

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



THIRTEENTH CONGRESS
Second Regular Session

House Bill No. 5346

Introduced by Honorable Simeon L. Kintanar

EXPLANATORY NOTE

As we all know, throughout the country today, there is a widespread and unrestricted use of private motorcycles, commonly known as tricycles and habal-habal in Cebu and skylab in other parts of the country, to transport both passengers and freight for pay.

The use of private motorcycles have become tolerated and preferred because it is often the only kind of motor vehicle which can transport people and goods to remote barangay. Moreover, motorcycles are comparatively the cheaper means of transportation.

It has become so popular that its use has become rampant and indiscriminate. It has reached a point that sometimes passengers risk their life and limb whenever they ride in these tricycles, habal-habals or skylabs.

It is therefore imperative that the use of private motorcycles for hire be regulated. In this regard the most concerned unit of government are the Local Government Units (LGUs).

I am also in receipt of Resolution No. 4646-2005 from the Sangguniang Panlalawigan of Cebu requesting that the Local Government Unit (LGU) be given the authority to regulate and control the operation of said motorcycles for hire.

This act gives the Local Government Units the authority to regulate such use.

In view of the foregoing consideration, the approval of this bill is earnestly requested.


SIMEON L. KINTANAR

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**AN ACT AMENDING SECTION 7 OF REPUBLIC ACT NO. 4136 OTHERWISE
KNOWN AS “ THE LAND TRANSPORTATION AND TRAFFIC CODE”**

*Be it enacted by the Senate and House of Representatives of the Philippine Congress
assembled:*

SECTION 1. Section 7 of Republic Act 4136 is hereby amended to read as follows:

“Section 7. **REGISTRATION CLASSIFICATION.**

Every motor vehicle shall be registered under any of the following described classification; (a.) Private passenger automobiles; (b.) private trucks, and (c). private motorcycles, scooters, or motor wheel attachments. Motor vehicles registered under classifications (a) and (b) shall not be used for hire under any circumstances and shall not be used to solicit, accept, or be used to transport passenger or freight for pay. However, motor vehicle registered under the classification (c) private motorcycles, scooters, motor wheel attachments or what is commonly known as tricycles maybe used for hire to transport passengers and freight for pay subject to the rules and regulations set forth by the Local Government Unit where it intends to operate.

SECTION 2. IMPLEMENTING RULES AND REGULATIONS.

The Local Government Unit (LGU) through its Sangguniang Bayan/ Panglungsod is hereby authorized to promulgate after due public hearing and upon approval by the Mayor, such rules and regulations as may be necessary to implement the provision of this said amendment. Such Implementing Rules and Regulations shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

SECTION 3. REPEALING CLAUSE. Republic Act No. 4136 and all laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 4. SEPARABILITY CLAUSE. If any provision of this Act is declared unconstitutional or invalid, the other portions not affected thereby shall continue in full force and effect.

SECTION 5. EFFECTIVITY CLAUSE. This Act shall take effect upon approval and completion of publication in at least two (2) national newspapers of general circulation.

Approved,