

PETCOA Private Emission Testing
Center Owner's Association

No. 3 Roxas Street, Beltran Subdivision, Bo. Luz, Limay, Bataan
Telephone No. (047) 244-8064 CP No. 0933-8163913
Email address: petcoa.inc@yahoo.com / petcoa.region3@gmail.com

March 22, 2024

Atty. Reinier Paul R. Yebra
Undersecretary for Legal Affairs
Chairperson, PMVIC PETC Authorization Committee
Department of Transportation
PRIMEX Towers EDSA,
San Juan City, NCR
rr.yebra@dotr.gov.ph
oula@dotr.gov.ph

LAND TRANSPORTATION OFFICE
MAR 26 2024
RECEIVED BY
TIME:
OFFICE OF THE UNDERSECRETARY FOR LEGAL AFFAIRS & PROCUREMENT

Subject: **Additional Comments on the Proposed Department Order for Mandatory Vehicle Inspection Tests**

DOTr
OFFICE OF UNDERSECRETARY
FOR LEGAL AFFAIRS & PROCUREMENT
RECEIVED
MAR 26 2024
BY: FW 1:06 pm

Dear Usec. Atty. Yebra:

We have received a letter from DOTr AC soliciting for comments/ position paper on the above subject. We thank you for allowing us to participate in commenting on the contents of the draft DO, for further improvement. We have already submitted our initial comments in a letter dated March 11, and would be glad to comment further on the technical and legal aspects of the draft DO, as follows:

1. Administrative Orders 91-005 as amended by ACL-2009-018 are addressed to government-operated LTO Motor Vehicle Inspection Centers since there are no existing PMVIC at that time of issuance. In our humble opinion, the relevance of these two issuances is to establish the precedent that LTO is allowed to issue regulations on motor vehicle inspection but this will only apply to LTO MVIS as clearly stated in both issuances, and not to PMVIC, as could be gleaned from Section 4 of AO ACL-2009-018.¹

¹ LTO AO 2009-018 Section 4: Venue of Inspection: Motor vehicle shall be conducted in any LTO Motor Vehicle Inspection Center. The registration of private motor vehicle maybe conducted in any LTO District Office provided that a Certificate of Motor Vehicle Inspection System Compliance (CMVISC) from MVIC is presented together with other documentary requirements.

ASEC FOR ROAD TRANSPORT & INFRA
3/26/24 1:12pm
ALLYSA

2. In our humble opinion, AO 91-005 as amended by AO ACL-2009-018 should not be used because under RA 8749 particularly Section 21 (c), DOTr together with DTI and DENR is mandated to “establish the procedures for the inspection of motor vehicles and the testing of their emissions for the purpose of determining the concentration and/or rate of emission of pollutants discharged by said sources.”² In our humble interpretation, the Law requires that DOTr work together with DTI and DENR to come up with procedures of motor vehicle inspection and since the Law takes precedent over issuances of regulatory agencies, a joint DOTr – DTI- DENR procedures of motor vehicle inspection should be established.
3. Road safety goals which are interpreted as the prevention of deaths and injuries in road accidents³ should not be pitted against the number of deaths and resultant health problems caused by air pollution, just like saying motor vehicle “safety” ascertained through the process of motor vehicle inspection should be seen as paramount in contrast to inspection to control emissions from motor vehicles. Citing and comparing WHO studies on death by road accidents and death by air pollution, it become obvious that there are more deaths and health problems due to polluted air than deaths by road accidents.⁴ Because of these obvious statistics coming from the World Health Organization studies (both 2018 figures), we humbly advise that DOTr refrain from pitting vehicle safety against pollution caused by emissions as a justification in promoting the PMVIC program.
4. Moreover, the goal of motor vehicle inspection as laid out in RA 8749 is to promote “efficient and safe operation of all motor vehicles” in order to attain substantial reduction of emissions.⁵ “Efficient and safe operation” in our humble interpretation is “roadworthiness.” This particular paragraph does not distinguish vehicle safety from vehicle emissions. In our humble interpretation, efficient operation refers to fuel efficiency, combustion efficiency, driving efficiency that can reduce emissions, while safe operation refers to vehicle safety that will prevent and mitigate impact of driving accidents, reduction of driver’s fatigue, parts and mechanism contributing to safety, and loads limitation for safe driving. Efficiency leads to safety and vice versa. In totality and technically, efficient and safe operation of motor vehicles is ROADWORTHINESS. Therefore, roadworthiness should not only be restricted to “safety” or the prevention of road accidents.

² RA 8749 Section 21 (c) *The DOTC (now DOTr,) together with the DTI and the Department (DENR,) shall establish the procedures for the inspection of motor vehicles and the testing of their emissions for the purpose of determining the concentration and/or rate of emission of pollutants discharged by said sources.*

³ Land Transportation Office Road Safety Action Plan, published in 2019, pages 3 – 6.

⁴ https://www.who.int/health-topics/air-pollution#tab=tab_1 “Air pollution kills an estimated seven million people worldwide every year.” In contrast to [Global status report on road safety 2018 \(who.int\)](#) “the number of annual road traffic deaths has reached 1.35 million.”

