



Republic of the Philippines  
Department of Transportation  
**LAND TRANSPORTATION OFFICE**  
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August 4, 2025

**BERNARDO S. CHANG, JR.**  
Chairman, PETCOA  
No. 3 Roxas St. Beltran Subd. Bo. Luz,  
Limap, Bataan

**SUBJECT : DEFECTS OF LTO MEMORANDUM NOS. VDM-062025-003 & VDM-062025-004**

Dear Mr. Chang:

We write in response to your letter dated 14 July 2025, raising pertinent concerns regarding the Land Transportation Office's (LTO) Memoranda Nos. VDM-062025-003 and VDM-062025-004.

We wish to inform you that, in light of the issues raised, Memorandum No. VDM-062025-003 has been suspended by virtue of Memorandum GGP-072025-002<sup>1</sup>. This suspension aims to strictly enforce the Manual and Visual Inspection Checklist, especially after receiving reports of non-observance by inspectors of the proper inspection procedure.

Regarding Memorandum No. VDM-062025-004, we would like to clarify that its issuance is fully within the scope of the LTO's mandate. Firstly, the guidelines outlined in said Memorandum are based on the authority granted by Republic Act (RA) No. 4136. Specifically, RA No. 4136 imposes penalties under Section 56, particularly paragraph (d) for *Driving a motor vehicle with delinquent, suspended or invalid registration, or without registration or without the proper license plate for the current year*. Secondly, as to apprehension of unsafe vehicles, Section 16 of RA No. 4136 applies, to wit:

**Section 16. Suspension of registration certificate.** - If on inspection, as provided in paragraph (6) of Section four hereof, any motor vehicle is found to be unsightly, unsafe, overloaded, improperly marked or equipped, or otherwise unfit to be operated, or capable of causing excessive damage to the highways, or not conforming to minimum standards and specifications, the Commissioner may refuse to register the said motor vehicle, or if already registered, may require the number plates thereof to be

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<sup>1</sup> Attached herewith is a copy

surrendered to him, and upon seventy-two hours notice to the owner of the motor vehicle, suspend such registration until the defects of the vehicle are corrected and/or the minimum standards and specifications fully complied with.

Moreover, according to Section 4 of the same statute, the Assistant Secretary (then Commissioner of Land Transportation) "*and his deputies are hereby authorized to use all reasonable means within their powers to secure enforcement of the provisions of this Act.*" As such, a Department Order is not required. Memorandum VDM-062025-004 was issued as a reaffirmation of the mandate of the LTO under RA No. 4136.

Finally, the "unfitness" of a vehicle is tested against the standards outlined in LTO Administrative Order No. ACL-2009-018, which establishes a clear standard for roadworthiness.

We hope we have addressed your concerns. We remain committed to ensuring that vehicle inspection policies prioritize public safety and rights while adhering to the rule of law.

Very truly yours,

  
**ATTY. VIGOR D. MENDOZA II**  
*Assistant Secretary*



Copy furnished:

**Hon. Vivencio B. Dizon**  
*Secretary, DOTr*

**Atty. Jonathan B. Ronulo**  
*Undersecretary for Legal Affairs*

**Ramon G. Reyes**  
*Undersecretary for Road Transport & Non-Infrastructure*

LAND TRANSPORTATION OFFICE



Private Emission Testing  
Center Owner's Association

JUL 16 2025

RECEIVED BY: [Signature]  
OFFICE OF THE EXECUTIVE DIRECTOR

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.inc2002@gmail.com

July 14, 2025

**HON. VIVENCIO B. DIZON**  
Secretary

Department of Transportation (DOTr)  
9F Floor, PRIMEX Towers  
EDSA corner Connecticut St.  
San Juan City

**HON. VIGOR D. MENDOZA II**  
Assistant Secretary

Land Transportation Office (LTO)  
Central Office East Ave.  
Quezon City



**Subject : Defects of LTO Memorandum Nos. VDM-062025-003 & VDM-062025-004**

Dear Secretary and Assistant Secretary,

The Private Emission Testing Center Owner's Association (**PETCOA**) respectfully raises defects on Land Transportation Office's (LTO) Memoranda Nos. **VDM-062025-003** and **VDM-062025-004**, which implement a "No Manual Inspection" policy and limit manual inspection of motor vehicles.

These Memoranda are **legally infirm** and **ultra vires**, as they substantially alter existing inspection policy without lawful authority, valid departmental delegation, or the procedural safeguards required by law and reinforced by the **Office of the Solicitor General's (OSG) Opinion dated 18 June 2024**.

**(1) Lack of Department Order**

Both Memoranda were issued without a Department Order duly approved by the Secretary of Transportation. The Administrative Code of 1987 (E.O. No. 292) requires that line bureaus like the LTO operate under the control and supervision of the Department Secretary.

The OSG Opinion dated 18 June 2024 clarified that a Department Order is mandatory for major policy shifts like vehicle inspection reform.

Thus, the LTO Memoranda are void for lack of such required departmental authority.

**(2) Absence of Stakeholder Consultation**

The OSG emphasized that stakeholder consultation is essential before implementing any reforms involving PMVIC or PETC operations. There is no record of public consultation, hearings, or engagement with affected stakeholders prior to the issuance of these memoranda.

**(3) No Legal Basis for Reassigning or Suspending Manual Inspections**

Section 4(d)(6) of R.A. No. 4136 authorizes the LTO to ensure vehicle safety prior to registration, but does not grant power to unilaterally suspend or revise existing inspection methods or override standing policies.

