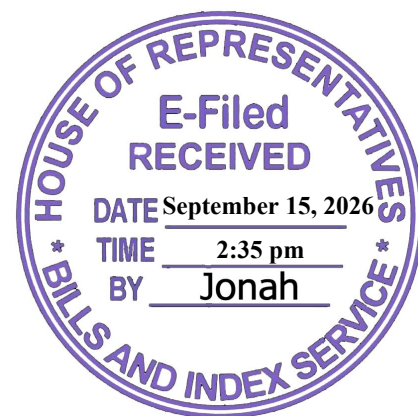


Republic of the Philippines
House of Representatives

Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 11343



INTRODUCED BY REP. PATRICK MICHAEL "PM" D. VARGAS

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

EXPLANATORY NOTE

The State provides that it shall protect and promote the rights and obligations of commuters, drivers, and operators through an efficient and fair transport system for the commuting public.

As such, Republic Act 4136, otherwise known as the "Land Transportation and Traffic Code," was enacted, providing for the control, registration, and operation of motor vehicles and the licensing of owners, dealers, conductors, drivers, and similar matters.

While the law covers relevant provisions for privately owned and for-hire motor vehicles, the law lacks coverage for motorcycles-for-hire which have become a growing mode of public transportation in recent years.

In 2022, there were at least 682,000 registered motorcycles and tricycles for hire in the country. For many commuters, these motorcycle taxis are sometimes the better option of transportation because of their accessibility, efficiency, and reliability.

The growing demand for motorcycles as public utility vehicles also led to the operation of non-registered motorcycles-for-hire, which in turn have posed risks for many commuters since riders do not necessarily have the proper training or insurance coverage to protect themselves and even their passengers.

The proposed amendments to RA 4136 shall ensure that the law includes motorcycles-for-hire among the defined public transportation, and as such guarantee their roadworthiness while assuring the safety of the riding public.

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



REP. PATRICK MICHAEL "PM" D. VARGAS
Fifth District, Quezon City

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

SECTION 1. Short Title. - This Act shall be known as the “*Motorcycles-for-Hire Act*”.

SECTION 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.

SECTION 3. Section 3 of the 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:

x x x

“(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 MOTORCYCLES SHALL HAVE A MINIMUM ENGINE DISPLACEMENT OF 125 CUBIC CENTIMETERS AND A BACKBONE TYPE BUILT.”

SECTION 4. - Section 7 (d) of RA 4136 is hereby amended to read as follows:

“Sec. 7. Registration Classification - Every motor vehicle shall be registered under one of the following described classifications

(a) x x x

(b) x x x

(c) x x x

(d) Public utility automobiles; (e) public utility trucks; (f) taxis and auto-calesas; (g) garage automobiles; (h) garage trucks; (i) fire trucks; [and] (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 convenience or a special permit issued by the LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD (LTFRB) [Public Service Commission], 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.”

SECTION 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 a motorcycle luggage carrier, saddlebag, step board or foot peg, and appropriate speed limiter and monitoring device.

SECTION 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.

SECTION 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.

SECTION 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

the route rationalization studies. Motorcycles-for-hire may be allowed to operate for a limited period, with a limited number of units and specific routes only, as may be determined by DOTr and the LTFRB, in coordination with concerned local government units.

SECTION 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.

SECTION 10. *Implementing Rules and Regulations (IRR).* - The DOTr, LTO and LTFRB, in collaboration with the Metro Manila Development Authority (MMDA), Department of Interior and Local Government (DILG), Philippine National Police - Highway Patrol Group (PNP-HPG), Department of Health (DOH) and other agencies and stakeholders, shall promulgate the IRR within sixty (60) days from the effectivity of this Act.

The IRR shall include, among others, limitations 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 motorcycles; 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.

SECTION 11. *Separability Clause.* - If, for any reason, any part or provision of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected thereby shall remain in full force and effect.

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

SECTION 13. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,