

NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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Senate
Office of the Secretary

22 NOV -3 P5:49

SENATE

S. No. 1465

BY 

Introduced by SENATOR RAMON BONG REVILLA, JR.

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

In cities, municipalities, and barangays across the nation, the transportation situation has worsened over the recent years; mainly due to the substantial growth in the number of motor vehicles in our country, be it motorcycles or cars or trucks. The numbers have grown exponentially, and with the increase of the vehicle population comes the decrease of space on our already narrow roads. The traffic situation has become a real problem that has affected our economy, our psyche and our physical health. The nation currently moves forward with exhaustion as commuting in the Philippines has now become a dreaded necessity.

With that being said, our citizens are forced to find other means of travelling amidst the transportation crisis. There is now a proliferation of motorcycles-for-hire recently known as *habal-habal*, for our commuters. This is their saving grace in their day-to-day travels as working citizens are left with no other options. It is considered to be the most convenient and cheapest way to get from point A to point B, for the lack of other means of transportation. Some companies have already "officialised" this type of ride-hailing service such as Angkas and other companies that use technology to bring it together.

Despite the benefits and convenience this alternative mode of transportation brings to the table for our citizens, the dangers and risks entailed cannot be ignored

or denied. The absence of laws regulating the operation of motorcycles-for-hire or *habal-habal* pose a great threat to the riding public.

This Act, therefore, proposes to amend Section 7 (c) of Republic Act (RA) No. 4136, otherwise known as the "*Land Transportation and Traffic Code*". This measure will resolve the existing inadequacies in our laws and shall promote the safety and welfare of people who patronize motorcycles-for-hire known as *habal-habal*. Any two-wheeled motor vehicle known as motorcycles-for-hire may be registered with the Land Transportation Office (LTO) as for hire and may be used as a commercial vehicle to transport passengers and goods. Application for registration under this classification shall be accompanied by a Certificate of Public Convenience or a special permit issued by the Land Transportation Franchising and Regulatory Board (LTFRB). This will ensure that operators and drivers will be held responsible for the negligent operation of their own motorcycles. The same will likewise prevent abuse from owners, operators and drivers, thus ensuring low-cost and safe transportation.

The passage of this bill is earnestly sought.



RAMON BONG REVILLA, JR.

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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 “*Motorcycles-for-Hire*
2 *Act*”.

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

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

12 X X X

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

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

3 Sec. 4. – Section 7 (d) of RA 4136 is hereby amended to read as follows:

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

6 (a) x x x

7 (b) x x x

8 (c) x x x

9 (d) Public utility automobiles; e) public utility trucks; (f) taxis and auto-calesas;

10 (g) garage automobiles; (h) garage trucks; (i) fire trucks; [and] (j) trucks

11 owned by contractors and customs brokers and custom agents [.] **AND (K)**

12 **MOTORCYCLES-FOR-HIRE.** Application for registration under these

13 classifications shall be accompanied by a certificate of public convenience

14 or a special permit issued by the **LAND TRANSPORTATION**

15 **FRANCHISING AND REGULATORY BOARD (LTFRB)** [Public Service

16 Commission], and motor vehicles registered under these classifications shall

17 be subject to the Public Service Law, rules and regulations as well as the

18 provisions of this Act.

19 xxx."

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

26 Sec. 6. *Issuance of Driver's License.* – Pursuant to Section 23-A of the Land
27 Transportation and Traffic Code, as amended by Republic Act No. 10930, the LTO
28 shall promulgate the necessary prerequisites and guidelines for the issuance of
29 licenses to the driver-applicants, including the theoretical and practical examinations
30 appropriate for motorcycles-for-hire. The LTO shall also ensure the continuous safety
31 training of licensed drivers of motorcycles-for-hire.

1 Sec. 7. *Fare Setting.* – The Land Transportation Franchising and Regulatory
2 Board (LTFRB) shall determine, prescribe, approve and periodically review and adjust,
3 reasonable fares, rates and other related charges for the operation of motorcycles-
4 for-hire. The LTFRB may allow motorcycles-for-hire to choose and use online ride-
5 hailing or pre-arranged transportation platforms, accredited by the proper government
6 agency under existing laws, but the said companies or platforms shall comply with this
7 Act and other regulations on motorcycles-for-hire, including fare setting.

8 Sec. 8. *Prescribing of Routes.* – In prescribing routes, the Department of
9 Transportation (DOTr) and the LTFRB shall give priority to higher-capacity vehicles or
10 mass transit systems in accordance with route rationalization studies. Motorcycles-for-
11 hire may be allowed to operate for a limited period, with limited number of units and
12 in specific routes only, as may be determined by DOTr and the LTFRB, in coordination
13 with concerned local government units.

14 Sec. 9. *Penalties.* – The operation of motorcycles-for-hire in violation of this Act
15 shall be penalized pursuant to the violations and fines and penalties provided under
16 existing laws and agency regulations: *Provided,* That companies, or the officers or
17 directors thereof, providing online ride-hailing or pre-arranged transportation
18 platforms involving motorcycles without a valid franchise, shall have solidary liability
19 and shall be penalized accordingly.

20 Sec. 10. *Implementing Rules and Regulations (IRR).* – The DOTr, LTO and
21 LTFRB, in collaboration with the Metro Manila Development Authority (MMDA),
22 Department of Interior and Local Government (DILG), Philippine National Police –
23 Highway Patrol Group (PNP-HPG), Department of Health (DOH) and other agencies
24 and stakeholders, shall promulgate the IRR within sixty (60) days from the effectivity
25 of this Act.

26 The IRR shall include, among others, limitation on the number of riders and the
27 weight or load capacity that can be carried as certified safe by manufacturers, with
28 the requirement that such limitations must be indicated on the motorcycles; the
29 applicable speed limits; the road safety and traffic laws and regulations that need to
30 be complied with; the necessary insurance policy covering the driver, rider and third
31 party, including extent of liabilities; the designation of terminals; and other
32 requirements for the safety, security and health of the driver and rider.

1 Sec. 11. *Separability Clause.* – If, for any reason, any part or provision of this
2 Act is declared unconstitutional or invalid, the remaining parts or provisions not
3 affected thereby shall remain in full force and effect.

4 Sec. 12. *Repealing Clause.* – Any law, presidential decree or issuance, executive
5 order, administrative order, rules or regulation contrary to, or inconsistent with the
6 provisions of this Act is hereby repealed, modified or amended accordingly.

7 Sec. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its
8 complete publication in the *Official Gazette* or in a newspaper of general circulation in
9 the Philippines.

Approved,