Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 560

Submitted by the Committee on Transportation on OCT 1 3 2020

Re: House Resolution No. 1286

Recommending its adoption, together with the findings and recommendations of the Committee, pursuant to the motu proprio inquiry in aid of legislation on the issues surrounding the implementation of the pilot study program on the operation of motorcycle taxis

Sponsor: Rep. Edgar Mary S. Sarmiento

Mr. Speaker:

The Committee on Transportation, after conducting a motu proprio inquiry in aid of legislation into the issues surrounding the implementation of the pilot study program on the operation of motorcycle (MC) taxis, has the honor to recommend to the House of Representatives that the attached House Resolution No. 1286, entitled:

"RESOLUTION
URGING THE INTER-AGENCY TASK FORCE FOR EMERGING INFECTIOUS DISEASES, THE NATIONAL TASK FORCE AGAINST COVID-19 AND THE DEPARTMENT OF TRANSPORTATION TO EXTEND THE CONDUCT OF THE MOTORCYCLE TAXI PILOT STUDY PROGRAM WITH THE END IN VIEW OF GATHERING ENOUGH DATA IN CRAFTING A MEASURE FOR ITS REGULATION AND RESPOND TO THE NEED FOR THE PROVISION OF ADDITIONAL MODES OF TRANSPORTATION"

be adopted, together with the Committee’s findings and recommendations, with Reps. Edgar Mary S. Sarmiento, Precious Hipolito-Castelo, Julienne “Jam” L. Baronda, Cristal L. Bagatsing and John Reynald M. Tiangco as authors thereof.

Respectfully submitted,

REP. EDGAR MARY S. SARMIENTO
Chairperson
Committee on Transportation

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY
REPORT OF THE COMMITTEE ON TRANSPORTATION ON THE OUTCOME OF ITS INQUIRY IN AID OF LEGISLATION ON THE PILOT STUDY PROGRAM FOR THE OPERATION OF MOTORCYCLE TAXIS

PREFATORY STATEMENT

The unbearable traffic congestion in Metro Manila and other urban centers in the country have led to new innovative ways of transporting people and goods in the metropolis. Modern technology has provided a platform for a more convenient and efficient means of delivering transportation services using the internet. The Covid-19 pandemic has, in fact, heightened the need for more and safer modes of transporting people and goods as a result of quarantine and social-distancing measures.

Starting with 4-wheeled transportation network vehicle service (TNVS), the operation of internet-based public transport has expanded to include motorcycles. Motorcycle taxis, a new classification of TNVS, were introduced as a means to address the lingering traffic problem. Because of its size, this new mode of transportation can weave through traffic with ease compared to the conventional public utility vehicles, bringing their passengers to their destinations faster.

Currently, Republic Act No. 4136 or the Land Transportation and Traffic Code governs the classification of vehicles. Unfortunately, the law does not explicitly allow the operation of motorcycles as public transportation which necessitates the need to amend it.

This latest transport innovation, however promising it may be, must be regulated for, among others, safety, economic, health and security reasons. Toward this end, in order to gather data and create regulations, the Department of Transportation (DOTr) formed a Technical Working Group (TWG) on Motorcycle Taxis and conducted a pilot study program. For almost three (3) months, MC taxis became part of the public transport system and, in one way or another, helped address the transportation shortage. The pilot study program began last December 23, 2019 and ran until March 23, 2020. However, due to the COVID-19 pandemic, the pilot study program ended during the period when the government put in place certain quarantine measures. Thus, some of the planned activities under the pilot study program were not conducted and some of the necessary data were not collected.

Section 28 (ee) of the Rules of the House of Representatives vests the Committee on Transportation with jurisdiction over all matters directly and principally relating to land, sea, and air transportation and all public utilities and services connected thereto, as well as the establishment, operation, management and regulation of airports, seaports and other mass transportation systems including light and heavy rail systems and roll on-roll of systems (RO-RO), civil aviation, air transport agreements, transportation safety standards, air transport security, maritime security, ballast water management, ship financing, ship mortgage, maritime liens and transportation related insurance.