⁵ RA 8749 Section 21 (d) *“In order to ensure the substantial reduction of emissions from motor vehicles, the Department of Trade and Industry (DTI), together with the DOTC (now DOTr) and the Department (DENR), shall formulate and implement national motor vehicle inspection and maintenance program that will promote efficient and safe operation of all motor vehicles.”*

5. Section 3 of the draft DO list down the test and inspection that have reduced the mandatory test and inspection listed down in DO 2023-008. The following list shows the difference:

DO 2023-008	Draft DO Mandatory Test
Light Duty Vehicles	
Above Carriage Inspection, 17 items	Above Carriage Inspection, incl. Seat Belt, 3 items only
Under Carriage Inspection	Under Carriage Inspection
Side Slip Test	Not Included
Suspension Test	Not Included
Roller Brake Test	Roller Brake Test
Speedometer Test	Not Included
Emission Test	Not Included
Sound Level Test	Sound Level Test
Head Lights Test	Head Light Test
Motorcycles (no tricycle, although test equipment required To be capable of testing 3-wheelers)	
Above Carriage Inspection, 13 items	Above Carriage Inspection, 2 items only
Roller Brake Test	Roller Brake Test
Speedometer Test	Not Included
Head Light Test	Head Light Test
Sound Level Test	Sound Level Test
Emission Test	Not Included

We respectfully recommend that the mandatory test and inspection listed in DO 2023-008 be restored. We humbly submit that reducing inspection items listed in DO 2023-008 will defeat the very aim of achieving roadworthiness through inspection and testing, thus rendering the PMVIC program half-baked and null.

6. We recommend that DOTr visit the numerous UN ECE standard on motor vehicle technical inspection for roadworthiness,⁶ listed in the footnotes and in a separate sheet attached to this position paper.⁷ Also, because the endeavor to come up with inspection standard and

⁶ Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness UN ECE/RCTE/CONF/4/Add.2 adopted February 3, 2012; UN ECE/RCTE/CONF/4/Add.2/Rev.1 adopted February 8, 2018; UN ECE/RCTE/CONF/4/Add.3 adopted June 10, 2019.

⁷ Attachment: MV INSPECTION ITEMS FROM LTO's MOTOR VEHICLE INSPECTION SYSTEM REPORT (MVISR) FORM REFERENCING APPLICABLE PHILIPPINE LAWS, ISSUANCES, and Other INTERNATIONAL REGULATIONS.

procedures according to the Law should be a joint effort of DOTr, DTI, and DENR, we respectfully suggest all regulatory agencies mandated by the Law to get involved. The involvement of DTI will particularly result to the adoption of Philippine National Standards (PNS) that can incorporate international standard with local considerations of prevailing conditions and situations.

7. We respectfully suggest, based on the bicameral deliberations⁸ of the Clean Air Act bill before this was signed into Law, that the roadworthiness testing of freight (cargo trucks) and public transport vehicles (buses, taxis, TNVS, Jeepneys, tricycles) should be prioritized by MVIS and authorized testing centers. Reason being, these classes of vehicles are used for business and spent more time on the road, are cargo and passenger carriers that should be safe, are overloaded and strained to their maximum capacity and therefore generate more emissions and poised more dangers on the road than private motor vehicles. The prioritization of public transport vehicles and freight vehicles in roadworthiness testing are in fact reiterated by the IRR of Clean Air Act under Rule XXXIV “National Motor Vehicle Inspection and Maintenance Program” Section 1 and Section 2.⁹
8. In our understanding of the law, PETC cannot be eased out or restrict its market in favor of PMVIC due to the following: (a.) the PETC program and its role is well-defined in the IRR of Clean Air Act of 1999, under Rule XXXII Emission Control for In-Use Vehicles and Rule XXXIV Motor Vehicle Inspection and Maintenance Program; (b.) Under RA 8749 and its IRR, PETC program is a joint creation of the three regulatory agencies in which the divergent and uncoordinated action of one agency will destroy the consistency of the program as mandated by the Law, and therefore result in the failure of implementation; and (c.) the favorable treatment accorded to PMVIC to capture a large chunk of the market, hence achieving “critical mass” through the draft DO could be deemed as unethical for a public official to favor an entity or a group of investors.¹⁰

⁸ Minutes of the Bicameral Conference Committee on the Clean Air Act TWG, 1999.

