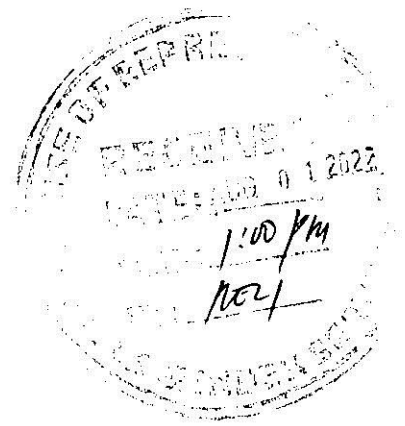


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

H. B. No. 2833

Introduced by Representative Ralph G. Recto

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"**

EXPLANATORY NOTE

Republic Act (R.A.) No. 4136 or the Land Transportation and Traffic Code mandates that motorcycles can only be registered as private vehicles or as government vehicles, but not vehicles for hire. Under the law, motorcycles cannot be used as public utility vehicles, thus making the operations of motorcycles-for-hire and motorcycle ride-hailing apps like Angkas illegal.¹

Motorcycles, however, are a common mode of transportation in the Philippines. In 2018, Angkas had over 27,000 riders and its app got over 3 million downloads because it has made a reputation of providing fast and reliable service.² In the recent years, motorcycles-for-hire also known as *habal-habal*, have been considered as the fastest means of transportation, particularly amidst traffic congestion in urban areas like Metro Manila. In some rural areas, it has always been the only mode of transportation in rugged, winding and narrow roads that cannot be negotiated by regular vehicles. Unfortunately, *habal-habal* is an unregulated, illegal mode of transport and considered *colorum*, despite being widely used in rural areas and increasingly in urban locales.

¹ Subingsubing, Krixin (January 18, 2019) "DOTr prefers amending law to legalize Angkas". Information retrieved at <https://www.angkas.com> on January 21, 2019.

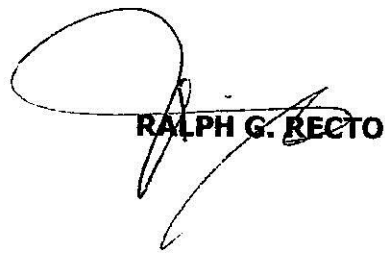
² Angkas (2022). Information retrieved at <https://www.angkas.com> about

In recognition of the viability of motorcycles as a mode of public transportation, the Department of Transportation issued General Guidelines for the Pilot Implementation of Motorcycle Taxis in May 2019 which declared a six-month pilot run of motorcycle taxis beginning in June 2019. The test run aimed to further study the legalization of motorcycle taxis through testing its safety and economic viability. On the same year, the House of Representatives passed House Bill No. 8959 to legalize motorcycle taxis, however, the Senate, failed to pass the same measure before the 17th Congress ended.

With the worsening traffic situation coupled with the lack of better options, *habal-habals* became a means to ease the suffering of the riding public. This is the reason why there is a need to allow motorcycles-for-hire to operate because they help in ferrying people. Legalizing motorcycles-for-hire would help regulate its operations, at the same time protect both the operator and the riding public. This move will also allow our fellow Filipinos a decent livelihood as motorcycles-for-hire drivers or operators.

It is high time for the government to listen to the growing clamor from the commuters to legalize the operations of motorcycles-for-hire and motorcycle ride-hailing apps like Angkas.

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



RALPH G. RECTO

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

1 Section 1. Section 3 of Republic Act (R.A.) No. 4136 shall be amended to read
2 as follows:

3 "SEC. 3. *Words and Phrases Defined.* – As used in this Act:

4 "(a) xxx;

5 "xxx;

6 "(m) xxx; **AND**

7 **"(N) PUBLIC UTILITY MOTORCYCLES – ANY TWO-WHEELED**
8 **MOTOR VEHICLE WEIGHING LESS THAN ONE THOUSAND**
9 **KILOGRAMS (1,000 KG) THAT CAN TRAVEL FASTER THAN**
10 **FIFTY KILOMETERS PER HOUR (50 KM/H) AND HAS AN**
11 **ENGINE CAPACITY OF AT LEAST ONE HUNDRED TWENTY**
12 **FIVE CUBIC CENTIMETERS (125 CM³) SHALL BE**
13 **REGISTERED WITH THE LAND TRANSPORTATION OFFICE**
14 **(LTO) AS FOR HIRE AND MAY BE USED AS COMMERCIAL**
15 **VEHICLE TO FERRY THE COMMUTING PASSENGERS."**

1 Sec. 2. Section 7 of R.A. No. 4136 shall be amended to read as follows:

2 "SEC.

3 *7. Registration Classification.* - Every motor vehicle shall be
4 registered under one of the following described classifications:

5 "(c) xxx;

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

18 "xxx."

19 *Sec. 3. Implementing Rules and Regulations.* - The Secretary of Transportation
20 shall, within sixty (60) days from the effectivity of this Act, promulgate the necessary
21 rules and regulations for its proper implementation.

22 *Sec. 4. Separability Clause.* - If any part, section or provision of this Act is
23 declared invalid or unconstitutional, no other parts, sections or provisions hereof shall
24 be affected thereby.

25 *Sec. 5. Repealing Clause.* - All laws, decrees, ordinances, rules, regulations,
26 other issuances or parts thereof which are inconsistent with this Act are hereby
27 repealed, amended or modified accordingly.

28 *Sec. 6. Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
29 complete publication in at least two (2) newspapers of general circulation or the
30 *Official Gazette.*

 Approved,