO-WHEELED  
5 MOTOR VEHICLE WEIGHING LESS THAN ONE THOUSAND  
6 KILOGRAMS (1,000 KG) THAT CAN TRAVEL FASTER THAN  
7 FIFTY KILOMETERS PER HOUR (50 KM/H) AND HAS AN ENGINE  
8 CAPACITY OF AT LEAST ONE HUNDRED TWENTY FIVE CUBIC  
9 CENTIMETERS (125 CM<sup>3</sup>) SHALL BE REGISTERED WITH THE  
10 LAND TRANSPORTATION OFFICE (LTO) AS FOR HIRE AND  
11 MAY BE USED AS COMMERCIAL VEHICLE TO FERRY THE  
12 COMMUTING PASSENGERS.”

13           **SEC. 2.** Section 7 of R.A. No. 4136 shall be amended to read as follows:

14           “**Section 7. Registration Classification.** - Every motor vehicle shall be  
15 registered under one of the following described classifications:

16           “X X X

17           “(d) Public utility automobiles; e) public utility trucks; (f) taxis and auto-  
18 calesas; (g) garage automobiles; (h) garage trucks; (i) hire trucks; [and] (j)  
19 trucks owned by contractors and customs brokers and customs agents[.] ;  
20 **AND K) PUBLIC UTILITY MOTORCYCLES.** Application for  
21 registration under these classifications shall be accompanied by a  
22 certificate of public convenience or a special permit issued by the [Public  
23 Service Commission] **LAND TRANSPORTATION FRANCHISING**  
24 **AND REGULATORY BOARD (LTFRB)**, and motor vehicles  
25 registered under these classifications shall be subject to the Public Service  
26 Law, rules and regulations, as well as the provisions of this Act.”



1           **SEC. 3. *Implementing Rules and Regulations.*** – The Secretary of Transportation shall,  
2 within sixty (60) days from the implementation of this Act, promulgate the necessary rules and  
3 regulations for its proper implementation.

4           **SEC. 4. *Separability Clause.*** – If any part, section or provision of this Act is declared  
5 invalid or unconstitutional, no other parts, sections or provisions hereof shall be affected thereby.

6           **SEC. 5. *Repealing Clause.*** – All laws, decrees, ordinances, rules, regulations, other  
7 issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified  
8 accordingly.

9           **SEC. 6. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its complete  
10 publication in at least two (2) newspapers of general circulation or the *Official Gazette*.

*Approved,*