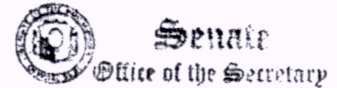


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. B. No. 1025

'19 SEP -9 P5:04

RECEIVED BY: _____

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, transport network vehicle service (TNVS) 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.

A handwritten signature in black ink, consisting of a large, stylized initial 'S' followed by a long, sweeping horizontal line that ends in a small upward curve.

SONNY ANGARA



19 SEP -9 P5:04

SENATE
S. B. No. 1025

RECEIVED BY: _____

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

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 end,
4 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 "Sec. 3. *Words and Phrases Defined.* – As used in this Act:

12 "x x x

13 **"(N) "MOTORCYCLES-FOR-HIRE" SHALL MEAN ANY TWO-**
14 **WHEELED MOTOR VEHICLE THAT MAY BE REGISTERED WITH**
15 **THE LAND TRANSPORTATION OFFICE AS FOR HIRE AND MAY BE**
16 **USED AS A COMMERCIAL VEHICLE TO TRANSPORT**

1 **PASSENGERS AND GOODS: PROVIDED, THAT, FOR**
2 **TRANSPORTING PASSENGERS, THE MOTORCYCLE SHALL HAVE**
3 **A MINIMUM ENGINE DISPLACEMENT OF 125 CUBIC**
4 **CENTIMETERS AND A BACKBONE TYPE BUILT."**

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

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

9 (a) x x x

10 x x x

11 (d) Public utility automobiles; (e) public utility trucks; (f) taxis and auto-
12 calesas; (g) garage automobiles; (h) garage trucks; (i) hire trucks; [~~and~~]

13 (j) trucks owned by contractors and customs brokers and customs
14 agents [-]; **AND (K) MOTORCYCLES-FOR-HIRE.** Application for

15 registration under these classifications shall be accompanied by a
16 certificate of public convenience or a special permit issued by the [~~Public~~

17 ~~Service—Commission~~] **LAND TRANSPORTATION FRANCHISING**

18 **AND REGULATORY BOARD,** and motor vehicles registered under

19 these classifications shall be subject to the Public Service Law, rules and
20 regulations, as well as 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 peg
27 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 safety
2 training of licensed drivers for motorcycles-for-hire.

3 Sec. 7. *Separability Clause.* – If any portion or provision of this Act is
4 subsequently declared invalid or unconstitutional, other provisions hereof which are
5 not affected thereby shall remain in full force and effect.

6 Sec. 8. *Repealing Clause.* – All other laws, acts, presidential decrees, executive
7 orders, presidential proclamations, issuances, rules and regulations, or parts thereof
8 which are contrary to or inconsistent with any of the provisions of this Act are hereby
9 repealed, amended, or modified accordingly.

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

Approved,