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S E N A T E



COMMITTEE REPORT NO. 435

Submitted by the Committee on Accountability of Public Officers and Investigations on DEC 16 2021.

**THE ALLEGED MISFEASANCE, MALFEASANCE, AND NONFEASANCE
IN THE IMPLEMENTATION OF THE MOTORCYCLE CRIME
PREVENTION ACT (REPUBLIC ACT NO. 11235)**

Recommending the approval of the Committee Report.

Sponsor: Senator Richard J. Gordon

Mr. President:

The Committee on Accountability of Public Officers and Investigations (Blue Ribbon) has conducted an inquiry, in aid of legislation, on the alleged misfeasance, malfeasance, and nonfeasance in the implementation of the Motorcycle Crime Prevention Act (Republic Act No. 11235).

The Committee has the honor to submit to the Senate its First Partial Report, after conducting an inquiry.

Recommending the adoption of the recommendations contained therein.

UNABATED RIDING-IN-TANDEM KILLINGS: NON-IMPLEMENTATION OF MOTORCYCLE CRIME PREVENTION ACT (RA 11235)

PARTIAL COMMITTEE REPORT

quo usque tandem abutere patientia nostra
(*para*) For how much longer, will our citizens be abused and put in peril?

-Cicero's first speech In Catilinam to the Roman Senate

Life has become cheap in this country. Paulit-ulit ang patayan, paulit-ulit nakikita ng tao, at ang nangyayari ay nasasanay na ang mga tao at parang nasagasaang aso na lang 'yung binaril, lalampasan na lang nila at sasabihin na lang nila 'droga yan.' Sasabihin na lang nila, 'magnanakaw 'yan.'

Based on the records from the Philippine National Police, an average of **four people are killed each day by riding-in-tandem or solo-riding gunmen**. This year alone, Your Committee has recorded 201 victims of riding-in-tandem incidents.

The latest victim is the Mayor of Al-Barka, Basilan - Mayor Darussalam Lajid was killed along with his bodyguard, Barad Nuruddin, in Zamboanga City. Mayor Lajid and another mayor – Mayor Alih Awal Sali (Akbar, Basilan) – were walking towards a mosque when four (4) riding-in-tandem shot them using .45 pistols. Only Mayor Alih Awal Sali survived among the victims.

Of the total 19,277 motorcycle-riding perpetrated crimes or incidents reported from 2016 to January 31, 2021, **only 26%** or 5,032 cases were marked solved – **7,123 of this number was murder**.¹

Impunity reigns.

In the performance of its duty, the government's primordial function is the **protection of the people**. The "Motorcycle Crime Prevention Act" or RA 11235 aims to protect the innocent from motorcycle-laden criminals by allowing more efficient identification of specific vehicles used in many crimes, through the requirement of larger, legible, and more identifiable license

¹ PNP Submission. Incidents involving MRS.

plates. It, too, seeks the **prevention of exploitation** of poor motorcycle buyers by requiring that certificates of registration and official receipts be released to those buyers of motorcycles less than a week from acquisition.

In a resolute effort to stop the unabated killings in the country, your Chairman filed in the 17th Congress, on September 17, 2016, Senate Bill No. 1128, also known as **Motorcycle Crime Prevention Act of 2016**. Senate Bill 1128 became a law on March 8, 2019, RA 11235 (An Act Preventing and Penalizing the Use of Motorcycles in the Commission of Crimes By Requiring Bigger, Readable and Color-Coded Number Plates and Identification Marks, and for Other Purposes).

RA 11235 works to require bigger, more legible motorcycle plates to **ease identification** of those from afar; it **hastens the transfer of registration papers to the owner**, so they can become responsible for their vehicles, imposing on the owners a **duty** to immediately report a theft lest a presumption ensue that the owner of a vehicle used to commit a crime is also a co-participant in the crime; and, **LTO is mandated to set up a 24/7 command center** which will function as an action center for the reporting of stolen motorcycles, and reports on the commission of crimes

perpetrated through the use of vehicles. The command center should include text blasts warning people on the occurrence of killings, and other crimes.