Pursuant to this mandate and in response to the continuing public clamor for adequate public transportation, the Committee on Transportation, on July 30, 2020, conducted a motu proprio inquiry, in aid of legislation, on land transportation post-
enhanced community quarantine policies including several issues surrounding the
DOTr-TWG pilot study program. Present during the meeting were representatives
of the DOTr, the Land Transportation Office (LTO), the Land Transportation
Franchising and Regulatory Board (LTFRB), the Inter-Agency Task Force on
Emerging Infectious Diseases (IATF), National Task Force for COVID-19 (NTF),
the Inter-Agency Council for Traffic (I-ACT), other relevant government agencies,
the commuter groups, the stakeholders and members from the academe.

FACTS

1. By virtue of the Revised General Guidelines for the Pilot Implementation of
Motorcycle Taxis (Revised Guidelines) issued by the DOTr, a technical working
group was created composed of DOTr, the LTO, the LTFRB and I-ACT;

2. The TWG was tasked to implement the pilot study program on the operation of
the motorcycle taxis and to make a report after its termination;

3. The pilot study program was participated in by three (3) ride-hailing platform
providers – Angkas, JoyRide and Move It;

4. Section 10 of the Revised Guidelines set the maximum number of riders at
63,000 (45,000 in Metro Manila; 9,000 in Cebu City; and 9,000 in Cagayan de
Oro City) to be distributed among the three participants; and

5. The three-month pilot study program started on December 23, 2019 and ran until
March 23, 2020. However, due to the outbreak of COVID-19 and the adoption
of quarantine measures on March 17, 2020 the necessary information could not
be collected properly and the critical activities of the project could not be
pursued; and

6. In a letter dated June 22, 2020, Assistant Secretary Edgar Galvante, Acting
Chairperson of the TWG for MC Taxi, submitted to the Committee on
Transportation an Executive Summary Report on the pilot study program.

ISSUES

1. Whether or not the MC taxi pilot study program was able to achieve its main
objective of gathering necessary information that can be used to craft regulatory
measures for its operation; and

2. Whether or not there is a need to extend the implementation of the MC taxi pilot
study program.

DISCUSSION

The Committee Chairperson, Rep. Edgar Mary Sarmiento, shared some of the
details of the report submitted by Assistant Secretary Galvante. He emphasized that
while he recognizes the clamor for adequate public transportation, there is no
legislation that has been passed regulating two-wheeled vehicles. He also gave an
update on measures related to MC taxi operation pending in the TWG chaired by Vice Chairperson John Rey Tiangco.

Chairperson Sarmiento recognized the need to extend the pilot study program on MC taxis, citing the recommendation of Assistant Secretary Galvante for an extension of another three (3) months so that the agency could gather all the data and inputs of other agencies and stakeholders. He acknowledged the value and importance of transportation in the economy as he emphasized that the reduction of the operational capacity of several modes of public transportation has caused a lot of suffering to the people. The Chairperson said that the Committee, in tackling the issue, is convinced of the necessity to recommend the continuation of the pilot study program on MC taxi operation while Congress is in the process of crafting a law.

Dean Vicente Belizaro of the University of the Philippines College of Public Health presented an assessment of the installation of barriers as an additional protective measure for riders and backriders against the transmission of the virus. He said that although there is no published study to support the claim that a barrier can provide protection from the virus, common sense would tell that the more layers of protection there are, the safer it will be for everyone.

The biggest challenge, according to the representative of National Task Force (NTF) against COVID-19, Undersecretary Isidro Purisima, is how to balance the management of economic stimulating activities and the anti-virus transmission and related health protocols. He added that the health of the people remains the primary consideration as the country works for economic recovery. Undersecretary Purisima explained that the barrier was required in MC taxis as a social distancing measure and was also adopted for private motorcycle users in line with the implementation of health protocols.

Rep. Cristal Bagatsing asserted that Congress, cannot properly evaluate the proposal when there are a lot of issues that remain unresolved, citing among others, the supply and demand for motorcycle taxis, accident resolutions, fare matrix, surge pricing and the integrity of the software application. Assistant Secretary Galvante admitted that the pandemic has prevented some areas to submit their reports to the TWG, such as Cebu and Cagayan de Oro and thus the report is incomplete. He emphasized that the focus of the study is more on safety since the determination of the economic viability of the operation of MC taxis is not within the competence of the TWG.

