

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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Senate
Office of the Secretary

'22 JUL -7 P 4 :09

SENATE

S. No. 167

RECEIVED BY: _____

Introduced by SENATOR JOSEPH VICTOR "JV" EJERCITO

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, AND OFR
OTHER PURPOSES**

EXPLANATORY NOTE

Republic Act (RA) No. 4136, otherwise known as the Land Transportation and Traffic Code was enacted. Section 7 of the law provides that, 'motor vehicles should be registered under one of the following classifications: private passenger automobiles; private trucks; and private motorcycles, scooters, or motor wheel attachments'. Motor vehicles registered under these categories "shall not be used for hire under any circumstances" and should not be used to solicit, accept, or be used to transport passengers or freight for a fee.

Fifty eight years later, our transport sector landscape is already divergent. There has been a lot of innovations and transformation brought about by the needs of the times and the riding public. Motorcycle has been used as public transport service by Filipinos despite the express prohibition under RA 4136.

Travel with the use of motorcycles continue to become popular because it is the fastest way to reach your destination. The value of time has never been more precious during this trying times. Whether going to work early in the morning or rushing home to catch a scheduled family dinner, riding a motorcycle has been the go-to form of transportation.

While the government continue to improve our mass transport system, there would exist inconveniences that affects the daily commute of our people. Though the future of transport appears to be brighter because of continuous infrastructure projects, we should remain open to other forms of transport such as motorcycle taxis.

This proposed measure seeks to amend the 58-year old Republic Act No. 4136 or the Land Transportation and Traffic Code to allow motorcycles to legally ferry passengers from one point to another for a fee. Instead of banning the hiring of motorcycles as taxis, we push for its regulation. The safety of both passengers and drivers should be the paramount consideration in granting franchises or licenses to operate such motorcycle taxis. Safety shall always be valued more than convenience.

In allowing the existence of motorcycle taxis, we also do our part in helping our economy prosper. We create jobs by legally allowing our people to use their roadworthy motorcycles to be used for earning money. The passengers are now also given the choice to hire motorcycles to ride going to their place of work. Getting to work on time means more productivity for industries and more positive effect on our economy.

Let us give our people the power to choose what they want to ride but at the same time, assure them that they will arrive to their destination safely. Hence, the swift passage of this proposed measure is sought.



JOSEPH VICTOR "JV" EJERCITO



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

Section 1. *Short Title.* – This Act shall be known as the **"Public Utility Motorcycles Act"**.

Sec. 2. *Declaration of Policy.* – The State recognizes the vital role of an efficient and reliable transportation system, and acknowledges the lack of infrastructure and mass transportation in the country. Towards this end, the State hereby allows the use and regulation of motorcycles as an alternative mode of public transportation in order to provide convenience and ease of commute in urban and rural areas while ensuring public safety and efficiency of the transport system as a whole.

Sec. 3. Section 3 of Republic Act No. 4136, or the "Land Transportation and Traffic Code" is hereby amended as follows:

"Section. 3. *Words and phrases defined.* – As used in this Act:

(a) "Motor Vehicle" x x x

x x x

(m) "Tourist" x x x

**(N) "PUBLIC UTILITY MOTORCYCLES" SHALL MEAN ANY
DULY REGISTERED TWO-WHEELED MOTOR VEHICLE
WEIGHING LESS THAN ONE THOUSAND KILOGRAMS**

1 **(1,000 KG) AND CAN TRAVEL FASTER THAN FIFTY**
2 **KILOMETERS (50 KM/H) OR HAS A MINIMUM ENGINE**
3 **CAPACITY OF ONE HUNDRED CUBIC CENTIMETERS (100**
4 **CC), WHICH TRANSPORTS PASSENGERS AND GOODS ON**
5 **A FOR HIRE BASIS, AND WHICH MAY BE UTILIZE ONLINE**
6 **RIDE HAILING OR PRE-ARRANGED TRANSPORTATION**
7 **PLATFORMS.”**

8 Sec. 4. Section 7 (d) of Republic Act No. 4136 is hereby amended to read as
9 follows:

10 “Section 7. *Registration Classification.* – Every motor vehicle shall
11 be registered under one of the following described classifications.

12 (a) xxx

13 xxx

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

26 xxx.

27 Sec. 5. *Implementing Rules and Regulations.* - Within sixty (60) days of the
28 approval of this Act, the Department of Transportation (DOTr), in consultation with
29 stakeholders, shall formulate the implementing rules and regulations for the effective
30 implementation of the law.

31 Sec. 6. *Operation Inspection and Review.* – The DOTr through the Land
32 Transportation Office shall conduct regular inspection of public motorcycles plying the

1 roads and shall annually review the operations of application-based transportation
2 network services. The DOTr shall annually submit to Congress a report containing the
3 status of the implementation of this Act.

4 Sec. 7. *Separability Clause.* – If any provision of this Act is declared invalid or
5 unconstitutional, the provisions not affected thereby shall continue to be in full force
6 and effect.

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

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

Approved,