Vehicle safety inspection is laid out under existing LTO Administrative Order 2009-018 "*Revised AO on Motor Vehicle Inspection System and Promulgation of the IRR*", that stipulates visual safety inspection shall be done in an LTO motor vehicle inspection center (MVIC). The Memorandum of 28 October 2021 should not have transferred inspection to the district offices where no LTO MVIC are present.

R.A. No. 4136 does not justify the bypassing of procedural requirements under the Administrative Code of 1987 and the guidelines set by OSG.

**(4) Contravention of Senate Committee Report No. 184**

This Report (dated 16 February 2021) flagged serious legal, procedural, and transparency issues in PMVIC implementation. And yet, the LTO Memoranda revive and perpetuate these same concerns:

- Arbitrary suspension of manual inspections;
- Lack of clear standards for "roadworthiness";
- No cost transparency or accountability mechanisms; and
- Ambiguity in accreditation, oversight, and procedural fairness.

The LTO Memoranda replicate these defects by unilaterally enforcing ambiguous scoring metrics in VDM-062025-004 and eliminating manual inspection in VDM-062025-003, without policy clarity or public engagement.

**(5) Violation of Due Process and Transparency Requirements**

Under *Araullo v. Aquino III* (G.R. No. 209287), administrative actions that affect public rights must comply with due process and proper delegation. The principle of administrative due process requires that agency actions adhere to statutory authority and public accountability.

Under *Demetria v. Alba* (G.R. No. 71977), bureau-level circulars and memoranda cannot override statutes or validly promulgated administrative issuances.

The LTO Memoranda materially affect vehicle owners, PMVICs, PETCs, and inspectors—without legal anchoring, rulemaking, or procedural notice.

**(6) Specific Findings from the OSG Opinion Confirming Legal and Operational Defects**

In support of the foregoing, we further cite the following specific findings from the OSG Opinion and Committee Report, which highlight additional operational and legal infirmities in the implementation of the LTO Memoranda:

**i. Gaps in Standards and Clarity:**

The absence of clear specifications in the issuance of LTO Memorandum No. **VDM-062025-004** leads to subjective and arbitrary standards on vehicle “unfitness,” with no established baseline of roadworthiness—especially for heavy vehicles.

**ii. Uneven Distribution of PMVICs:**

The OSG highlighted the still-uneven distribution of PMVICs across pilot regions (per Memorandum No. **VDM-062025-003**), despite the geographical challenges of island provinces, like Marinduque. This results in inequitable implementation and accessibility issues.

**iii. Lack of Coverage for Heavy Vehicles:**

The current Department Order only authorizes PMVICs for light vehicles and motorcycles. There is no contingency provided for errant heavy vehicles (HVs) which cannot be released under Paragraph 5 of Memorandum No. **VDM-062025-004**.

**iv. Non-Uniformity in Fees:**

The OSG and committee reports further flag the inconsistency in PMVIC fees and costs, creating unfair economic burdens across different regions and facilities.

In LTO Memorandum No. **VDM-062025-003**, the following defects are glaring:

- Reassign or suspends manual inspection without a valid Department Order;
- Assigns PMVICs exclusive visual inspection authority without proper rulemaking authority; and
- Relies on vague interpretation of RA 4136 to justify reassignment of manual inspection.

In LTO Memorandum No. **VDM-062025-004**, the following defects are glaring:

- Imposes a substantive operational shift without any Department Order or public hearing;
- Risks being arbitrary, discriminatory and violative of due process; and
- Both Memoranda ignores OSG’s guidance requiring Department Order and consultations.

In view of the legal infirmities detailed above, it is respectfully submitted that the implementation of LTO Memoranda VDM-062025-003 and VDM-062025-004 should be immediately **enjoined, withdrawn, or suspended**, unless and until:

- (1) A valid Department Order is issued by the DOTr Secretary;
- (2) Comprehensive stakeholder consultation is conducted, including PETCs, transport groups and consumers;
- (3) Roadworthiness standards are clearly defined by rule; and
- (4) Transparency and accountability measures in PMVIC and PETC operations are established in compliance with OSG recommendations and Senate findings.

These LTO Memoranda, if left unchecked, will revive past Constitutional and legal infirmities in the PMVIC Program, and will expose DOTr, LTO and the PBBM Administration to legal challenges.

Respectfully yours,



**BERNARDO S. CHANG, JR.**  
Chairman, PETCOA

**RECEIVED**  
Office of the Executive Secretary  
**JUL 16 2025**  
Bonifacio Hall  
By:  Time: **3:45 PM**

cc: **Chief Justice Lucas P. Bersamin**  
Executive Secretary

**Mr. Ramon G. Reyes**  
Undersecretary for Road Transport & Non-Infrastructure

*CARINI*  
*ALISA*  
*7/16/25*  
*2:16 pm*

**Atty. Jonathan B. Ronulo**  
Undersecretary for Legal Affairs

**Senate - Committee on Public Services**

**RECEIVED**

**LCSS "G"**  
DATE: **7/17/2025**  
**JULIUS TUPAZ** 2:24 pm

DOTr  
OFFICE OF UNDERSECRETARY  
FOR LEGAL AFFAIRS & PROCUREMENT  
**RECEIVED**  
**JUL 16 2025**  
BY:  2:10