Rep. Ruffy Biazon expressed concern over the barrier requirement, noting that while it is being considered as an additional layer of protection, it may actually be a safety risk. He suggested that if the barrier requirement is to be implemented, there must be a study on the effects of the gadget on the passenger and rider, which suggestion Rep. France Castro joined in. She added that there is a need to pass a law on the matter given the shortage in public transportation.

Mr. George Royeca of Angkas and Mr. Noli Eala of JoyRide likewise presented their views to the Committee. Mr. Royeca presented the findings on the safety of barriers including scientific data on the aerodynamic and material tests conducted on the barrier prototype. Mr. Eala, on the other hand, underlined the importance of MC taxis as a means to address the transportation shortage as well as the problem of the unregulated habal-habal industry.
FINDINGS

1. Based on the discussion and documents at hand, the Committee finds that the pilot study program failed to achieve its main objective of gathering necessary information. The Committee notes the admission of Assistant Secretary Galvante that the pilot study program was not completed and his recommendation to extend the period within which the agency will complete the pilot study program and submit its report to another three (3) months.

2. The Committee likewise notes the admission of Assistant Secretary Galvante that the report mostly touched upon the aspect of safety and not on economic viability of the operation of MC taxis.

3. The members also observed that the report submitted to the Committee lacks the data and information necessary to properly craft a legislation to govern the operation of MC taxis.

RECOMMENDATIONS

The Committee recognized the health and safety concerns raised during the discussion as well as their implications. These issues, the Committee believes, can be addressed through the collaboration of the MC Taxi TWG, DOTR, IATF, NTF, the providers and the academe.

Given the crisis that the country is facing, there is a need to balance the interests involved in making policy decisions. On one hand, there is a need to observe certain health protocols the solution to which may have serious safety implications. On the other hand, it is also necessary to formulate a viable solution to address the transportation shortage which is very vital in the country’s effort to revive the economy and to mitigate the suffering and discomfort of commuters.

Thus, the Committee, after carefully studying the issues and considering all the factors and available information and data, recommends the extension of the period of the pilot study program on MC taxi operation for the following reasons:

1. The data and information gathered during the pre-terminated pilot study program are not sufficient for Congress to intelligently formulate a measure that will regulate the operation of MC taxis;

2. There is a need to complete all the activities of the motorcycle taxi pilot study program;

3. There is a shortage in public transportation because of the reduced capacity of existing public utility transportation providers;

4. Regulating the operation of motorcycle taxis will help curb the practice of illegal habal-habal especially in areas where there is limited transportation and will allow a safer mode of transportation; and
5. The availability of public transportation to ferry workers to their places of work is of utmost importance in the efforts to revive the economy in the midst of COVID-19 pandemic.

Pursuant thereto, the Committee recommends the adoption by the House of the attached Resolution.
Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City  

EIGHTEENTH CONGRESS  
Second Regular Session  

HOUSE RESOLUTION NO. 1286  

Introduced by Reps. Edgar Mary S. Sarmiento, Precious Hipolito-Castelo,  
Julienne "Jam" L. Baronda, Cristal L. Bagatsing and John Reynald M. Tiangco  

RESOLUTION  
URGING THE INTER-AGENCY TASK FORCE FOR EMERGING INFECTIOUS DISEASES, THE NATIONAL TASK FORCE AGAINST COVID-19 AND THE DEPARTMENT OF TRANSPORTATION TO EXTEND THE CONDUCT OF THE MOTORCYCLE TAXI PILOT STUDY PROGRAM WITH THE END IN VIEW OF GATHERING ENOUGH DATA IN CRAFTING A MEASURE FOR ITS REGULATION AND RESPOND TO THE NEED FOR THE PROVISION OF ADDITIONAL MODES OF TRANSPORTATION  

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

1  
WHEREAS, the traffic congestion in Metro Manila and other urban centers in the country has led to new innovations in public utility operation. Modern technology has provided a platform for a more convenient and efficient means of delivering transportation services using the internet;  

