

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

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4141**



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Introduced by **HON. EDGAR M. CHATTO**  
First District, Bohol

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**EXPLANATORY NOTE**

Times have changed a lot of the way we do things. Aside from the development of new technologies especially in communication, finding new purpose to existing systems such as in transportation proves to be an emerging trend.

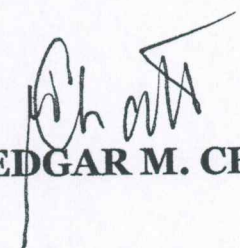
Motorcycles, or fondly known as “habal habal” in the rural areas, while originally intended for transportation, was never envisioned for public transportation. In recent times, however, the facility of motorcycles for the transport of passengers as well as goods and small cargoes has seen an exponential growth. The use of motorcycles responds to the people’s requirements of convenience, expediency, speed, reliability and cost-effectivity.

In the urban areas, resort to motorcycles beats the colossal traffic problem and saves a lot of time. In the rural areas, motorcycles are indispensable in reaching far and inaccessible areas.

Hence, as the use of motorcycles are keenly becoming a part of our ‘new normal’ in terms of transportation, it is the responsibility of the State to regulate it for the benefit of all. The use of motorcycles as an alternative mode of transportation must never sacrifice the health and safety of our people.

The problem is, the use of motorcycles-for-hire is illegal to date. Republic Act No. 4136 prohibits their registration as public transport since motorcycles are classified only of private use. There is a need for a policy-shift by amending the half-decade old law through the recognition and classification of motorcycles-for-hire as public transport and within the ambit of common carriers. This way, the driver, the operator and the riding public will be given ample protection.

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

  
**REP. EDGAR M. CHATTO**



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**“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 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:

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“(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 THE 125 CUBIC CENTIMETERS AND A BACKBONE TYPE BUILT.”



**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-calesas;
- (g) Garage automobiles;
- (h) Garage trucks;
- (i) Hire trucks;
- (j) Trucks owned by contractors 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.

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**SEC. 5. Roadworthiness of Motorcycles-for-Hire.** – The Land Transportation Office (LTO) shall ensure the roadworthiness of motorcycles-for-hire before registration or renewal or 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 the DOTr and the LTFRB, in coordination with 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 on-line 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 Metropolitan Manila Development Authority (MMDA), the Department of the Interior and Local Government (DILG), Philippine National Police – Highway Patrol Group (PNP-HPG), Department of Health (DOH) and other relevant agencies, 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 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 safety, security and health of the driver and rider.

**SEC. 11. Separability Clause.** – If for any reason, any part of 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 Clause.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,