⁹ DENR DAO 2000-81 Rule XXXIV “National Motor Vehicle Inspection and Maintenance Program.” Section 1: *“All private in-use motor vehicles and vehicles with updated/enhanced engine whose chassis are pre-registered with Land Transportation Office (LTO) will only be allowed renewal of annual registration when, upon inspection by the LTO or other authorized private Motor Vehicle Inspection Station (MVIS), such vehicles meet the in-use emission standards set forth in Section 1 of Rule XXXII hereof. The LTO or other authorized MVIS shall conduct the vehicle tests for emissions. Public Utility Vehicles submitted to DOTC/LTO for renewal of registration shall only be allowed upon presentation of a valid Vehicle Inspection Report issued on the basis of the inspection following the standard described hereto from the MVIS or its authorized testing center. The Vehicle Inspection Report shall be valid for a maximum of six (6) months.”* Section 2: *“The DOTC/LTO shall ensure that the Motor Vehicle Inspection System shall be fully operational in Metro Manila by January 2003. Nationwide implementation shall follow in twelve (12) to eighteen (18) months thereafter. The vehicle inspection will be initially conducted in the LTO-operated MVIS or LTO Motor Vehicle Registration Centers. Priority shall be given to the immediate testing of diesel-powered vehicles.”*

¹⁰ RA 3019 Section 3(e) *Causing any undue injury to any party, including the Government, or giving any private party any unwarranted benefits, advantage or preference in the discharge of his official administrative or judicial functions through manifest partiality, evident bad faith or gross inexcusable negligence. This provision shall apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions.*

Hence as mentioned above, we respectfully recommend that (a.) the lawful basis found in RA 8749 be established for the program to have a strong legal foundation; (b.) involvement of regulatory agencies in the motor vehicle inspection and maintenance program as required by the law; (c.) adoption of international standards for roadworthiness inspection in the local setting and situations; (d.) continuation of the PETC program as mandated by the Law and its implementing rules and regulations.

9. We respectfully recommend that the pilot testing, if lawful and necessary, include conditions and development timeline that will strengthen standard and procedures on motor vehicle inspection, such as those recommended above. Otherwise, without the standard, it will only cause confusion and vehement opposition from the motoring public that can result to the failure of the motor vehicle inspection program, or the current PMVIC.

10. DTI BPS is the right agency on product standards which is the reference for proper inspection. As of now, the Philippines do not impose safety standards for locally developed transportation modes. We are aware that PCIEERD¹¹ and NCTS¹² of UP have tried to standardized local developments of tricycle bodies for the enforcement of passenger safety. We are also aware that DTI BPS together with UP-NCTS have tried to develop a standard for customized local transport vehicle (traditional jeepney version) before the modernized jeepney standard (China-made mini-buses) was adopted as a convenient replacement. However, these standards- the safe tricycle bodies and customized local transport vehicles never came to fruition for one reason or another. Perhaps now that DOTr is keen on enforcing safety of all motor vehicles, it is the ripe time to revive the studies and resume the technical discussions. We respectfully recommend that the Department of Trade and Industry and appropriate agencies like PCIEERD and UP-NCTS be engaged again to introduce safety standards to the locally developed mode of transportation.

11. We respectfully suggest that the system-based monitoring, or even AI-based monitoring of PETC PMVIC be strengthen to pre-empt any attempts at non-appearance or pass-through testing or cross-border generation of test results or any convenient but illegal practices that will not subject the motor vehicle to undergo the required test and inspection processes. Should DOTr prematurely pushes through with the Pilot Test Areas, this will inevitably result to a surge of vehicles in the limited numbers of PMVIC. Without an effective anti-fraud control in the PMVIC system, this situation will increase the temptation and opportunities for corruption, thus defeating the concept of inspection to ascertain vehicle safety and emission compliance. DOTr should have reliable anti-fraud system in place to prevent unscrupulous operators and vehicle owners from abusing their new-found business opportunities brought about by the implementation of Pilot Test Area.

¹¹ Philippine Council for Industry, Energy, and Emerging Technology Research and Development (PCIEERD) of the Department of Science and Technology (DOST).

¹² National Center for Transport Studies (NCTS) of the University of the Philippines.

We sincerely hope that this short comment and points raised on the draft Department Order on Mandatory Test in Pilot Areas are relevant and will somewhat help DOTr further improve on its policies and regulations on promoting motor vehicle roadworthiness. Should there be any questions regarding the comments and points raised in this letter, we are more than willing to clarify and contribute.

Respectfully yours,



BERNARDO S. CHANG, JR.
Chairman, PETCOA

Cc: Atty. Vigor D. Mendoza II
Assistant Secretary, Land Transportation Office
Vice Chairperson, PETC/PMVIC Monitoring Committee

James Andres B. Melad
Assistant Secretary for Road Transport & Infrastructure
Member, PETC/PMVIC Monitoring Committee

**MV INSPECTION ITEMS FROM LTO’s MOTOR VEHICLE INSPECTION SYSTEM REPORT (MVISR) FORM
REFERENCING APPLICABLE PHILIPPINE LAWS, ISSUANCES, and Other INTERNATIONAL REGULATIONS**

Cautionary notes: The laws, issuances, and international standards for automotive listed here are references for study and adoption by DOTr /LTO and other involved agencies, forming the basis of inspection procedures. There might be other international and local issuances that can be adopted as references which are not included in the list.

