

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

EIGHTEENTH CONGRESS
1st Regular Session

House Bill No. **5965**



Introduced by Representatives ERIC GO YAP and PAOLO Z. DUTERTE

EXPLANATORY NOTE

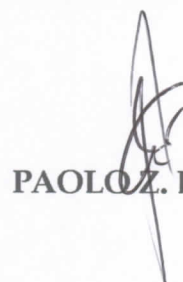
Every day, Filipino commuters suffer from long lines and crowded spaces of public transport, accompanied by the terrible traffic they have to endure in order to travel to and from their point of destination. Due to worsening traffic conditions, there arise a new alternative to somehow circumvent the current obstacles encountered by the general public. This alternative – motorcycles-for-hire – suddenly brings a new hope for some commuters to reach their destination, outwitting the bumper-to-bumper traffic and the difficulty of riding a regular public utility vehicle.

This bill aims to provide a safe and efficient alternative mode of public transport to the Filipino people, by allowing and regulating the use of motorcycles as public utility. It ensures that every motorcycle-for-hire is roadworthy. By securing the safety of this transportation mode, we strengthen its advantages and reduce the risks associated with it.

It must be noted, however, that legalizing and regulating the motorcycles-for-hire as a public utility vehicle does not disregard the need for an efficient public transport system in the country. Rather than seeing the emergence of this new mode of transportation as a temporary solution to the traffic problem, it must be recognized as a concurrent means to ease the difficulty of the commuters to a very challenging commute, specifically in the Metro.

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


ERIC GO YAP


PAOLO Z. DUTERTE

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AN ACT
ALLOWING AND REGULATING THE USE OF MOTORCYCLES AS PUBLIC
UTILITY, AMENDING FOR THE 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:

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 MOTORCYCLE SHALL HAVE A*

MINIMUM ENGINE DISPLACEMENT OF 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; [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** [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."

SEC. 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 in 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.* – That 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 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 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, limitation 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.

SEC. 11. *Separability Clause.* – If any provision or part hereof is held unconstitutional, the other provisions not otherwise affected shall remain valid and subsisting.

SEC. 12. *Repealing Clause.* – All laws, decrees, issuances, executive orders, letters of instruction, administrative orders, rules and regulations, or parts thereof, contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,