

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 13

Introduced by: **Rep. RAUL V. DEL MAR**

EXPLANATORY NOTE

It is of common knowledge that in cities, municipalities and barangays in the country, there is a proliferation of motorcycles-for-hire known as *habal-habal* or *angkas*. *Habal-habal* or *angkas* has been considered as the most convenient and cheapest means of transportation of the residents therein for lack of other means of transportation. Despite the benefits that motorcycles-for-hire provide, it cannot be denied that their non-regulation poses danger and risks to the safety and welfare of the riding public. The absence of any law regulating the operation of motorcycles-for-hire or *habal habal* or *angkas* runs counter to the policy of the State to ensure the safety and welfare of the public.

The amendment of Section 7 (c) of Republic Act No. 4136 – Land Transportation and Traffic Code will resolve the existing inadequacies in our laws and shall promote the safety and welfare of people who patronage motorcycles-for-hire known as *habal-habal* or *angkas*. Any two-wheeled motor vehicle known as motorcycles-for-hire may be registered with the Land Transportation Office (LTO) as for hire and may be used as a commercial vehicle to transport passengers and goods. Application for registration under this classification shall be accompanied by certificate of public convenience or a special permit issued by the Land Transportation Franchising and Regulatory Board (LTFRB). This will ensure that operators and drivers will be held responsible for the negligent operation of their motorcycles. The same will likewise prevent abuse from owners, operators and drivers, thus ensuring low-cost transportation.

It may be stressed that his bill passed on third and final reading in the House of Representatives last Congress but was not approved by the Senate for lack of time upon congressional adjournment.

Approval of this bill is earnestly sought.



RAUL V. DEL MAR

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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 Senate 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:

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

(a) x x x

(b) x x x

(c) x x x

(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 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 companied 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, 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 on the number 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, 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 the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 13. *Effectivity.* This Act shall take effect fifteen (15) days following its publication in at least two (2) national newspapers of general circulation.

Approved.