

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session



House Bill No. 37

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE


This proposed measure seeks to provide the legal environment for motorcycle riding services to operate by amending the provisions of Republic Act No. 4136.

Motorcycles have become a common mode of transportation in many countries including the Philippines. They are affordable, consume less fuel, and entail low maintenance costs. More importantly, they offer a convenient mode of transportation given the worsening vehicular traffic situation all over the country and the lack of proper mass transportation systems. In fact, ride hailing applications have even offered motorcycles and scooters as service vehicles.

However, Republic Act No. 4136 or the Land Transportation and Traffic Code specifically prohibits the use of motorcycles and scooters for passenger transport. It is precisely the reason why a particular transport network vehicle service or TNVS was later ordered to discontinue its operations, inadvertently displacing hundreds of partner drivers from their source of livelihood and depriving the riding public yet again of another convenient mode of transportation.

This bill takes cognizance of the necessity and practicality of the use of motorcycles and scooters to ferry passengers while at the same time taking into consideration the safety concerns involved in such set-up and in light of the problems in transportation we are currently experiencing. By classifying motorcycles-for-hire as public utility motorcycles, the rules and regulations governing common carriers will now apply. This effectively addresses the safety issues of drivers and passengers alike as well the ensuing obligations and liabilities of a party in case of accidents or mishaps.

In this regard, the urgent passage of this bill is earnestly requested.


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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Introduced by **HON. ROZZANO RUFINO B. BIAZON**

AN ACT
ALLOWING 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

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 “*Public Utility Motorcycles Act*”.

Sec. 2. *Declaration of Policy.* – It is the policy of the state to promote the convenience, ease of commute and general welfare of the riding public. To this end, an amendment to Republic Act No. 4136 otherwise known as the Land Transportation and Traffic Code is deemed necessary to allow motorcycles to be hired and used as an alternative mode of public transportation.

Sec. 3. *Definition of Terms.* – As used in this Act:

a. Motorcycle – shall mean any two-wheeled or three-wheeled motor vehicle weighing less than 1000 kilograms that can travel faster than 50 km/h or that has an engine capacity exceeding 50 cubic centimeters.

b. Public Utility Motorcycle – shall mean a motorcycle that may be registered with the Land Transportation Office (LTO) as for hire and may be used as a commercial vehicle to ferry commuting passengers.

Sec. 4. Section 3 of Republic Act No. 4136 is hereby amended by adding a new word which shall be defined as follows:

**“(N) PUBLIC UTILITY MOTORCYCLES - ANY TWO-WHEELED OR
THREE-WHEELED MOTOR VEHICLE WEIGHING LESS
THAN 1000 KILOGRAMS THAT CAN TRAVEL FASTER THAN
50 KM/H OR THAT HAS AN ENGINE CAPACITY EXCEEDING**

50 CUBIC CENTIMETERS THAT MAY BE REGISTERED WITH THE LAND TRANSPORTATION OFFICE (LTO) AS FOR HIRE AND MAY BE USED AS A COMMERCIAL VEHICLE TO FERRY COMMUTING PASSENGERS.”

Sec. 5. 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) 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, 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. 6. *Implementing Rules and Regulations.* - The Secretary of Transportation shall, within thirty (30) days after the effectivity of this Act, promulgate the necessary rules and regulations for its proper implementation.

Sec. 7. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations and other issuances that are inconsistent with this Act are hereby repealed or amended accordingly.

Sec. 8. *Effectivity.* - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,