

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



19 FEB 11 A10 :59

SENATE
S.B. No. 2210

Introduced by Senator SONNY ANGARA

AN ACT
ALLOWING AND REGULATING THE USE OF MOTORCYCLES AS PUBLIC
UTILITY VEHICLES, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 4136
OTHERWISE KNOWN AS THE LAND TRANSPORTATION AND TRAFFIC CODE,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Currently, the Land Transportation and Traffic Code, or Republic Act 4136, only allows the registration of motorcycles for either private or government use, outlawing its listing as a vehicle for hire. However, individuals, and even unaccredited transport groups, continue to utilize motorcycles for public transport despite the explicit prohibition of such operation under the same law.

Motorcycles-for-hire or *habal-habal* have been long used, even becoming a primary mode of public transportation in the provinces. Without mandatory specifications for safety, these motorcycles are modified to accommodate up to 11 passengers which undoubtedly endanger not only passengers, but also other motorists and pedestrians on the road.

In recent years, companies begun offering a similar motorcycle-for-hire service as an alternative to ride-sharing schemes in cities and surrounding urban areas. The worsening traffic congestion in main thoroughfares still forces commuters to use motorcycle ride-hailing apps as a fast and affordable option to reach their destination on time, in spite of being unregulated.

In recognition of this growing public need, this measure legalizes the use of motorcycles-for-hire by amending the Land Transportation and Traffic Code to finally permit public utility motorcycles. The regulation extended by this Bill establishes motorcycle-for-hire service as a legitimate livelihood and as a legally-recognized mode of public transportation that protects both operators and passengers.

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

SONNY ANGARA

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AN ACT
ALLOWING AND REGULATING THE USE OF MOTORCYCLES AS PUBLIC UTILITY VEHICLES, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 4136, OTHERWISE KNOWN AS THE LAND TRANSPORTATION AND TRAFFIC CODE, AND FOR OTHER PURPOSES

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

1 Section 1. *Title.* – This Act shall be known as the "*Motorcycles-for-Hire Act.*"

2 Sec. 2. *Declaration of Policy.* – It is the policy of the State to render basic
3 services to the people and promote their safety and general welfare. Toward this
4 end, the use of motorcycles as an alternative mode of public transportation is hereby
5 allowed and regulated in recognition of the need to provide convenience and ease of
6 commute in urban and rural areas while ensuring public safety and the efficiency of
7 the transportation system as a whole.

8 Sec. 3. Section 3 of Republic Act No. 4136 or the Land Transportation and
9 Traffic Code is hereby amended by adding a new word which shall be defined as
10 follows:

11 **x x x**

12 **“(N) MOTORCYCLES-FOR-HIRE – ANY TWO-WHEELED MOTOR**
13 **VEHICLE THAT MAY BE REGISTERED WITH THE LAND**
14 **TRANSPORATION OFFICE AS FOR HIRE AND MAY BE USED AS A**
15 **COMMERCIAL VEHICLE TO TRANSPORT PASSENGERS AND GOODS:**
16 ***PROVIDED, THAT, FOR TRANSPORTING PASSENGERS, THE***

1 **MOTORCYCLE SHALL HAVE A MINIMUM ENGINE DISPLACEMENT OF**
2 **125 CUBIC CENTIMETERS AND A BACKBONE TYPE BUILT."**

3 Sec. 4. – Section 7 (d) of Republic Act No. 4136 or the Land Transportation
4 and Traffic Code is hereby amended to read as follows:

5 "Sec. 7. *Registration Classification.* – Every motor vehicle shall be registered
6 under one of the following described classifications:

7 (a) xxx

8 (b) xxx

9 (c) xxx

10 (d) Public utility automobiles; (e) public utility trucks; (f) taxis and
11 auto-calesas; (g) garage automobiles; (h) garage trucks; (i) hire
12 trucks; [and] (j) trucks owned by contractors and customs brokers
13 and customs agents [.]; **AND (K) MOTORCYCLES-FOR-HIRE.**

14 Application for registration under these classifications shall be
15 accompanied by a certificate of public convenience or a special
16 permit issued by the **LAND TRANSPORTATION FRANCHISING**
17 **AND REGULATORY BOARD** [Public Service Commission], and
18 motor vehicles registered under these classifications shall be
19 subject to the Public Service Law, rules and regulations, as well as
20 the provisions of this Act.

21 xxx."

22 Sec. 5. *Roadworthiness of Motorcycles-for-hire.* – The Land Transportation
23 Office (LTO) shall ensure the roadworthiness of motorcycles-for-hire before
24 registration or renewal of registration. To further ensure safety, no modification shall
25 be made on motorcycles-for-hire, except the installation, based on safe engineering
26 design specifications, of motorcycle luggage carrier, saddlebag, step board or foot
27 peg and appropriate speed limiter and monitoring device.

28 Sec. 6. *Issuance of Driver's License.* – Pursuant to Section 23-A of the Land
29 Transportation and Traffic Code, as amended by Republic Act No. 10930, the LTO
30 shall promulgate the necessary prerequisites and guidelines for the issuance of
31 licenses to the driver-applicants, including the theoretical and practical examinations

1 appropriate for motorcycles-for-hire. The LTO shall also ensure the continuous
2 safety training of licensed drivers for motorcycles-for-hire.

3 *Sec. 7. Separability Clause.* – If any provision of this Act is held invalid or
4 unconstitutional, the other provisions not so declared shall remain in force and effect.

5 *Sec. 8. Repealing Clause.* – All laws, decrees, orders, rules and regulations
6 contrary to or inconsistent with the provisions of this Act are hereby repealed or
7 amended accordingly.

8 *Sec. 9. Effectivity.* – This Act shall take effect fifteen (15) days after its
9 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,