

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5967



Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

Amidst the worsening transport crisis, especially in Metro Manila, commuters are left to search for ingenious and alternative ways to get from one point to another. Ride-hailing and ride-sharing applications has ballooned in response to the public's clamor for more modes of transportation. Amongst the ride hailing services which proliferated was Angkas which allows user to hail motorcycles through a mobile application. Even before the Angkas was launched, other motorcycle-for-hire schemes such as habal habal has already been operating in numerous parts of the country for years, particularly on rural areas and more congested areas of the Metro Manila.

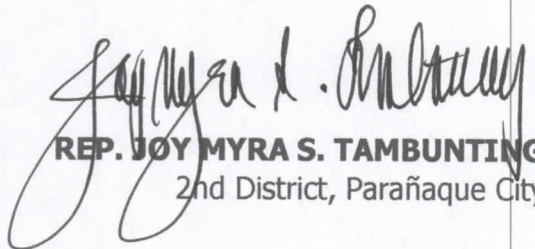
At present, motorcycles can only be registered as either private or government vehicles as provided in Republic Act No. 4136 or the Land Transportation and Traffic Code which was enacted 55 years ago. By virtue of the said act, motorcycle taxis such as Angkas and other motorcycle-for-hire schemes are considered "illegal".

Following the December 2018 Supreme Court temporary restraining order against the operation of Angkas, the Department of Transportation created an inter-agency technical working group, comprised of representatives from the DOTr, Land Transportation Office (LTO), Land Transportation Franchising and Regulatory Board (LTFRB), Philippine National Police – Highway Patrol Group (PNP-HPG), Metro Manila Development Authority (MMDA), Senate, House of Representatives, commuter welfare groups, and other concerned groups which was tasked to discuss issues pertinent to the operation of motorcycle taxis as public transport.

The same inter-agency technical working group approved the pilot operation of motorcycle taxis for 6 months, starting on June 2019, in order to study the viability of motorcycles as a public transportation service. As of 20 January 2020, the said pilot operation ended upon the DOTr's inter-agency Technical Working Group's termination of its study on motorcycle ride-hailing operations.

In consideration of the plight of the commuting public who rely on motorcycle taxis for mobility, and with the inadequate viable options for efficient transport, this bill seeks to provide a legal basis for the operation of motorcycle taxis. This proposed measure shall also allow for the regulation of motorcycle taxis, and consequently allow for the protection of the operators, riders and the commuting public.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.



REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
ALLOWING AND REGULATING 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"

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

SECTION 1. Section 3 of Republic Act (RA.) No. 4136 shall be amended to read as follows:

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

(a) XXX

XXX

(m) XXX

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

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

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

(c)XXX

"(d) Public utility automobiles; e) public utility trucks; (f) taxis and auto-calesas; (g) garage automobiles; (h) garage trucks; (i) hire trucks; [and] G) trucks owned by contractors and customs brokers and customs agents[.] **AND K) PUBLIC UTILITY MOTORCYCLES.** Application for registration under these classifications shall be accompanied by a certificate of public convenience or a special permit issued by the [Public Service Commission] **LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD (LTFRB)**, 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."

SEC. 3. Motorcycles-for-Hire are Common Carriers. - Motorcycles-for-hire are hereby declared as common carriers for purposes of determining liability and degree of diligence that must be exercised in the course of transporting passengers or goods. As such, the presumption of negligence in case of breach of contract of carriage is applicable to them.

SEC. 4. Implementing Rules and Regulations. - The Secretary of Transportation shall, within sixty (60) days from the effectivity of this Act, promulgate the necessary rules and regulations for its proper implementation.

SEC. 5. Separability Clause. - If any part, section or provision of this Act is declared invalid or unconstitutional, no other parts, sections or provisions hereof shall be affected thereby.

SEC. 6. Repealing Clause. - All laws, decrees, ordinances, rules, regulations, other issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 7. Effectivity Clause. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation or the Official Gazette.

Approved,