

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

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SENATE
S. No. 1751

RECEIVED BY: _____ *G*

Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

With the prevalent use of motor vehicles in everyday life and the increasing incidence of carjacking and other motor vehicle related crimes, the need for a more effective and efficient system of penalizing and preventing these crimes arises.

Republic Act No. 6539, as amended, otherwise known as the Anti-Carjacking Act of 1972, penalizes and prevents carjacking. Part of this law mandates the registration of motor vehicle engines, engine blocks and chassis. However, the present law does not mandate the registration of number plates as a means of identifying motor vehicles. Undoubtedly, the best way to identify and investigate a motor vehicle, especially one that has been the subject or object of a crime, is to start with an inquiry on its number plate. This bill proposes to mandate the inclusion of number plates in the registration of motor vehicles for identification and other purposes.

This bill further seeks to update the Anti-Carjacking Act of 1972 by replacing the Philippine Constabulary and the Land Transportation Commission to the Philippine National Police and the Land Transportation Office, respectively. Furthermore, this bill proposes that the net proceeds of the sales of abandoned motor vehicles be remitted to the National Treasury instead of the Philippine National Police to prevent corruption and to generate additional revenues for the government.



RICHARD J. GORDON
Senator

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**AN ACT AMENDING REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE KNOWN
AS THE ANTI-CARNAPPING ACT OF 1972**

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

1 SECTION 1. Section 2 of Republic Act No. 6539, as amended, otherwise known as
2 the Anti-Carnapping Act of 1972 is hereby amended to read as follows:

3 "SEC. 2. *Definition of terms.* – The terms "carnapping," "motor
4 vehicle," "defacing or tampering with," "repainting," "body-building,"
5 "remodelling," "dismantling," and "overhauling", as used in this Act, shall be
6 understood, respectively, to mean –

7 XXX

8 "Defacing or tampering with" a NUMBER PLATE OR serial number is
9 the REMOVING, erasing, scratching, altering or changing of the
10 IDENTIFICATION OF ANY MOTOR VEHICLE NUMBER PLATE OR original
11 factory-inscribed serial number on the motor vehicle engine, engine block or
12 chassis of any motor vehicle. Whenever any motor vehicle is found to have a
13 serial number on its motor engine, engine block or chassis which is different
14 from that which is listed in the records of the Bureau of Customs for motor
15 vehicles imported into the Philippines, that motor vehicle shall be considered
16 to have a defaced or tampered with serial number.

17 "Repainting" is changing the color of a motor vehicle by means of
18 painting. There is repainting whenever the new color of a motor vehicle is
19 different from its color as registered in the Land Transportation [Commission]
20 OFFICE.

21 XXX"

1 Sec. 2. Section 3 of Republic Act No. 6539, as amended, otherwise known as the
2 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

3 “SEC. 3. *Registration of MOTOR VEHICLE, motor vehicle engine,*
4 *engine block and chassis.* – [Within one year after the approval of this Act,
5 e]Every owner or possessor of [unregistered] A motor vehicle or parts thereof
6 in knock down condition shall register with the Land Transportation
7 [Commission] OFFICE the MOTOR VEHICLE, motor vehicle engine, engine
8 block and chassis, in his name or in the name of the real owner who shall be
9 readily available to answer any claim over the registered MOTOR VEHICLE,
10 motor vehicle engine, engine block and chassis. [Thereafter, a]All MOTOR
11 VEHICLES, motor vehicle engines, engine blocks and chassis not registered
12 with the Land Transportation [Commission] OFFICE shall be considered as
13 untaxed importation or coming from an illegal source or carnapped, and shall
14 be confiscated in favor of the Government.

