

REPUBLIC OF THE PHILIPPINES  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

HOUSE BILL NO. 3996



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Introduced by Representative **TYRONE D AGABAS**

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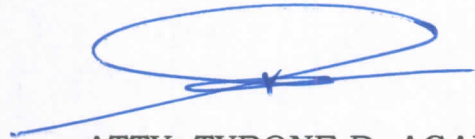
**EXPLANATORY NOTE**

This bill which seeks to regulate the use of motorcycles as public utility vehicles amending for such purpose the pertinent provisions of Republic Act 4136, otherwise known as the "Land Transportation and Traffic Code" has already been approved by the House of Representatives on its 3<sup>rd</sup> and final reading in the 17<sup>th</sup> Congress. The bill is being filed on account of its significance in protecting the riding public from accidents and unnecessary peril.

The State recognizes the sanctity of human life. To this end, laws, rules and regulations are enacted to secure the preservation of life to its fullest. This legislative measure seeks for the inclusion of motorcycle-for-hire within the realm and definition of public utility vehicles. Every year, approximately 1.2 million people around the world die in road traffic crashes. In the Philippines, motorcycle riders have constantly been the top victim of road crash injuries since 2010. Unfortunately, most of them are aged between 15 to 29 years. Road traffic incidents are debilitating as they expose the riders to injuries, financial loss, and possible death. Regrettably, motorcycles are not public utility vehicles hence are not allowed to ply routes without certificates of public convenience, and yet, they are being used as motorcycles-for-hire in the country. Absent their status as public utility vehicles, claims arising from accidents will not give rise to any liability from insurance companies.

Hence, the need to regulate the use of motorcycles as public utility vehicles to protect the riding public from undue harm.

Accordingly, the approval of this bill is earnestly sought.

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal line and a small crossbar.

ATTY. TYRONE D. AGABAS  
Representative  
6<sup>th</sup> District, Pangasinan

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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 Representative of the Philippines in  
Congress assembled:*

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

3             SEC. 2. *Declaration of Policy.* – It is the policy of the Senate to  
4     render basic services to the people and promote their safety and general  
5     welfare. Toward this end, the use of motorcycles as an alternative mode of  
6     public transportation is hereby allowed and regulated in recognition of the  
7     need to provide convenience and ease of commute in urban and rural  
8     areas while ensuring public safety and the efficiency of the transportation  
9     system as whole.

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

13           xxx

14           “(N) MOTORCYCLES-FOR-HIRE – ANY TWO-WHEELED MOTOR  
15    VEHICLE THAT MAY BE REGISTERED WITH THE LAND



16 TRANSPORTATION OFFICE AS FOR HIRE AND MAY BE USED AS A  
17 COMMERCIAL VEHICLE TO TRANSPORT PASSENGERS AND  
18 GOODS: PROVIDED, THAT, FOR TRANSPORTING PASSENGERS,  
19 THE MOTORCYCLE SHALL HAVE A MINIMUM ENGINE  
20 DISPLACEMENT OF 125 CUBIC CENTIMETERS AND A BACKBONE  
21 TYPE BUILT.”

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

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

26 (a) xxx

27 (b) xxx

28 (c) xxx

29 (d) Public utility automobiles; e) public utility trucks; (f) taxis  
30 and auto-calesas; (g) garage automobiles; (h) garage trucks; (i) hire  
31 trucks; [and] (j) trucks owned by contractors and customs brokers and  
32 customs agents[.]; **AND (K) MOTORCYCLES-FOR-HIRE.** Application for  
33 registration under theses classifications shall be accompanied by a  
34 certificate of public convenience or a special permit issued by the **LAND**  
35 **TRANSPORTATION FRANCHISING AND REGULATORY BOARD**  
36 [Public Service Commission], and motor vehicles registered under these  
37 classifications shall be subject to the Public Service Law, rules and  
38 regulations, as well as the provisions of this Act.

39 xxx.”

40 **SEC.5. Roadworthiness of Motorcycles-for-hire.** The Land Transportation  
41 Office (LTO) shall ensure the roadworthiness of motorcycles-for-hire  
42 before registration or renewal of registration. To further ensure safety, no  
43 modification shall be made on motorcycles-for-hire, except the installation,

44 based on safe engineering design specifications, of motorcycle luggage  
45 carrier, saddlebag, step board or foot peg and appropriate speed limiter  
46 and monitoring device.

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

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

63 **SEC. 8. *Prescribing of Routes.*** In prescribing routes, the  
64 Department of Transportation (DOTr) and the LTFRB shall give priority to  
65 higher-capacity vehicles or mass transit systems in accordance with  
66 route rationalization studies. Motorcycles-for-hire may be allowed to 67  
operate for a limited period, with limited number of units and in specific  
68 routes only, as may be determined by DOTr and the LTFRB, in  
69 coordination with concerned local government units.

70 **SEC. 9. *Penalties.*** The operation of motorcycles-for-hire in violation  
71 of this Act shall be penalized pursuant to the violations and fines and  
72 penalties provided under existing laws and agency regulations: *Provided,*  
73 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, limitations on the numbers of riders and the weight or load capacity that can be carried as certified safe by manufactures, 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.

**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 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,