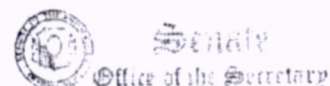


**SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)**



'19 JAN 28 P3 :28

SENATE

S. B. No. 2180

RECEIVED

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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

EXPLANATORY NOTE

With the current lack of available mass transportation, and given the severe traffic congestion in urban areas including Metro Manila, motorcycles have been an alternative mode of transportation. Motorcycles are preferred as they offer mobility, and are more affordable than other vehicles.

Advances and innovations in technology have transformed the transportation landscape in the Philippines. Transportation Network Vehicle Service (TNVS) has been allowed by the Department of Transportation (DOTR) to operate in the country. However, TNVS which uses motorcycles to ferry passengers was banned due to a 55-year old which prohibits the use of motorcycles for hire. Commuters, therefore, have resorted to the informal and unregulated mode commonly known as "habal-habal".

Enacted in 1964, Republic Act No. 4136 or the Land Transportation and Traffic Code has to be amended to adapt with the need for alternative modes of transportation. Rather than banning and declaring motorcycle for hire as illegal, the State should regulate the use of such vehicles to make it a safe and sustainable option for commuting not only for the commuters, but also for the riders and pedestrians.

This proposed measure seeks to amend the Land Transportation and Traffic Code to allow the use of public utility motorcycles. This bill also empowers the DOTR to issue necessary rules and regulations involving the operations of such vehicles while ensuring the safety of passengers. Recognizing the vital role of an efficient and reliable transportation system, it is imperative that we acknowledge and regulate alternative modes of transportation.

In view of the foregoing, the immediate enactment of this measure is earnestly sought.

A handwritten signature in black ink, consisting of a stylized 'J' followed by 'V', 'G', and 'E', with a horizontal line extending to the left from the 'J'.

SENATOR JOSEPH VICTOR G. EJERCITO

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "**Public Utility**
2 **Motorcycles Act of 2019**"

3 **SEC. 2. Declaration of Policy.** – Recognizing the vital role of an efficient and
4 reliable transportation system, and acknowledging the lack of infrastructure and mass
5 transportation in the country, it is hereby declared the policy of the State to promote
6 adequate, efficient and safe modes of transportation in the country. Towards this
7 end, the State shall allow and regulate alternative modes of transportation while
8 ensuring the safety for the riding public.

9 **SEC. 3. Amendments of Republic Act No. 4136.** – Section 3 of Republic
10 Act No. 4136, otherwise known as the "Land Transportation and Traffic Code" is
11 hereby amended to add the following:
12

13 "(N) PUBLIC UTILITY MOTORCYCLES – ANY TWO-WHEELED MOTOR VEHICLE
14 WEIGHING LESS THAN ONE THOUSAND (1000) KILOGRAMS AND CAN TRAVEL
15 FASTER THAN FIFTY (50) KILOMETERS PER HOUR (KM/H) OR HAS AN ENGINE
16 CAPACITY EXCEEDING FIFTY (50) CUBIC CENTIMETERS, DULY REGISTERED WITH

1 g) Others as may be necessary.

2 Supplementary regulations may be issued periodically to further improve the
3 implementation of this Act.

4 **SEC. 5. *Public Utility Motorcycle Operations Inspection and Review.* -**

5 The DOTR and the LTO shall conduct regular inspection of public motorcycles plying
6 the roads, and shall annually review the operations of application-based transportation
7 network services. The DOTR shall annually submit to Congress a report containing the
8 status of the implementation of this Act.

9 **SEC. 6. *Separability Clause.* -** If any provision of his Act is declared invalid
10 or unconstitutional, the remaining parts or provisions not affected shall remain valid.

11 **SEC. 7. *Repealing Clause.* -** All acts, executive orders, administrative orders,
12 proclamations, rules and regulations or parts thereof inconsistent with any of the
13 provisions of this Act are hereby repealed or modified accordingly.

14 **SEC. 8. *Effectivity.* -** This Act shall take effect fifteen (15) days after its
15 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,