RA 11235 was **enacted to abate killings and to get a reasonable measure of accountability**: being able to point out the killer through the system introduced by RA 11235, particularly those committed by criminals who use motorcycles as their get-away vehicles, or any criminal who rides a motorcycle to slay and victimize the innocent, by requiring bigger, color-coded and more readable number plates for the back of motorcycles and decal plates for the front.

Under Sec. 5 of RA 11235, motorcycle plates must be readable so that people can easily see them, providing greater chances for crimes perpetrated by criminals on board motorcycles to be solved and criminals arrested.

RA 11235's Section 15 provides for the establishment of a **joint LTO-PNP Operations and Command Center**, equipped with a reliable database, the latest available technology, and adequate hardware and software sufficient to immediately address emergencies or concerns related to crimes or offenses committed with the use of motorcycles. The creation of the joint LTO-PNP Operations and Command Center should have been the beginning of a bolstered, better, and even brighter LTO and PNP, equipped

with a digital infrastructure to empower citizens in reporting crime, computerizing relevant information, inter-government agency real-time data sharing, building a networked deterrent against crimes perpetrated through motorcycles, coordination of government programs, and reinforcing peace and order throughout the Philippines.

With the proper implementation of RA 11235, riding-in-tandem perpetrators will be easily apprehended since the number plates will be easily read and monitored. Law enforcers will be able to **trace the owner of the motorcycle used in the crime** because the number **plates are color-coded** and **a complete database kept in the operations center that will be jointly operated by the PNP and the LTO**. When a motorcycle is lost, stolen or used in a crime, the owner must report it. An **all points bulletin** will be issued through **text message** so that the citizens can report it properly and aid in solving the crime.

Had RA 11235 been properly and timely implemented, then several other programs, projects, or initiatives could have come out of the LTO-PNP Operations and Command Center or the "OpCen". One example, which forms part of this Committee's recommendations, is an integrated mobile phone computer software application or a smartphone "app". LTO-PNP OpCen

could have had an app right now, where people could immediately report the motorcycle perpetrated crimes, . LTO-PNP OpCen could have contributed to the prosecution of motorcycle crimes, and, more importantly, to the prevention of an unbroken series of murder in our streets.

The Motorcycle Crime Prevention Act ensures that we curb the still rampaging riding-in-tandem assassinations. ***Araw-araw may binabariil, ang purpose ng batas na ito ay para may pag-asa ang tao na kapag may namaril makikita ang plaka nila. May laban yung nabariil, may laban na yung komunidad whose peace had been disturbed. This is really anti-crime, intended to take a big bite out of it.***

I. UNABATED KILLINGS

It has been more than two (2) years since the enactment of this important law, yet our monitoring shows that killings and other crimes mostly perpetrated by riding-in-tandem remain unabated.

According to the PNP, the following crimes were committed by **MOTORCYCLE RIDING CRIMINALS** from 2016 until January 2021:

According to our news monitoring, the following were killed by riding-in-tandem-from January 1 to December 8, 2021 alone:

TOTAL VICTIM COUNT	201
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Dead	171
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Injured	28
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Unhurt	2
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Breakdown (as of December 8)

Civilian	121
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Police Officer	16
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Gov't Official	27
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Gov't Employee	9
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Teacher	2
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Journalist	4
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Unionist	1
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Businessman	7
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Pilot	1
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Doctor	1
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Engineer	1
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Farmer	3
Pastor/Priest/Imam	2
Lawyer	4
Student	2

Because of the dismal failure of the Land Transportation Office (LTO) to implement RA 11235, more people are still getting killed by criminals in riding-in-tandem incidents. The lackadaisical attitude of LTO in the implementation of RA 11235 has brought about a continuous rise in criminal incidents perpetrated by riding-in-tandem criminals.