ABOVE CARRIAGE – VISUAL INSPECTION for “FUNCTIONALITY” and “INTEGRITY”					
No.	Inspection Items	Vehicle Class			Applicable Phil Laws and Other International Regulations
		MC	LDV	HDV	
1	Body Appearance	✓	✓	✓	RA 4136 Chapter 1, Article III Sec.4 No.6; LTO AO ACL 2009-18 on MV inspection & testing; DOTr DO 2010-32 Sec.5 on the prohibition of illegal modification of motor vehicles.
2	Chassis	✓	✓	✓	Should be renamed as “chassis number legibility” and verified with registration document? RA 4136 Land Transportation Act requirement of MV registration; RA 10883 Anti-Carnapping Law.
3	Engine		✓	✓	Should be renamed as “engine number legibility” and verified with registration document? RA 4136 Land Transportation Act requirement of MV registration; RA 10883 Anti-Carnapping Law.
4	Handle Bars	✓			Should be “steering handle bars” applicable to MC?
5	Wiper/ Washer		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1; PNS ISO 9258:2019; PNS ISO 9259:2019 Wiper System
6	Windshield /Window Glass		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; PNS 130:1998; PNS 130:2004; PNS UNECE 43:2009 Safety Glass for Automotive Application
7	Headlights	✓	✓	✓	PD 207 adopting Vienna Convention on International Traffic Signs and Signals. Colors of headlights, signal lights, parking lights, backing lights, clearance lights are standardized;
8	Signal Lights (front)	✓	✓	✓	
9	Signal Lights (rear)	✓	✓	✓	PNS ISO 4148:2019 This standard specifies the dimensions of special warning lamps for road vehicles
10	Parking Lights (front)	✓	✓	✓	
11	Parking Lights (rear)	✓	✓	✓	LTO Rules and Regulations Concerning Motorcycle Lights dated March 15, 2016.
12	Brake Lights	✓	✓	✓	
13	Back-up Lights	✓	✓	✓	Prohibition on “illegal modification” as defined in DOTC DO 2010-32 “Harmonization of Motor Vehicle Classification of LTO and LTFRB. The current DOTr should expound on the definition of illegal modification citing specific acts and altered specifications that should be considered illegal.
14	Clearance Lights			✓	

15	Number Plate Lights	✓	✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness
16	Hazard Lights	✓	✓	✓	
17	Reflectors	✓	✓	✓	
18	Interior Lights		✓	✓	
19	Top Lights (Taxi only)		*		
20	Seat Belts		✓	✓	RA 8750 Seat Belt Law; DTI DAO #3-2000 and PNS 1892:2000 Mandatory implementation of Phil National Standard on Seat Belt Restraint and Specifications
21	Horn	✓	✓	✓	UN ECE 28-00 Audible Warning Device for cars, buses, trucks, trailers. not above 93 dB
22	Doors/ Hinges		✓	✓	LTO AO ACL 2009-18; UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness
23	Floor Board		✓	✓	
24	Side Mirror/ Rear View Mirror	✓	✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; PNS UN ECE 46:2005; LTO AO ACL 2009-18; DOTC DO 2010-32 provisions on prohibition of illegal modification.
25	Clutch System	✓	✓	✓	PNS UN ECE 60:2006 on Driver Operated Controls
26	Brake System	✓	✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; UN ECE 13:2005 and 13H:2205; PNS ISO/PAS 22574:2019 Road vehicles – Brake linings frictions materials – Visual inspection; PNS ISO 15484:2019 Brake lining friction materials
27	Driver and Passenger Seats	✓	✓	✓	UN ECE Regulation 17 on passenger seats; PNS 2126:2017 ICS 43.040.01 Public Utility Vehicles Class 2 and Class 3 Dimensions
28	Steering		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; PNS UN ECE 60:2006 on Driver Operated Controls; PNS UN ECE 79:2005 on steering wheel standards
29	Tires/ Wheels	✓	✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; PNS UN ECE 30:2010 pneumatic tires; PNS UNECE 75:2006 pneumatic tires L-category; LTO AO ACL 2009-18 motor vehicle inspection and testing; DOTr DO 2010-32 Sec.5 on the prohibition of illegal modification of motor vehicles.
30	Wheels Bolts and Nuts	✓	✓	✓	
31	Fuel Tank and Cup	✓	✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1; ISO 21487:2012 on fuel tank standard for combustion ignition engines installed on small crafts
32	Panel Gauges	✓	✓	✓	DTI promulgation of odometer reading and tamper-proof odometer under RA 8749 Sec. 21-d; UN ECE 39:2006 Speedometer standard; UN ECE regulation 121 on hand controls, tell-tales, and indicators;

BELOW CARRIAGE – VISUAL INSPECTION for “FUNCTIONALITY” and “INTEGRITY”					
No.	Inspection Items	MC	LDV	HDV	Applicable Phil Laws and Other International Regulations
1	Radiator		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; LTO AO ACL 2009-18 motor vehicle inspection.
2	Engine Bracket /Mounting	✓	✓	✓	

