

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**TWENTIETH CONGRESS**  
First Regular Session

HOUSE BILL NO. **1319**



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Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**  
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### **EXPLANATORY NOTE**

This bill which seeks to regulate the use of motorcycles as public utility vehicles amending for such purpose the pertinent provisions of Republic Act No. 4136, otherwise known as the “Land Transportation and Traffic Code.” This has already been approved by the House of Representatives on its 3<sup>rd</sup> and final reading in the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> Congress. The bill is being filed on account of its significance in protecting the riding public from accidents and unnecessary peril.

The State recognizes the sanctity of human life. To this end, laws, rules and regulations are enacted to secure the preservation of life to its fullest. This legislative measure seeks for the inclusion of motorcycle-for-hire within the realm and definition of public utility vehicles. Every year, approximately 1.2 million people around the world die in road traffic crashes. In the Philippines, motorcycle riders have constantly been the top victim of road crash injuries since 2010. Unfortunately, most of them are aged between 15 to 29 years. Road traffic incidents are debilitating as they expose the riders to injuries, financial loss, and possible death. Regrettably, motorcycles are not public utility vehicles hence are not allowed to ply routes without certificates of public convenience, and yet, they are being used as motorcycles-for-hire in the country. Absent their status as public utility vehicles, claims arising from accidents will not give rise to any liability from insurance companies.

This bill seeks to address these issues by allowing and regulating the use of motorcycles as public utility vehicles, thereby providing a more efficient, affordable, and safe transportation option for Filipinos, while also ensuring that the safety of passengers and drivers is protected through clear and enforceable guidelines.

Accordingly, the approval of this bill is earnestly sought.

  
**MARLYN L. PRIMICIAS-AGABAS**

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Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**  
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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 Representative of the Philippines in  
Congress assembled:*

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

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

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

13 xxx

14 “(N) MOTORCYCLES-FOR-HIRE - ANY TWO-WHEELED MOTOR  
15 VEHICLE THAT MAY BE REGISTERED WITH THE LAND  
16 TRANSPORTATION OFFICE AS FOR HIRE AND MAY BE USED AS A  
17 COMMERCIAL VEHICLE TO TRANSPORT PASSENGERS AND  
18 GOODS: PROVIDED, THAT, FOR TRANSPORTING PASSENGERS,  
19 THE MOTORCYCLE SHALL HAVE A MINIMUM ENGINE  
20 DISPLACEMENT OF 125 CUBIC CENTIMETERS AND A BACKBONE  
21 TYPE BUILT.”

22 SEC.4.- Section 7 (d) of Republic Act No. 4136 is hereby amended to read  
23 as follows:

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

26 (a) xxx

27 (b) xxx

28 (c) xxx

29 (d) Public utility automobiles; e) public utility trucks; (f) taxis  
30 and auto-calesas; (g) garage automobiles; (h) garage trucks; (i) hire trucks;  
31 [and] (j) trucks owned by contractors and customs brokers and customs  
32 agents [,]; **AND (K) MOTORCYCLES-FOR-HIRE.** Application for  
33 registration under these classifications shall be accompanied by a  
34 certificate of public convenience or a special permit issued by the **LAND**  
35 **TRANSPORTATION FRANCHISING AND REGULATORY BOARD**  
36 [Public Service Commission], and motor vehicles registered under these  
37 classifications shall be subject to the Public Service Law, rules and  
38 regulations, as well as the provisions of this Act.  
39 xxx.”

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

47 **SEC. 6. Issuance of Driver’s License.** Pursuant to Section 23-A of the Land  
48 Transportation and Traffic Code, as amended by Republic Act  
49 No. 10930, the LTO shall promulgate the necessary prerequisites and  
50 guidelines for the issuance of licenses to the driver-applicants, including the  
51 theoretical and practical examinations appropriate for motorcycles-for- hire.  
52 The LTO shall also ensure the continuous safety training of licensed driver  
53 of motorcycles-for-hire.

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

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

68 **SEC. 9. Penalties.** The operation of motorcycles-for-hire in violation of this

69 Act shall be penalized pursuant to the violations and fines and penalties  
70 provided under existing laws and agency regulations: *Provided*, That  
71 companies, or the officers or directors thereof, providing online ride- hailing,  
72 or pre-arranged transportation platforms involving motorcycles without a  
73 valid franchise, shall have solidary liability and shall be penalized  
74 accordingly.

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

81 The IRR shall include, among others, limitations on the numbers of  
82 riders and the weight or load capacity that can be carried as certified safe  
83 by manufactures, with the requirement that such limitations must be  
84 indicated on the motorcycles; the applicable speed limits; the road safety  
85 and traffic laws and regulations that need to be complied with; the  
86 necessary insurance policy covering the driver, rider and third party,  
87 including extent of liabilities; the designation of terminals; and other  
88 requirements for the safety, security and health of the driver and rider.

89 **SEC. 11. *Separability Clause.*** - If for any reason, any part or provision of  
90 this Act is declared invalid, such declaration shall not affect other provisions  
91 of this Act.

92 **SEC. 12. *Repealing Clause.*** - Any law, presidential decree or issuance  
93 executive order, administrative order, rule or regulation contrary to, or  
94 inconsistent with provisions of this Act is hereby repealed, modified or  
95 amended accordingly.

96 **SEC. 13. *Effectivity.*** - This Act shall take effect fifteen (15) days after it  
97 publication in the Official Gazette or in at least two (2) newspapers of  
98 general circulation.

99 Approved,