Ang mga biktima ay hindi istatistika lamang! Marami silang mga naulilang mga mahal sa buhay.

The people killed by motorcycle riding-in-tandem are not just mere statistics, they are real people whose lives were cut short due to undiminished lawlessness in the country and the failure of law enforcement to put a stop to the commission of these crimes. Listed below are some of the victims:

1. **(December 8, 2021) Jesse Malabanan** - Journalist Jesse Malabanan was shot dead by riding in tandem after arriving in his native Samar province. He was killed and shot at close range in their store in Calbayog around 6 pm.
2. **(December 6, 2021) Mayor Darussalam Saguindilan Lajid (Al-barka, Basilan) , his bodyguard and Mayor Alih Awal Sali (Akbar, Basilan)** - Mayor Darussalam Lajid killed along with his bodyguard in Zamboanga City. He and another mayor - Mayor Alih Awal Sali (Akbar, Basilan) were walking towards a mosque when four (4) riding-in-tandem shot them using .45 pistols.
3. **(December 2, 2021) Dr. Raul Andutan** - Dr. Andutan was shot dead in broad daylight by riding-in-tandem in Cagayan de Oro City. For a bounty of P150,000 to be shared by 4 people, 2 arrested suspects shot and killed a prominent surgeon and urologist.
4. **(January 4, 2021) Joseph Labonera Sr.** - A barangay tanod (village watchman) was brutally murdered while working at a quarantine control checkpoint in Floridablanca, Pampanga. Joseph Labonera Sr. was shot point-blank range by one of two motorcycle-riding men who stopped at a checkpoint at Purok 1 in Barangay Del

Carmen around 11:30 a.m. Labonera stopped the men and accosted them for not wearing a mask. He died due to multiple gunshot wounds.^[2]

5. **(January 16, 2021) Julie Ramos** - 64 years old, was killed while a 14-year old boy was hurt when unidentified motorcycle-riding gunmen shot her. The suspects pretended to be customers at her store then shot her several times at around 7:00 p.m. while the 14-year old boy was hit by a stray bullet.

6. **(January 12, 2021) - Barangay Chairman Anthony Velasquez** of Brgy. Hulong Duhat, Malabon was shot dead in their compound by 4 gunmen who escaped using 2 motorcycles. He was gardening in his backyard when 2 of the 4 assailants pushed the gate, entered his backyard then shot him.^[3]

7. **(November 4, 2020)**, 27-year-old **Vincent Adia** was shot and left to bleed, with a sign "pusher" written on cardboard and placed

on top of his body. He was shot thrice in the head at the boundary of Barangay San Isidro and Barangay Mahabang Parang at around 4:00 a.m. Vincent survived and was rushed to the nearest hospital. Medical personnel, using various drugs and equipment stabilized him. He was then breathing. At 11:00 a.m., when hospital personnel were about to begin their lunch, a gunman stepped into the hospital, walked straight to the front of Vincent's bed, then shot him twice, killing him. *Porke ba't pusher kailangan nang patayin? Pantay-pantay lang tayo.*

8. **(December 15, 2020), Dr. Mary Rose Sancelan and her husband Edwin** were on their way home when they were shot by unidentified gunmen in the city of Guihulngan. The attackers fled on motorcycles and the couple were rushed to the nearest hospital. They were pronounced dead on arrival. Sancelan was the head of Guihulngan's IATF. She was also the only medical doctor serving Guihulngan, a city of more than 100,000 people.^[4]
9. **(July 27, 2020)** The director of the National Center for Mental Health (NCMH) and another employee were gunned down in Barangay Culiati, Quezon City. Police on patrol found **Dr. Roland**

Cortez and NCMH employee Ernesto dela Cruz, dead with gunshot wounds inside a red sedan parked on the corner of Casanova Drive and Tandang Sora Avenue, said Staff Sgt. Rowen Insecto of the QC Police District Station 3. A tricycle driver said gunmen on board a motorcycle knocked on the victims' vehicle and shot at them as they opened the door. The assailants then fled towards Commonwealth Avenue, according to the initial police report.^[5] Two weeks after the Privilege Speech of Senator Richard Gordon delivered on the matter, the NCMH chief administrator Clarita Avila was arrested.