BELOW CARRIAGE – VISUAL INSPECTION for “FUNCTIONALITY” and “INTEGRITY”					
No.	Inspection Items	MC	LDV	HDV	Applicable Phil Laws and Other International Regulations
3	Engine Oil Leakage	✓	✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; LTO AO ACL 2009-18 motor vehicle inspection.
4	Transmission Oil Leakage	✓	✓	✓	
5	Steering Ball Joints		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; DTI DAO #8-2003 PNS 1951 on motor vehicle rebuilding standard for rebuilt MV, prohibition of “cut-and-weld.”
6	Steering Leakages/ Gear Box Mounting		✓	✓	
7	Steering Idler/ Sector Shaft		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; LTO AO ACL 2009-18 motor vehicle inspection.
8	Front Shackle Eyes/ Pins/ Bushes	✓	✓	✓	
9	Rear Shackle Eyes/ Pins/ Bushes	✓	✓	✓	
10	Stabilizer/ Bushes		✓	✓	
11	King Pins and Bearings	✓	✓	✓	

12	Front Suspension Joints/ Bushes		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; LTO AO ACL 2009-18 motor vehicle inspection.
13	Rear Suspension Joints/ Bushes		✓	✓	
14	Rear Linkages	✓	✓	✓	
15	Brake Hoses/ Pipes/ Cylinders		✓	✓	DTI DOA 8-2003 PNS 1951:2000 vehicle rebuilding standard – prohibition of “no cut-and-weld” practice; UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness;
16	Fuel Hoses/ Pipes	✓	✓	✓	
17	Spring U-bolts/ Nuts		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; LTO AO ACL 2009-18 motor vehicle inspection.
18	Spring Clips		✓	✓	
19	Shock Absorbers	✓	✓	✓	
20	Drive shaft bolts/ Nuts		✓	✓	
21	Differential Oil Leakages	✓	✓	✓	

22	Propeller Shaft Coupling		✓	✓	
23	Exhaust Pipe and Silencer	✓	✓	✓	Anti-noise pollution law- Anti Muffler Act of 2016 (SBN 1195)? LTO Memorandum dated Apr.29, 2019.
24	Chassis Frame	✓	✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness; LTO AO ACL 2009-18 motor vehicle inspection; DOTr DO 2010-32 Sec.5 on illegal modification of motor vehicles.
25	Chassis Cross Member	✓	✓	✓	
26	Body floor board		✓	✓	Applicable to passenger utility vehicle (UV), semi-truck and truck body?
BELOW CARRIAGE – VISUAL INSPECTION for “FUNCTIONALITY” and “INTEGRITY”					
No.	Inspection Items	MC	LDV	HDV	Applicable Phil Laws and Other International Regulations
27	Power Steering		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness
28	Parking Brake Wire		✓	✓	
29	Mobile Air Conditioner		✓	✓	DENR AO 2013 – prohibition of ozone depleting substances; DOTC-DENR Joint Administrative Order No. 2006-3 - Implementation of the NCPP on Motor Vehicles under the Revised Chemical Control Order (CCO) for Ozone Depleting Substances (ODS)
30	Others				
1	Early Warning Devise (EWD)		✓	✓	LTO MC VPT-2012-1609 Revised Rules on the Implementation of the Early Warning Devise
2	Color	✓	✓	✓	RA 4136 Land Transportation Act requirement of MV registration; RA 10883 Anti-Camapping Law.
3	Diesel Fuel System Seal (if diesel-fed)	✓	✓	✓	RA 8749 Sec.21-d “DTI shall prescribe regulations requiring the use of tamper resistant fuel management system”
4	Speed Limiter (if buses and trucks)		✓	✓	Republic Act No. 10916 Road Speed Limiter Act of 2016; DOTr DO.2018-008 IRR on Speed Limiter
5	Odometer Reading	✓	✓	✓	RA 8749 Sec.21-d “DTI shall prescribe regulations requiring the disclosure of odometer readings and the use of tamper-resistant odometers”

Important Inspection Checkpoints that do not appear in the above MVISR Form that should be included (because these involve safety):

BELOW CARRIAGE – VISUAL INSPECTION for “FUNCTIONALITY” and “INTEGRITY”					
No.	Inspection Items	MC	LDV	HDV	Applicable Phil Laws and Other International Regulations
1	Motorcycle stand	✓			
2	Top box and saddle (if applicable)	✓			PNS 2125:2018 motorcycle top box and side case; LTO Memorandum dated March 15, 2016
3	Spare tire and spare tire carrier		✓	✓	UN ECE/RCTE/CONF/4/Add.2/Rev.1Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness
4	Mudguard & anti-spray devise	✓	✓	✓	

5	Bumper		✓	✓	PNS 2126:2017 ICS 43.040.01 for Public Utility Vehicles Class 2 and Class 3 Dimensions; UNR 42.00 Uniform Provisions Concerning the Approval of: Vehicles with Regard to their Front and Rear Protective Devices (Bumpers, etc)
---	--------	--	---	---	---