15 X X X”

16 Sec. 3. Section 4 of Republic Act No. 6539, as amended, otherwise known as the
17 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

18 “SEC. 4. *Permanent registry of MOTOR VEHICLES, motor vehicle*
19 *engines, engine blocks and chassis.* – The Land Transportation [Commission]
20 OFFICE shall keep a permanent registry of MOTOR VEHICLES, motor
21 vehicle engines, engine blocks and chassis of all motor vehicles, specifying
22 therein INCLUDING BUT NOT LIMITED TO their type, make, [and] serial
23 numbers AND NUMBER PLATES and stating therein the names and
24 addresses of their present and previous owners. Copies of the registry and of
25 all entries made thereon shall be furnished by the Philippine [Constabulary]
26 NATIONAL POLICE and all Land Transportation [Commission] OFFICE
27 regional, provincial and city branch offices: *Provided, That all Land*
28 *Transportation [Commission] OFFICE regional, provincial and city branch*
29 *offices are likewise obliged to furnish copies of all registrations of motor*
30 *vehicles to the main office and to the Philippine [Constabulary] NATIONAL*
31 *POLICE.”*

32 Sec. 4. Section 5 of Republic Act No. 6539, as amended, otherwise known as the
33 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

1 "SEC. 5. *Registration of sale, transfer, conveyance, substitution or*
2 *replacement of a MOTOR VEHICLE, motor vehicle engine, engine block or*
3 *chassis. – Every sale, transfer, conveyance, substitution or replacement of a*
4 *MOTOR VEHICLE, motor vehicle engine, engine block or chassis of a motor*
5 *vehicle shall be registered with the Land Transportation [Commission]*
6 *OFFICE. Motor vehicles assembled and rebuilt or repaired by replacement*
7 *with motor vehicle engines, engine blocks and chassis not registered with the*
8 *Land Transportation [Commission] OFFICE shall not be issued certificates of*
9 *registration and shall be considered as untaxed imported motor vehicles or*
10 *motor vehicles carnapped or proceeding from illegal sources."*

11 Sec. 5. Section 6 of Republic Act No. 6539, as amended, otherwise known as the
12 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

13 "SEC. 6. *Original Registration of motor vehicles. – Any person seeking*
14 *the original registration of a motor vehicle, whether that motor vehicle is newly*
15 *assembled or rebuilt or acquired from a registered owner, shall within one*
16 *week after the completion of the assembly or rebuilding job or the acquisition*
17 *thereof from the registered owner, apply to the Philippine [Constabulary]*
18 *NATIONAL POLICE for clearance of the motor vehicle for registration with the*
19 *Land Transportation [Commission] OFFICE. The Philippine [Constabulary]*
20 *NATIONAL POLICE shall, upon receipt of the application, verify if the motor*
21 *vehicle or its numbered parts are in the list of carnapped motor vehicles or*
22 *stolen motor vehicle parts, OR MOTOR VEHICLES USED IN THE*
23 *COMMISSION OF CRIMES. If the motor vehicle or any of its numbered parts*
24 *is not in that list, the Philippine [Constabulary] NATIONAL POLICE shall*
25 *forthwith issue a certificate of clearance. Upon presentation of the certificate*
26 *of clearance from the Philippine [Constabulary] NATIONAL POLICE and after*
27 *verification of the registration of the MOTOR VEHICLE, motor vehicle engine,*
28 *engine block and chassis in the permanent registry of motor vehicle engines,*
29 *engine blocks and chassis, the Land Transportation [Commission] OFFICE*
30 *shall register the motor vehicle in accordance with existing laws, rules and*
31 *regulations."*

32 Sec. 6. Section 7 of Republic Act No. 6539, as amended, otherwise known as the
33 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

1 "SEC. 7. *Duty of Collector of Customs to report arrival of imported*
2 *motor vehicles, etc.* – The Collector of Customs of a principal port of entry
3 where an imported motor vehicle, motor vehicle engine, engine block, chassis
4 or body is unloaded, shall within seven days after the arrival of the imported
5 motor vehicle or any of its parts enumerated herein, make a report of the
6 shipment to the Land Transportation [Commission] OFFICE, specifying the
7 make, type and serial numbers, if any, of the MOTOR VEHICLE, motor
8 vehicle engine, engine block and chassis or body, and stating the names and
9 addresses of the owner or consignee thereof. If the MOTOR VEHICLE,
10 motor vehicle engine, engine block, chassis or body does not bear any serial
11 number, the Collector of Customs concerned shall hold the MOTOR
12 VEHICLE, motor vehicle engine, engine block, chassis or body until it is
13 numbered by the Land Transportation [Commission] OFFICE.