10. **(January 2, 2021) Jimmy Tabura** - The 50-year old Tabura, who worked as a security guard for a pawnshop in Cebu City after he left his post as barangay tanod, was shot on the face past 1:00 p.m. while he was in Upper Inayawan in Barangay Inayawan. He died while being treated at the hospital.^[6]

11. **(January 8, 2021) Retired Police Lieutenant Colonel Renato Malazarte** - Malazarte was killed after unidentified suspects on

board a motorcycle shot him as he was traversing Cabantan Street in Barangay Luz. He sustained two gunshot wounds in the head.^[7]

12. **(On November 10, 2020) Virgilio Maganes**, 62, a commentator for DWPR radio station in Pangasinan, died after he was shot six times by motorcycle-riding gunmen. Maganes previously survived a 2016 shooting by “playing dead” after being shot. A note left at the scene during the first attempt on his life said: “I’m a drug pusher, don’t emulate me.”^[8]

13. **(On December 30, 2020)** National Center for Mental Health employee **Luis Fernandez** was pronounced dead on arrival after being shot along with **Jesse Reyes and George Serrano** by riding-in-tandem gunmen.^[9]

The list enumerated above are just but a few examples of the randomness of the victims of lawless killings in our country perpetrated by

motorcycle-riding gunmen. Attached in this report as Annex "A" is the complete list compiled from news reports.

According to the Committee to Protect Journalists (CPJ) - an independent, non-profit organization, the Philippines is the 7th deadliest country in the world for journalists. Tally of UNESCO and the CPJ range from 17-23 killings since Duterte rose into power in 2016. In 2021, four (4) out of the 5 journalists were killed by riding-in-tandem :

- John Heredia (May 2, 2021; Pilar, Capiz)
- Yentez Quintoy (June 4, 2021; General Santos)
- Renante Cortez (July 22, 2021; Cebu City)
- Jess Malabanan (Dec. 8, 2021; Samar)

The fact of the matter is, all of the people enumerated above died after the passage of RA 11235.

Sec. 19 of RA 11235, provides that LTO should have released the bigger and more readable license plates by December 31, 2019. They have not complied with this, even up until this late hour.

“Section 19. *Transitory Provision.* - Motorcycle owners with number plates not in conformity with the provisions of this Act, shall renew their registration and apply for the required readable number plate not later than June 30, 2019. **The LTO is given until December 31, 2019 to produce, release and issue the number plates as required by this Act.** After December 31, 2019, the penal provisions regarding the use of bigger, readable and color-coded number plates as required under this Act shall take effect.” (emphasis supplied)

The absence of bigger, readable, and color-coded motorcycle plates has unquestionably contributed to the rampant, unabated killings in the country. The readable plates and the Command Center could have assisted the PNP greatly in solving crimes, and could have deterred the commission of other crimes.

II. INORDINATE DELAY IN THE IMPLEMENTATION OF RA 11235

- A. **Delay in the Issuance of the Implementing Rules and Regulations has greatly hampered the distribution of new bigger, readable, and color-coded motorcycle plates**

Republic Act 11235 (Motorcycle Crime Prevention Act) was signed into law on 8 March 2019. It was published in the Official Gazette on 14 March 2019. It took effect on 29 March 2019. However, the Implementing Rules and Regulations (IRR) of RA 11235 was signed only on 11 May 2020. It took them one year to sign and release the IRR!

This already is a direct violation of Section 17 of RA 11235, which states that the LTO has the obligation to release the IRR within a **NON-EXTENDIBLE PERIOD** of 90 days from effectivity, or 90 days from 29 March 2019.