ROADWORTHINESS TESTING USING TEST EQUIPMENT					
No.	Test Equipment	MC	LDV	HDV	Applicable Phil Laws and Other International Regulations
1	Emission Tester	✓	✓	✓	ISO 3929:2003 Road vehicles — Measurement methods for exhaust gas emissions during inspection or maintenance; DENR AO 2015-04 implementation of vehicle emission limits for Euro 4/IV, and in In-use vehicle emission standards.
2	Head Light Tester	✓	✓	✓	ISO 10604:1993 Road vehicles — Measurement equipment for orientation of headlamp luminous beams
3	Speed Tester	✓	✓	✓	ISO/DIS 20730-1 Road vehicles — Vehicle roadworthiness interface for electronic Periodical Technical Inspection (ePTI) — Part 1: Communication requirements; ISO 9141-2:1994 Road vehicles — Diagnostic systems — Part 2: CARB requirements for interchange of digital information; Requiring the use of On-Board Diagnostics (OBD) in the determination of the integrity of speed sensing and emission control devices.
4	Brake Efficiency & Performance Tester	✓	✓	✓	ISO 21069-1:2004 Road vehicles — Test of braking systems on vehicles with a maximum authorized total mass of over 3,5 t using a roller brake tester — Part 1: Pneumatic braking systems; ISO 21069-2:2008 Road vehicles — Test of braking systems on vehicles with a maximum authorized total mass of over 3,5 t using a roller brake tester — Part 2: Air over hydraulic and purely hydraulic braking systems; Limited to road vehicle mass of 3.5 tons only – there might be other ISO on larger vehicle mass.
5	Joint Play Tester		✓	✓	The PMVIC equipment manufacturers and providers have the ISO references on this equipment and the international standard procedure of its inspection and testing. DOTr/ LTO can ask it from the PMVIC equipment providers.
6	Side Slip Tester		✓	✓	
7	Suspension Tester		✓	✓	

References:

1. RA 4136 Land Transportation Act Chapter 1, Article III Sec.4 No.6;
2. LTO AO ACL 2009-18 on MV inspection & testing;
3. DOTr DO 2010-32 Sec.5 on the prohibition of illegal modification of motor vehicles.
4. RA 10883 New Anti-Carnapping Law, on prohibition on the tampering of chassis and engine numbers;
5. UN ECE/RCTE/CONF/4/Add.2/Rev.1 Uniform provisions for periodical technical inspections of wheeled vehicles with regard to their roadworthiness;
6. Philippine National Standard PNS 130:1998;

7. Philippine National Standard PNS 130:2004;
8. PNS UNECE 43:2009 Safety Glass for Automotive Application
9. PNS ISO 9258:2019;
10. PNS ISO 9259:2019 Wiper Blade and Wiper System
11. PD 207 adopting Vienna Convention on International Traffic Signs and Signals;
12. PNS ISO 4148:2019 dimensions of special warning lamps for road vehicles;
13. LTO Memorandum Concerning Motorcycle Lights dated March 15, 2016;
14. DOTC DO 2010-32 "Harmonization of Motor Vehicle Classification of LTO and LTFRB. Sec.5 on the prohibition of illegal modification. DOTr should expound on the definition of illegal modification and citing specific acts and/or altered specifications commonly practiced in the after-market and body-building industries that should be considered illegal;
15. RA 8750 Seat Belt Law;
16. DTI DAO #3-2000 and PNS 1892:2000 Mandatory implementation of Phil National Standard on Seat Belt Restraint and Specifications;
17. UN ECE 28-00 Audible Warning Device for cars, buses, trucks, trailers. not above 93 dB;
18. PNS UN ECE 46:2005 side mirrors and rear-view mirrors;
19. PNS UN ECE 60:2006 on Driver Operated Controls;
20. UN ECE 13:2005 and 13H:2205;
21. PNS ISO/PAS 22574:2019 Road vehicles – Brake linings frictions materials – Visual inspection;
22. PNS ISO 15484:2019 Brake lining friction materials, prohibition of asbestos;
23. UN ECE Regulation 17 on passenger seats;
24. PNS 2126:2017 ICS 43.040.01 Public Utility Vehicles Class 2 and Class 3 Dimensions;
25. PNS UN ECE 79:2005 on steering wheel standards
26. PNS UN ECE 30:2010 pneumatic tires;
27. PNS UNECE 75:2006 pneumatic tires L-category;
28. ISO 21487:2012 on fuel tank standard for combustion ignition engines installed on small crafts;
29. RA 8749 Sec. 21-d, pending DTI promulgation of tamper-resistant odometer and tamper-resistant fuel management system;
30. UN ECE 39:2006 Speedometer standard;
31. UN ECE regulation 121:2016/18 regulations on hand controls, tell-tales, and indicators;
32. DTI DAO #8-2003 mandatory accreditation of motor vehicle rebuilding centers;
33. PNS 1951 on motor vehicle rebuilding standard for rebuilt MV, prohibition of "cut-and-weld."

