

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 2219



Introduced by **Rep. ANGELO MARCOS BARBA**
2nd District, Ilocos Norte

EXPLANATORY NOTE

This Bill aims to provide safe and efficient alternative mode of public transport by allowing and regulating the use of motorcycles-for-hire as public utility.

"Habal-Habal" and Motorcycle ride-sharing services are commonly accepted as a means of public transportation in rural and metropolitan areas. However, these motorcycles-for-hire are not registered as such. Their business operations are considered illegal and are not covered by any kind of insurance.

This bill will require operators of motorcycles-for-hire insurance coverage for the driver, rider and third party. This bill will also mandate the Department of Transportation (DOTr) and the Land Transportation Franchising and Regulatory Board (LTFRB) to coordinate with local government units to prescribe the routes and require the establishment of terminals.

Regulating the business operation of motorcycle-for-hire will protect both the operator and the riding public. Hence, operators of motorcycles-for-hire are eventually given the authority to register their motor vehicle as public transport and are obliged to be governed by the law on common carrier.

This measure has had its success in the last Congress, having been approved on third and final reading. It is prayed that in the 18th Congress this measure be finally approved and enacted into law.

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


ANGELO MARCOS BARBA

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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 the House of Representatives of the Philippines in Congress assembled:

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

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

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

13 “(N) **MOTORCYCLES-FOR-HIRE** - ANY
14 **TWO-WHEELED MOTOR VEHICLE THAT MAY BE**
15 **REGISTERED WITH THE LAND TRANSPORTATION**
16 **OFFICE AS FOR HIRE AND MAY BE USED AS**
17 **COMMERCIAL VEHICLES TO TRANSPORT**
18 **PASSENGERS AND GOODS: PROVIDED, THAT FOR**

1 **TRANSPORTING PASSENGERS, THE MOTORCYCLES**
2 **SHALL HAVE A MINIMUM ENGINE DISPLACEMENT**
3 **OF 125 CUBIC CENTIMETERS AND A BACKBONE-TYPE**
4 **BUILT.”**

5 **SEC. 4.** – Section 7 (d) of Republic Act No. 4136 is hereby amended to
6 read as follows:

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

10 (a) xxx

11 (b) xxx

12 (c) xxx

13 (d) Public utility automobiles; e) public utility trucks; (f)
14 taxis and auto-calesas; (g) garage automobiles; (h)
15 garage trucks; (i) hire trucks; [and] (j) trucks owned by
16 contractors and customs brokers and customs
17 agents[.]; **AND (K) MOTORCYCLES-FOR-HIRE.**

18 Application for registration under these classifications
19 shall be accompanied by a certificate of public
20 convenience or a special permit issued by the **LAND**
21 **TRANSPORTATION FRANCHISING AND**
22 **REGULATORY BOARD** [Public Service
23 Commission], and motor vehicles registered under
24 these classifications shall be subject to the Public
25 Service Law, rules and regulations, as well as the
26 provisions of this Act.

27 xxx.”

28 **SEC. 5.** *Roadworthiness of Motorcycles-for-hire.* The Land
29 Transportation Office (LTO) shall ensure the roadworthiness of
30 motorcycles-for-hire before registration or renewal of registration. To further
31 ensure safety, no modification shall be made on motorcycles-for-hire, except
32 the installation, based on safe engineering design specifications, of motorcycle
33 luggage carrier, saddlebag, step board or foot peg and appropriate speed
34 limiter and monitoring device.

1 **SEC. 6. *Issuance of Driver's License.*** Pursuant to Section 23-A of the
2 Land Transportation and Traffic Code, as amended by Republic Act No. 10930,
3 the LTO shall promulgate the necessary prerequisites and guidelines for the
4 issuance of licenses to the driver-applicants, including the theoretical and
5 practical examinations appropriate for motorcycles-for-hire. The LTO shall
6 also ensure the continuous safety training of licensed drivers of
7 motorcycles-for-hire.

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

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

23 **SEC. 9. *Penalties*** – The operation of motorcycles-for-hire in violation
24 of this Act shall be penalized pursuant to the violations and fines and penalties
25 provided under existing laws and agency regulations: *Provided, That*
26 companies, or the officers or directors thereof, providing online ride-hailing or
27 pre-arranged transportation platforms involving motorcycles without a valid
28 franchise, shall have solidary liability and shall be penalized accordingly.

29 **SEC. 10. *Implementing Rules and Regulations.*** The DOTr, LTO and
30 LTFRB, in collaboration with the MMDA, Department of Interior and Local
31 Government, Philippine National Police-Highway Patrol Group, Department
32 of Health and other agencies and stakeholders, shall promulgate the necessary
33 implementing rules and regulations (IRR) within sixty (60) days from the
34 effectivity of this Act.

1 The IRR shall include, among others, limitation on the number of
2 riders and the weight or load capacity that can be carried as certified safe by
3 manufacturers, with the requirement that such limitations must be indicated
4 on the motorcycles; the applicable speed limits; the road safety and traffic
5 laws and regulations that need to be complied with; the necessary insurance
6 policy covering the driver, rider and third party, including extent of liabilities;
7 the designation of terminals; and other requirements for the safety, security
8 and health of the driver and rider.

9 **SEC. 11. *Separability Clause.*** – If, for any reason, any part or
10 provision of this Act is declared invalid, such declaration shall not affect other
11 provisions of this Act.

12 **SEC. 12. *Repealing Clause.*** – Any law, presidential decree or issuance,
13 executive order, administrative order, rule or regulation contrary to, or
14 inconsistent with the provisions of this Act is hereby repealed, modified or
15 amended accordingly.

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

19 Approved,