“Section 17. *Implementing Rules and Regulations.* - The LTO, in consultation with law enforcement and other relevant agencies, shall promulgate the rules and regulations to implement the provisions of this Act within a **non-extendible period of ninety (90) days from its effectivity.**” (emphasis supplied)

This is **NONFEASANCE**, for which the LTO under the leadership of Assistant Secretary Edgar Galvante may be held liable.

As a matter of fact, it would not be an exaggeration to say that had your Chairman not delivered a privilege speech on 12 May 2020, complaining that more than a year after the signing of the law, the LTO had not yet

issued the IRR of the Motorcycle Crime Prevention Act (RA 11235), LTO would have kept dragging its feet.

A week after the privilege speech, it was only then that LTO released the long-awaited IRR, on 19 May 2020. It has been very frustrating that the IRR was issued more than a year after the signing of the Motorcycle Crime Prevention Act.

From June 2019, when the IRR was supposed to have been issued, until the actual promulgation of the IRR on 11 May 2020, 360 victims fell in riding-in-tandem incidents.

B. Delay in the Release of Motorcycle Plates

Even prior to the promulgation of RA 11235, most motorcycles plying the roads had no proper motorcycle plates. Motorcycles were using provisional license plates of varying sizes and shapes, which has led to the unbridled use of motorcycles in the commission of crimes.

The PNP Highway Patrol Group testified that they have been implementing the law by apprehending motorcycles with no plates or old plates. Some motorists say that they have no plates because the LTO has not given them their plates yet. ^[10] And, the crime continues.

The delay in the issuance of the IRR impaired the release and distribution of bigger, readable, and color-coded motorcycle license plates which would have helped deter motorcycle-related crimes.

RA 11235 provides, "Section 19. Transitory Provision. - Motorcycle owners with number plates not in conformity with the provisions of this Act, shall renew their registration and apply for the required readable number plate not later than June 30, 2019. The LTO is given until December 31, 2019 to produce, release and issue the number plates as required by this Act. After December 31, 2019, the penal provisions regarding the use of bigger, readable and color-coded number plates as required under this Act shall take effect." (emphasis supplied)

LTO was mandated to provide for the new bigger, readable, and color-coded license plates by the end of 2019. But, it has been disheartening to learn that the LTO started production of motorcycle license plates only on

29 July 2020 - 7 months after LTO was mandated by law to produce the correct number plates.

The first batch of plates (70,000 pieces) was distributed by the LTO National Capital Region West (LTO-NCR West) regional office (Quezon City) only on 27 August 2020. Plates have been produced albeit very slowly and there has been a considerable backlog. According to LTO, as of July 2020, they have released 1,276,149 pieces of motorcycle license plates. As of 2 March 2021, the LTO testified that they have already produced 1.5 Million plates. (TSN, 2 March 2021)

But, LTO needs to produce 18 Million permanent motorcycle plates by June 2022.

During the deliberations on the FY 2021 General Appropriations Bill, LTO committed, in a letter to Senate President Vicente Sotto III, that full delivery of the 13 million backlog of motorcycle plates will be completed in May 2022. During the 2020 budget hearings for the budget of the

Department of Transportation, LTO promised that they would release motorcycle plates in February 2021. This promise has not yet materialized.

Once again this is **MISFEASANCE**, for which the LTO under the leadership of Assistant Secretary Edgar Galvante can be held to account

C. Delay in the establishment of Joint LTO - PNP Operations and Control Center

Section 15 of RA 11235 provides,

“Section 15. Joint LTO and PNP Operations and Control Center. - The LTO and the PNP shall establish a Joint LTO and PNP Operations and Control Center that shall be operational and accessible real-time, twenty four (24) hours a day and seven (7) days a week, to facilitate the implementation of this Act. It shall be equipped with the latest available technology and adequate computers and software sufficient to immediately address any emergency or inquiry. The LTO and the PNP-Highway Patrol Group (HPG) shall establish a hotline to specifically address concerns related to crimes or offenses committed with the use of motorcycles. The Joint PNP and LTO Operations and Control Center shall be under the supervision of the DICT.”