34. SBN 1195 Anti Muffler Act of 2016; Is this already a law (republic act)?
35. LTO Memorandum dated Apr.29, 2019 on anti-noise and prohibition of muffler modification in MC;
36. DENR AO 2013 – prohibition of ozone depleting substances;
37. DOTC-DENR Joint Administrative Order No. 2006-3 - Implementation of the NCPP on Motor Vehicles under the Revised Chemical Control Order (CCO) for Ozone Depleting Substances (ODS);
38. LTO MC VPT-2012-1609 Revised Rules on the Implementation of the Early Warning Device;
39. Republic Act No. 10916 Road Speed Limiter Act of 2016;
40. DOTr DO.2018-008 IRR on Speed Limiter;
41. PNS 2125:2018 motorcycle top box and side case;
42. LTO Memorandum dated March 15, 2016 on top box and side case;
43. ISO 3929:2003 Road vehicles — Measurement methods for exhaust gas emissions during inspection or maintenance;
44. DENR AO 2015-04 implementation of vehicle emission limits for Euro 4/IV, and in In-use vehicle emission standards.
45. ISO 10604:1993 Road vehicles — Measurement equipment for orientation of headlamp luminous beams;
46. ISO/DIS 20730-1 Road vehicles — Vehicle roadworthiness interface for electronic Periodical Technical Inspection (ePTI) — Part 1: Communication requirements;
47. ISO 9141-2:1994 Road vehicles — Diagnostic systems — Part 2: CARB requirements for interchange of digital information;
48. ISO 21069-1:2004 Road vehicles — Test of braking systems on vehicles with a maximum authorized total mass of over 3,5 t using a roller brake tester — Part 1: Pneumatic braking systems;
49. ISO 21069-2:2008 Road vehicles — Test of braking systems on vehicles with a maximum authorized total mass of over 3,5 t using a roller brake tester — Part 2: Air over hydraulic and purely hydraulic braking systems;
50. UNR 42.00 – Uniform Provisions Concerning the Approval of: Vehicles with Regard to their Front and Rear Protective Devices (Bumpers, etc.)



Republic of the Philippines
DEPARTMENT OF TRANSPORTATION

14 March 2024

PRIVATE EMISSION TESTING CENTER OWNER'S
ASSOCIATION (PETCOA)

petcoa.region3@yahoo.com

petcoa.inc@yahoo.com

Thru: MR. BERNARD S. CHANG, JR.
President

Subject: Call for Position Paper/Comments on Proposed Department Order for
Mandatory Vehicle Inspection Tests

Dear PETCOA Members,

This refers to the proposed Department Order entitled, "*Guidelines on Pilot Testing for Mandatory Vehicle Inspection Tests for Purposes of Motor Vehicle Registration and Renewal*".

Department of Transportation (DOTr) and LTO, thru the PETC-PMVIC Authorization Committee (AC), are currently formulating guidelines on pilot testing for mandatory vehicle inspection tests for the purpose of motor vehicle registration and renewal. In this regard, Private Emission Testing Center Owners Association's (PETCOA's) input and feedback will be crucial in ensuring viability, effectiveness and practicality of the proposed regulations.

We kindly request PETCOA's Position Paper no later than **30 March 2024** thru our official email: pmvic@dotr.gov.ph; oula@dotr.gov.ph, outlining your organization's stance on the proposed Department Order. We likewise request for additional information on the following items:

- i. Defining PETCs participation in the pilot implementation for mandatory vehicle inspection tests, specifically its capabilities for emission testing of heavy vehicles/PUVs; and
- ii. Information/data to be included in the reports to the AC and Secretary relative to the pilot implementation.

Through this collaborative approach, your valuable insights and expertise will contribute to the development of a robust and fair regulatory framework that will benefit both industry and the general public.

We appreciate your cooperation, active participation and timely response in this important initiative.

Sincerely,


Yebra Reinier Paul
Rivera
2024.03.14 13:34:18
+08'00'

ATTY. REINIER PAUL R. YEBRA
Undersecretary for Legal Affairs, DOTr
Chairperson, PETC/PMVIC Authorization Committee



JAMES ANDRES B. MELAD
Assistant Secretary for Road Transport and Infrastructure, DOTr
Member, PETC/PMVIC Authorization Committee


ATTY. VIGOR D. MENDOZA II
LTO Assistant Secretary
Vice-Chairperson, PETC/PMVIC
Authorization Committee



No. 3 Roxas Street, Beltran Subdivision, Bo. Luz, Limay, Bataan
Telephone No. (047) 244-8064 CP No. 0933-8163913
Email address: petcoa.inc@yahoo.com / petcoa.region3@gmail.com

March 11, 2024

Atty. Reinier Paul R. Yebra
Undersecretary for Legal Affairs
Chairperson, PMVIC PETC Authorization Committee
Department of Transportation
PRIMEX Towers EDSA,
San Juan City, NCR
rr.yebra@dotr.gov.ph
oula@dotr.gov.ph

Subject : **Comments on the Pilot Implementation of Mandatory MV Inspection Tests for Purpose of Motor Vehicle Registration and Renewal**

Dear Atty. Yebra:

Greetings! Foremost, we would like to thank you for inviting industry representatives to participate in the crafting of policies and implementing rules with regards to motor vehicle emission and safety inspection. Here are our comments on the draft Department Order:

1. We respectfully recommend that DOTr revisit the legal justification on the privatization of roadworthiness testing centers which is identified as motor vehicle inspection stations (MVIS) that can be found in the RA 8749 "Clean Air Act of 1999" particularly sections 21-c and 21-d, and its implementing rules and regulations which are DENR DAO 2000-81 and DENR DAO 2000-82.
2. DOTr mentioned this draft D.O. is pursuant to RA 4136 "Land Transportation Act." It is noteworthy to mention that RA 4136 has limited its concern about motor vehicle safety and its "fitness" for road operations, while RA 8749 includes "motor vehicle inspection and maintenance to promote the safe and efficient operations of all motor vehicles"
3. In our humble opinion, RA 4136 does not mandate LTO to privatize motor vehicle inspection for safety and "fitness," but RA 8749 did allow privatization that includes control of emission. We respectfully recommend that DOTr should have included motor vehicle inspection and maintenance program in line with its mandate in the RA 8749. This will also call for the participation of DTI and DENR to complete the picture.
4. By anchoring the inspection of motor vehicles for safety and "fitness," ergo, roadworthiness, solely on the provision of RA 4136, might not be legally tenable since RA 8749 has already laid down the program on National Motor Vehicle Inspection and Maintenance Program (NMVIMP) that mandates the three (3) agencies namely DTI DENR DOTC (now DOTr) to work together to formulate and implement said program.

5. Motor vehicle inspection and maintenance (I/M) is a collaborative & interdependent system to ensure vehicles' safety and emission compliance on the road. A properly maintained vehicle is an assurance that it will pass roadworthiness tests. A vehicle that failed roadworthiness tests will have to undergo proper maintenance. Also, as the vehicle aged, more rigorous maintenance activities have to be performed to ensure its safe operations and compliance with emission standard, and thereby passing mandatory inspection.
6. Recognizing that roadworthiness involves the inseparable systems of inspection and maintenance, RA 8749 particularly dedicated Section 21-d to the NMVIMP, in which the current PMVIC program should legally be anchored on.
7. Involving DTI and DENR in the motor vehicle inspection and maintenance program as mandated by RA 8749, will not only enhance the current state of the PMVIC program by drawing field expertise from by DTI and DENR, industry participants and technical experts, but also align the inspection program where legal and technical questions can be addressed.
8. We respectfully recommend that DOTr revisits DENR DAO 2000-82 "Air Quality Action Plan" where MVIS privatization plan is outlined under section 3.2.3. that includes "development of LTO regulatory capacity;" "capacity building of MVIS;" "public awareness campaign;" "strengthening of roadside emission;" among others, for a smooth transition from PETC emission inspection and testing to a roadworthiness inspection and testing that is technically sound and publicly acceptable.
9. Roadworthiness testing and pass/fail parameters has technical basis which can be gleaned from a number of Philippine Product Standards (PNS) and existing international roadworthiness inspection standards (e.g. UN ECE). As such, we respectfully recommend the involvement of DTI and DTI's technical committee no.44 who is in-charge of adapting international standards to local conditions and situations.
10. We respectfully recommend that DOTr review the PETC PMVIC monitoring system where the visual inspection items do not appear on record. A vehicle's dilapidated body, or with extended bumper, or a vehicle with broken or without windshield, or with non-functional rear or side-view-mirrors, protruding parts, or worn-out tires, such features that compromises safety and therefore roadworthiness, are not specified in the monitoring system. A lazy or half-trained MVIT can press the program default "pass-all" and therefore illegally allow such vehicles with safety issues to be registered. The visual inspection items are very important for roadworthiness inspection thus we recommend these items be specified too, in the PETC PMVIC monitoring.
11. Since Secretary Bautista had directed that policy decisions and regulations should be data-driven, we respectfully recommend that the historical data of PMVIC tests from 2021 to the current year be tapped to show the viability of this mandatory testing in regions 3, 4A, and NCR. The historical data would determine if the motor vehicle owners in these regions are ready to embrace PMVIC testing, and if not, what government intervention and or regulations can be done to address such issues.

A simple illustration on the use of PMVIC test data:

PMVIC Tests		Data	Regulatory Intervention
1	Brake Test	PUV- 70% passing	Those that failed requires proof of repair before retest. Meanwhile, vehicle cannot be used on the road for safety reasons.
2	Lights Test	PUV- 15% passing. Failed due to RHD-oriented headlights	Those failed have to change LDH-oriented headlight assemblies before retest, requires proof of change headlight. Meanwhile, the vehicle cannot be used on the roads for safety reasons.
3	Visual check	MC- 10% has modified tailpipe or muffler	Restoration of the original manufacturer's tailpipe and muffler configuration. Meanwhile, modified MC is slapped with penalty.

12. We respectfully recommend that a focused team be formed to look into the historical PMVIC test data collected since 2021 in the 3 regions, analyze the data, and recommend solutions to the issues encountered in order to arrive at a legal, smooth, and acceptable measures that can be embraced by the affected parties who are the motor vehicle owners. As industry players, we in PETCOA can contribute much and is willing to be a part of the focused team.
13. We are of the opinion that the DOTr roadworthiness program will take off with less opposition, in a strong legal and technical foundation that can be found in RA 8749 and its implementing rules and regulations.

There might be other issues related to the draft Department Order that was not tackled here in details, such as GOAR being an unrealistic control measure. However, we are still open for discussions on all matters specifically on the legal and technical aspects of the issues. We can easily be reached through the contact numbers and email address provided.

Respectfully yours,



BERNARDO S. CHANG, JR.
Chairman PETCOA