14 Sec. 7. Section 8 of Republic Act No. 6539, as amended, otherwise known as the
15 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

16 "SEC. 8. *Duty of importers, distributors and sellers of motor vehicles to*
17 *keep record of stocks.* – Any person engaged in the importation, distribution,
18 and buying and selling of motor vehicles, motor vehicle engines, engine
19 blocks, chassis or body, shall keep a permanent record of his stocks, stating
20 therein their type, make, [and] serial numbers AND NUMBER PLATES, and
21 the names and addresses of the persons from whom they were acquired and
22 the names and addresses of the persons to whom they were sold, and shall
23 render an accurate monthly report of his transactions in motor vehicles to the
24 Land Transportation [Registration Commission] OFFICE."

25 Sec. 8. Section 9 of Republic Act No. 6539, as amended, otherwise known as the
26 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

27 "SEC. 9. *Duty of manufacturers of engine blocks, chassis or body to*
28 *cause numbering of engine blocks, chassis or body manufactured.* – Any
29 person engaged in the manufacture of engine blocks, chassis or body shall
30 cause the numbering of every engine block, chassis or body manufactured in
31 a convenient and conspicuous part thereof which the Land Transportation
32 [Commission] OFFICE may direct for the purpose of uniformity and
33 identification of the factory and shall submit to the Land Transportation

1 [Commission] OFFICE a monthly report of the manufacture and sale of
2 engine blocks, chassis or body."

3 Sec. 9. Section 10 of Republic Act No. 6539, as amended, otherwise known as the
4 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

5 "SEC. 10. *Clearance and permit required for assembly or rebuilding of*
6 *motor vehicles.* – Any person who shall undertake to assemble or rebuild or
7 cause the assembly or rebuilding of a motor vehicle shall first secure a
8 certificate of clearance from the Philippine [Constabulary] NATIONAL
9 POLICE: *Provided,* That no such permit shall be issued unless the applicant
10 shall present a statement under oath containing the type, make and serial
11 numbers of the engine, chassis and body, if any, and the complete list of the
12 spare parts of the motor vehicle to be assembled or rebuilt together with the
13 names and addresses of the sources thereof.

14 In the case of motor vehicle engines to be mounted on motor boats,
15 motor bancas and other light water vessels, the applicant shall secure a
16 permit from the Philippine Coast Guard, which office shall in turn furnish the
17 Land Transportation [Commission] OFFICE the pertinent data concerning the
18 motor vehicle engines including their type, make and serial numbers."

19 Sec. 10. Section 11 of Republic Act No. 6539, as amended, otherwise known as the
20 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

21 "SEC. 11. *Clearance required for shipment of motor vehicles, motor*
22 *vehicle engines, engine blocks, chassis or body.* – Any person who owns or
23 operates interisland shipping or any water transportation with launches,
24 boats, vessels or ships shall within seven days submit a report to the
25 Philippine [Constabulary] NATIONAL POLICE on all motor vehicle, motor
26 vehicle engines, engine blocks, chassis or bodies transported by it for the
27 motor vehicle, motor vehicle engine, engine block, chassis or body to be
28 loaded on board the launch, boat, vessel or ship."