Two years after the signing of the law, no functional operations and control center has materialized. LTO claims that there is no available funding for the establishment of the Joint Operations and Control Center. Instead, LTO has

proposed its operations within an existing but different LTO project - the LTO Command Center - while awaiting funding for the establishment of the Joint LTO and PNP Operations and Control Center. LTO has proposed that personnel from LTO, PNP and DICT may temporarily hold office at the LTO Central Command Center. Yet, 2 years after the enactment of RA 11235, there is still no Operations and Control Center. This is not acceptable! If lack of funding is to be cited, why is there no request?

The establishment of the LTO-PNP Operations and Control Center is a crucial element in the apprehension of criminals in motorcycles. It is through this operations center that people may report crime, either as victims and/or eyewitnesses so that proper hot pursuit operations can be conducted to apprehend perpetrators posthaste.

This is **NONFEASANCE**, for which the LTO under the leadership of Assistant Secretary Edgar Galvante et al. can also be held liable.

During the 20 April 2021 hearing, LTO finally committed to finish putting up a functional Joint Operations and Control Center by June 18, 2021, to wit:

MR. GALVANTE. Mr. Chairman, the projected completion is June of this year, Mr. Chairman.

THE CHAIRPERSON. June? Shall we say June 12 para Independence Day?

MR. GALVANTE. June 18, Mr. Chairman.

THE CHAIRPERSON. June 18, the day before Rizal was born, correct?

MR. GALVANTE. Yes, Your Honor.

THE CHAIRPERSON. Well, you better—isumpa mo sa harapan ng puntod ni Rizal. Dalhin mo ang LTO. Humarap kayo doon sa ating Luneta at isumpa ninyo. Lahat kayo sumumpa doon na matatapos ninyo

xxx

THE CHAIRPERSON. So let us get this done. June 18. I will call another hearing on June 19 or 20 para malaman ko kung tapos iyan. And may God help your soul if you cannot finish it. (TSN, 21 April 2021, page 78-79)”

Despite Galvante’s promise that the Command Center is going to be up and running, during the July 8, 2021 hearing, there were six phones calling the number LTO gave out (88-LTO or 888-586); but the repetitive reply to the

calls was: "The number you dialed cannot be completed. Please check the number and dial again." And he wants us to trust him. How can any one?

III. REASONS BEHIND THE DELAY IN THE PRODUCTION AND RELEASE OF LICENSE PLATES

As previously stated, most motorcycle units prior to the implementation of RA 11235 had no proper motorcycle plates. The Committee investigated the perennial problem of lack of adequate motorcycle plates by the LTO and it found out that the main reason why we don't have plates is that LTO keeps on bungling its procurement contracts.

Regulatory Capture resulting from the so-called "proprietary nature" of the Order Management System

The Blue Ribbon Committee exposed and established during our hearings that there are **established business practices** that could only be described as **unconscionable, desensitized to the exploitation of motorcycle riders, and profitable to a pandered, privileged few.**

We exposed that industry practices prejudicial to the consumers and to the public exist. Our investigation revealed that the various nonfeasance, misfeasance, and malfeasance government officials. In effect, dealers are encouraged, almost incentivized, not to maintain proper itemized records, which in turn leads to double sales, difficulty to trace and establish ownership, use of motorcycles in the commission of crimes, and death so many people all to the prejudice of the common Filipino. This is dealt with more fully in another installment of our Report.

The non-implementation of the law and its programmatic approach, therefore, has condoned a **culture of impunity**. It has encouraged dealers not merely to be sloppy, but to continue their unlawful and unconscionable established business practices that have fatal, real-life consequences including continued, unabated commission murders and other motorcycle crimes.

