

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

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1289

Introduced by Rep. PABLO P. GARCIA

EXPLANATORY NOTE

In most developing countries, motorcycles are part of the essential mode of transportation. In the case of the Philippines, especially in rural areas, local public transport in the form of tricycles exists.

Philippine tricycle is classified as a motor vehicle composed of motorcycle fitted with a single wheel sidecar or with a two-wheel cab, operated as a public transport for a fee. Three forms of tricycles can be observed throughout the country: side-cab, center-cab and open cab. However, in far-flung rural areas and some metropolitan areas, another mode of public transportation in the form of motorcycle taxi known as *habal-habal* can also be found.

Habal-habal is the most popular alternative mode of transportation to and from mountainous areas and the hinterlands of Visayas and Mindanao, especially in areas not reached by four-wheeled vehicles or tricycles. It is made of just a motorcycle that can go from a single to as much as 3 to sometimes 5 passengers in some areas (with a wooden plank extending away from the vehicle, also known as "skylab"). It has become a source of livelihood for many residents in these rural areas. Its presence in metropolitan areas is seen as more practical than the tricycle because it can squeeze in traffic congested areas and tight bumpy roads.

However, reports about accidents resulting from this means of transportation is quite rampant. Reports also abound that drivers of *habal-habals* are involved in street hold-ups and robberies in metropolitan areas where they operate.

While recognizing the importance of *habal-habals* in serving the needs of people in the rural areas, local government units find the necessity to regulate their operation so as to give protection for the safety of its passengers. Hence, the necessity for the early passage of this bill.



PABLO P. GARCIA

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

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1289

Introduced by Rep. PABLO P. GARCIA

AN ACT
AMENDING REPUBLIC ACT NUMBERED SEVENTY-SIX HUNDRED AND SIXTY,
OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, IN ORDER
TO REGULATE THE OPERATION OF MOTORCYCLE TAXIS IN THE COUNTRY

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

SECTION 1. Paragraph (q) of Section 131 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

"SEC. 131. *Definition of Terms.* - When used in this Title, the term:

xxx

(q) "Motor Vehicle" means any vehicle, INCLUDING MOTORCYCLE TAXIS WITH A MAXIMUM OF THREE PASSENGERS, propelled by any power other than muscular power using the public roads, but excluding road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public roads, vehicles which run only on rails or tracks, and tractors, trailers, and traction engines of all kinds used exclusively for agricultural purposes;

xxx"

SECTION 2. Sections 447 and 458 of Republic Act No. 7160 are hereby amended to read as follows:

"SEC. 447. - *Powers, Duties, Functions and Compensation.* - (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:

xxx

(3) xxx

xxx

- (vi) Subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles AND OTHER FORMS OF MOTORCYCLE TAXIS and grant franchises for the operation thereof within the territorial jurisdiction of the municipality;

xxx

SEC. 458. - *Powers, Duties, Functions and Compensation.* - (a) The sangguniang panglunsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the city as provided for under Section 22 of this Code, and shall:

xxx

(3) xxx

xxx

- (vi) Subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles AND OTHER FORMS OF MOTORCYCLE TAXIS and grant franchises for the operation thereof within the territorial jurisdiction of the city;

xxx"

SEC. 3. All laws, decrees, executive orders and resolutions inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect upon its approval.

Approved,