2  
WHEREAS, starting with 4-wheeled transportation network vehicle service (TNVS), the operation of internet-based public transport has expanded to include motorcycle (MC) taxis;  

3  
WHEREAS, this new innovation in public utility operation, however promising it may be, must be regulated to address safety, economic, health, and security considerations for the riding public, among others;  

4  
WHEREAS, Republic Act No. 4136 or the Land Transportation and Traffic Code does not explicitly allow the operation of motorcycles as public transportation which necessitates the need to amend it;
WHEREAS, the Department of Transportation (DOTr) formed a Technical Working Group for the purpose of gathering data towards the submission of a recommendation to amend Republic Act No. 4136.

WHEREAS, On May 8, 2019, DOTr issued the General Guidelines for the Pilot Implementation of Motorcycle Taxis. Subsequently, Assistant Secretary Edgar Galvante of the Land Transportation Office (LTO) was appointed to chair the technical working group (TWG) for the implementation of the pilot study program to gather information relative to the viability of MC taxi operations;

WHEREAS, due to the outbreak of COVID-19 and the adoption of quarantine measures on March 17, 2020, the necessary information could not be collected properly and the critical activities of the project which began last December 23, 2019 and ran only until March 23, 2020 could not be pursued;

WHEREAS, in a letter dated June 22, 2020, the TWG Chairperson furnished the Committee on Transportation an Executive Summary Report of the results of the pilot study program based on the available data;

WHEREAS, the Committee on Transportation, on July 30, 2020, conducted a *motu proprio* inquiry on land transportation policies post-enhanced community quarantine including several issues surrounding the DOTr-TWG pilot study program which was attended by concerned government agencies such as the Inter-Agency Task Force for Emerging Infectious Diseases (IATF-EID), National Task Force (NTF) Against COVID-19, DOTr, and LTO, as well as the MC taxi operators, commuter groups and other private stakeholders;

WHEREAS, during the meeting, the MC taxi operators briefed the Committee of the safety and security measures that they plan to put in place once the government approves to extend the pilot study program for the operation of the MC taxis;

WHEREAS, the outcome of the report of the DOTr-TWG as admitted by Assistant Secretary Edgar Galvante was focused on the aspect of safety and not on the operation of MC taxis as a viable solution to address the transportation shortage deemed vital in the country’s effort to revive the economy;

WHEREAS, the Committee, after hearing the resource persons and stakeholders, concluded that the pilot study program needs to be resumed for the following reasons:
1. The data gathered during the pre-terminated pilot study program are not sufficient for Congress to come up with a responsive measure to regulate the operation of MC taxis;

2. There is a need to complete all the planned activities that were initially included in the plans for the motorcycle taxi pilot study program;

3. There is a shortage in public transportation because of the reduced capacity of existing public utility transportation providers;

4. To curb the practice of illegal habal-habal especially in areas where there is limited transportation and provide an alternative which is safer and regulated; and

5. To revive the economy in the midst of this COVID-19 pandemic, the availability of public transportation to ferry workers to their places of work is badly needed.

WHEREAS, the Chairperson of the Committee has reiterated the sentiment of the Committee through numerous letters to the members of the IATF-EID and the DOTr pursuant to several motions by Committee members to extend the pilot study program that were duly approved during the Committee meeting;

WHEREAS, the IATF-EID, NTF and the DOTr should extend the motorcycle pilot study program to determine its impact with respect to road safety and public health welfare;

WHEREAS, during the extended project period Congress shall, through the exercise of its oversight powers, monitor the developments of the pilot study program and for this purpose, the implementing body of the pilot study program shall submit their organizational chart, rules, regulations, parameters and other reports for the evaluation and consideration of the Committee on Transportation of the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved that the House of Representatives urge the Inter-Agency Task Force for Emerging Infectious Diseases, the National Task Force Against COVID-19 and the Department of Transportation to allow the extension of the conduct of the motorcycle taxi pilot study program until such a time that an appropriate law is passed to allow the gathering of critical data necessary in the crafting of a policy that shall regulate the operation of motorcycle taxis in response to the need for the provision of additional modes of transportation.

Adopted,