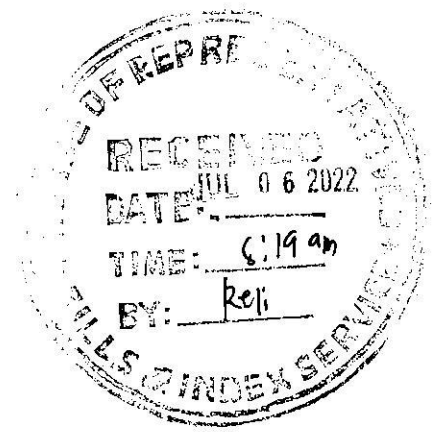


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1344



Introduced by Rep. LORETO B. ACHARON

EXPLANATORY NOTE

This measure was proposed and approved on Third and Final Reading by the House of Representatives on February 4, 2019, and though the same was transmitted and received by the Senate of the Philippines on the same day, our Senate counterparts failed to pursue its passage into law before the closure of the 17th Congress.

The use of single motorcycles as a vehicle of public conveyance is no longer unique to a particular locality or concentration of population, a phenomenon that is very evident everyday in both urban and rural settings.

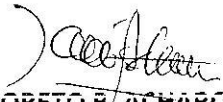
Until such time that current traffic conditions and existing public transportation systems improve to a level that the general population are relieved of this added burden, the use of single motorcycles-for-hire will not only continue but heighten further.

The creeping increase of fuel pump prices also contributed largely to the disadvantage of the commuting public because as we are now made aware of, many operators and drivers of public conveyances such as buses, jeepneys and taxis are seriously considering ceasing business operations, if they have not stopped yet, to cut down on losses they incur and likely to incur every day.

This bill therefore seeks to amend certain provisions of Republic Act No. 4136 otherwise known as the Land Transportation and Traffic Code primarily to include motorcycles-for-hire as another type of motor vehicle authorized as a public conveyance.

Furthermore, this measure intends to provide for the regulation of the operations of motorcycles-for-hire and ensure the safety of the riding public, such regulations to include insurance coverage required routinely from common carriers.

In view of the foregoing, passage of this bill is earnestly sought.


LORETO B. ACHARON

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

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1344

Introduced by the Honorable LURETO B. ACHARON

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 the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Title. - This Act shall be known as the "Motorcycles-for-Hire Act."

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

SEC. 3. Section 3 of Republic Act No. 4136 or the Land Transportation and Traffic Code is hereby amended by adding a new word which shall be defined as follows:

xxx

"(N) MOTORCYCLES-FOR-HIRE – ANY TWO-WHEELED MOTOR VEHICLE THAT MAY BE REGISTERED WITH THE LAND TRANSPORTATION OFFICE AS FOR HIRE AND MAY BE USED AS A COMMERCIAL VEHICLE TO TRANSPORT PASSENGERS AND GOODS; PROVIDED, THAT, FOR TRANSPORTING PASSENGERS, THE MOTORCYCLE SHALL HAVE A MINIMUM ENGINE DISPLACEMENT OF 125 CUBIC CENTIMETERS AND A BAKING-TYPE SEAT"

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

"Section 7. Registration Classification. - Every motor vehicle shall be registered under one of the following described classifications:

- (a) xxx
- (b) xxx
- (c) xxx
- (d) public utility automobiles
- (e) public utility trucks
- (f) taxis and auto-cafes
- (g) garages and automobiles
- (h) garage trucks
- (i) hire trucks

- (j) trucks owned by contractors and customs brokers and customs agents; **AND**
- (k) **MOTORCYCLES-FOR-HIRE.**

Application for registration under these classifications shall be accompanied by a certificate of public conveyance or a special permit issued by the **LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD**, and motor vehicles registered under these classifications shall be subject to the Public Service Law, rules, and regulations, as well as the provisions of this Act.

xxx”

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

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

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

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

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

SEC. 10. Implementing Rules and Regulations. The DOTr, LTO and LTFRB, in collaboration with the MMDA, Department of Interior and Local Government, Philippine National Police-Highway Patrol Group, Department of Health and other agencies and stakeholders, shall promulgate the necessary implementing rules and regulations (IRR) within sixty (60) days from the effectivity of this Act.

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

SEC. 11. *Separability Clause.* If, for any reason, any part or provision of this Act is declared invalid, such declaration shall not affect other provisions of this Act.

SEC. 12. *Repealing Clause.* Any law, presidential decree or issuance, executive order, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.