



HOUSE OF REPRESENTATIVES

H. B. No. 3446

Introduced by Rep. Vilma Santos-Recto  
6th District of Batangas

AN ACT  
ALLOWING THE USE OF MOTORCYCLES AS PUBLIC UTILITY VEHICLES,  
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4136, OTHERWISE  
KNOWN AS THE "LAND TRANSPORTATION AND TRAFFIC CODE"

Republic Act (R.A.) No. 4136 or the Land Transportation and Traffic Code mandates that motorcycles can only be registered as private vehicles or as government vehicles, but not vehicles for hire. Under the law, motorcycles cannot be used as public utility vehicles, thus making the operations of motorcycles-for-hire and motorcycle ride-hailing apps like Angkas illegal.<sup>1</sup>

Motorcycles, however, are a common mode of transportation in the Philippines. In 2018, Angkas had over 20,000 riders and its app got over 1 million downloads because it has made a reputation of providing fast and reliable service.<sup>2</sup> In the recent years, motorcycles-for-hire also known as *habal-habal*, have been considered as the fastest means of transportation, particularly amidst traffic congestion in urban areas like Metro Manila. In some rural areas, it has always been the only mode of transportation in rugged, winding and narrow roads that cannot be negotiated by regular vehicles. Unfortunately, *habal-habal* is an unregulated, illegal mode of transport and considered *colorum*, despite being widely used in rural areas and increasingly in urban locales.

Perhaps, in recognition of the viability of motorcycles as a mode of public transportation, the Department of Transportation issued General Guidelines for the Pilot Implementation of Motorcycle Taxis in May 2019, which declares a six-month pilot run of motorcycle taxis beginning in June 2019. The test run aims to further study the legalization of motorcycle taxis through testing its safety and economic viability.

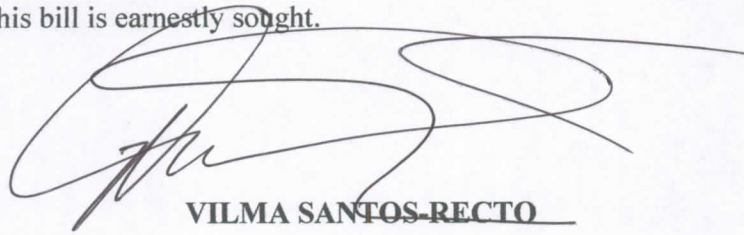
<sup>1</sup> Subingsubing, *Krixia*. (January 18, 2019). "DOTr prefers amending law to legalize Angkas". Information retrieved at <https://newsinfo.inquirer.net/1074422/dotr-prefers-amending-law-to-legalize-angkas> on January 21, 2019.

<sup>2</sup> Reyes, Riza Raoul (30 November 2018). "Angkas: Riding with the winds of change". Information retrieved at <https://businessmirror.com.ph/2018/11/30/angkas-riding-with-the-winds-of-change/> on January 22, 2019.

With the worsening traffic situation coupled with the lack of better options, *habal-habals* became a means to ease the suffering of the riding public. This is the reason why there is a need to allow motorcycles-for-hire to operate because they help in ferrying people. Legalizing motorcycles-for-hire would help regulate its operations, at the same time protect both the operator and the riding public. This move will also allow our fellow Filipinos a decent livelihood as motorcycles-for-hire drivers or operators.

It is high time for the government to listen to the growing clamor from the commuters and that is to legalize the operations of motorcycles-for-hire and motorcycle ride-hailing apps like Angkas.

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

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

**VILMA SANTOS-RECTO**

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

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*Be it enacted by the Senate and the House of Representatives of the Philippines in  
Congress assembled:*

1        **SECTION 1.** Section 3 of Republic Act (R.A.) No. 4136 shall be amended to read as  
2 follows:

3        **"Section 3. Words and Phrases Defined.** – As used in this Act:

4                (a) X X X

5                X X X

6                (m) X X X

7        **"(N) PUBLIC UTILITY MOTORCYCLES – ANY TWO-**  
8 **WHEELED MOTOR VEHICLE WEIGHING LESS THAN ONE**  
9 **THOUSAND KILOGRAMS (1,000 KG) THAT CAN TRAVEL**  
10 **FASTER THAN FIFTY KILOMETERS PER HOUR (50 KM/H)**  
11 **AND HAS AN ENGINE CAPACITY OF AT LEAST ONE**  
12 **HUNDRED TWENTY FIVE CUBIC CENTIMETERS (125 CM<sup>3</sup>)**  
13 **SHALL BE REGISTERED WITH THE LAND**  
14 **TRANSPORTATION OFFICE (LTO) AS FOR HIRE AND MAY**  
15 **BE USED AS COMMERCIAL VEHICLE TO FERRY THE**  
16 **COMMUTING PASSENGERS."**

17        **SEC. 2.** Section 7 of R.A. No. 4136 shall be amended to read as follows:



1           “**Section 7. Registration Classification.** - Every motor vehicle shall be  
2           registered under one of the following described classifications:

3           (c) X X X

4           “(d) Public utility automobiles; e) public utility trucks; (f) taxis and  
5           auto-calesas; (g) garage automobiles; (h) garage trucks; (i) hire  
6           trucks; [and] (j) trucks owned by contractors and customs brokers and  
7           customs agents[.] ; **AND K) PUBLIC UTILITY**  
8           **MOTORCYCLES.** Application for registration under these  
9           classifications shall be accompanied by a certificate of public  
10          convenience or a special permit issued by the [Public Service  
11          Commission] **LAND TRANSPORTATION FRANCHISING AND**  
12          **REGULATORY BOARD (LTFRB),** and motor vehicles registered  
13          under these classifications shall be subject to the Public Service Law,  
14          rules and regulations, as well as the provisions of this Act.”

15          **SEC. 3. Implementing Rules and Regulations.** – The Secretary of Transportation  
16          shall, within sixty (60) days from the effectivity of this Act, promulgate the necessary rules  
17          and regulations for its proper implementation.

18          **SEC. 4. Separability Clause.** – If any part, section or provision of this Act is declared  
19          invalid or unconstitutional, no other parts, sections or provisions hereof shall be affected  
20          thereby.

21          **SEC. 5. Repealing Clause.** – All laws, decrees, ordinances, rules, regulations, other  
22          issuances or parts thereof which are inconsistent with this Act are hereby repealed or  
23          modified accordingly.

24          **SEC. 6. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its  
25          complete publication in at least two (2) newspapers of general circulation or the *Official*  
26          *Gazette.*

*Approved,*