29 Sec. 11. Sections 12, 12-A and 12-B of Republic Act No. 6539, as amended,
30 otherwise known as the Anti-Carnapping Act of 1972 is hereby amended to read as follows:

31 "SEC. 12. *Defacing or tampering with NUMBER PLATES OF MOTOR*
32 *VEHICLES OR serial numbers of motor vehicle engines, engine blocks and*
33 *chassis.* – It shall be unlawful for any person to deface or otherwise tamper

1 with the original or registered NUMBER PLATES OF MOTOR VEHICLES
2 AND serial numberS of motor vehicle engines, engine blocks and chassis.

3 NO MOTOR VEHICLE WITH A DEFACED OR TAMPERED WITH
4 NUMBER PLATE MAY BE DRIVEN ON THE PUBLIC HIGHWAYS. ANY
5 PERSON DRIVING A MOTOR VEHICLE WITH A DEFACED OR
6 TAMPERED WITH NUMBER PLATE ON THE PUBLIC HIGHWAYS IS
7 DISPUTABLY PRESUMED TO HAVE DEFACED OR TAMPERED WITH
8 THE NUMBER PLATE OF THE MOTOR VEHICLE.

9 SEC. 12-A. All carnapped or stolen motor vehicle, recovered and
10 impound by law enforcement agencies which after a period of three (3)
11 months from the date of its seizure/recovery have remained unclaimed or
12 whose real owners could no longer be determined or established because the
13 original NUMBER PLATE OF THE MOTOR VEHICLE OR SERIAL numbers
14 of the motor VEHICLE engine, ENGINE BLOCK AND [or] chassis [numbers]
15 could no longer be determined and restored, are considered as abandoned
16 motor vehicles and shall be sold and disposed of by the Chief of
17 [Constabulary] THE PHILLIPPINE NATIONAL POLICE or his authorized
18 representative in a public auction: *Provided*, That, in all cases before any
19 public auction is effected, there shall be published once a week for three (3)
20 consecutive weeks in a newspaper of general circulation in the Philippines or
21 in the place where it was recovered or found, a description of the vehicles
22 intended to be auctioned with a notice that after the lapse of one month from
23 the date of the last publication, should no person file a claim for the recovery
24 of the same, said motor vehicles will be sold at public auction: *Provided*,
25 *finally*, That the date and place of the public auction to be conducted by the
26 Chief of [Constabulary] THE PHILIPPINE NATIONAL POLICE or his
27 authorized representative shall already be fixed in the last publication
28 aforementioned.

29 SEC. 12-B. After the public auction, the proceeds shall be applied to
30 answer for charges including storage and cost of publication and related
31 expenses incurred in connection therewith: *Provided*, That, the remainder, if
32 any, shall be [retained by the Philippine Constabulary/Integrated National
33 Police to be used for the operational expenses of the Anti-Carnapping Task

1 Force or any such unit as may hereinafter be created for a similar purpose for
2 which the Anti-Carnapping Task Force was created] REMITTED TO THE
3 NATIONAL TREASURY.”

4 Sec. 12. Section 16 of Republic Act No. 6539, as amended, otherwise known as the
5 Anti-Carnapping Act of 1972 is hereby amended to read as follows:

6 “SEC. 16. *Reward.* – Any person who voluntarily gives information
7 leading to the recovery of carnapped vehicles and for the conviction of the
8 persons charged with carnapping shall be given as reward so much reward
9 money as the Philippine [Constabulary] NATIONAL POLICE may fix. The
10 Philippine [Constabulary] NATIONAL POLICE is authorized to include in its
11 annual budget the amount necessary to carry out the purposes of this section.

12 Any information given by informers shall be treated as confidential matter.”

13 Sec. 13. *Repealing Clause.* – Any law, presidential decree or issuance, executive
14 order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is
15 hereby repealed or modified accordingly.

16 Sec. 14. *Separability Clause.* – If any portion or provision of this Act is declared
17 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
18 remain in force and effect.

19 Sec. 15. *Effectivity Clause.* – This Act shall take effect fifteen (15) days from the date
20 of its publication in at least one (1) newspaper of general circulation.

21 Approved,