More importantly, with the Supreme Court decision in the case of *Jacomille vs. Abaya*, the PPI-JKG contract remains a “live” contract for plates to be produced and released for years 2013 to 2016.

When the Duterte administration came in, the new leadership which took charge of the LTO decided that they will procure plates via yearly contracts and do away with a multi-year contract, different from what their predecessors did.

Nonetheless, contracts for 2017, 2018, 2019, and 2020 were bid out in favor of Joint Venture of Trojan Computer Forms and J.H. Tonnjes.

Many contractors tried but have not succeeded in replacing the Joint Venture of Trojan Computer Forms Manufacturing and J.H. Tonnjes E.A.S.T. GmbH & Co. KG ever since the latter won its first contract for supply of plates with the LTO in 2017. Listed below are the list of bidders from 2018 bid to 2020 bid submitted by LTO to the Committee.

YEAR	BIDDERS PARTICIPATED	REASON FOR FAILURE	WINNING BIDDER
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2018	<ol style="list-style-type: none"> 1. Joint Venture of Trojan Computer Forms Manufacturing and J.H. Tonnjes E.A.S.T. GmbH & Co. KG (TROJAN) 2. Joint Venture of Columbia Technologies Inc. & Erich Utsch AG (UTSCH) 	<p>Utsch was the bidder with lowest calculated bid, BUT Contract was terminated due to alleged misrepresentation (Technical specification)</p>	Trojan
2019	<ol style="list-style-type: none"> 1. Trojan; 2. Wide Integrated Solutions Expert Corporation & J. Kneirem B.V. (WISE) 	<ul style="list-style-type: none"> - WISE was the 1st bidder with the lowest calculated bid - Failed during the post-qualification stage. Filed protest but denied by HOPE 	Trojan

2020	1. Trojan only - WISE and UTSCH requested for extension of opening of bids but were denied and thus failed to join	- Request for extension was not granted to WISE and UTSCH because not within the permissible period under the Procurement Act	Trojan
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Trojan Computer Forms Manufacturing Corporation & JH Tonnjes EAST GmbH Venture initially supplied LTO in 2017 with plates and manufactured the same inside the LTO compound in Quezon City

LTO exercised its Option to Purchase (OTP) plate making equipment, Remote RFID printing, Protocol plates equipment and fixtures, Central IT System and Fixtures pursuant to the 2017 Contract Agreement particularly Item 7.0, Sec. VII of the Technical Specifications of bid docs, through LTO BAC Resolution 26 April 2019, and paid Trojan-JH Tonnes Php 145 Million.

Included in the OTP are IT equipment & "Customised" Software interconnected to the LTO-IT system, which links the RFIDs and QR Codes embedded on the printed plates produced at the LTO Facility.

LTO required bidders to have their own Digital Signature (DigSig) Infrastructure in accordance with ISO20248, including a specific Confirmation of Registry, where the specified "repository" of such "DigSig" was created by an entity named TrueVolve Technologies, which was indicated as a party to the development of the "DigSig" of Tonnjes.

The problem however was that the digital signature utilized in LTO is proprietary to Tonnjes, hence no supplier could access the Order Management System other than Tonnjes.

LTO, should have been smart enough to know that they should not be held hostage by a supplier and, must own the Order Management System. It should be an open system, and not proprietary. LTO must not exercise preference over a bidder. However, what happened was that the LTO under the leadership of Asec. Edgar Galvante and BAC Chairman Executive Director Vera Cruz, allowed the Order Management System to be a proprietary closed system wherein the LTO can manipulate the bidding to enable their preferred bidder to prevail.

Case of Joint Venture of Columbia Technologies and Utsch

On December 28, 2018, the Contract to supply plates was awarded to Joint Venture of Columbia Technologies Inc. & Erich Utsch AG signed by Asec. Galvante and Marcelino Vidal.

Under the 2018 Terms of the Contract "All data shall be stored on the chip in an ISO/IEC 20248 digital signature envelope. All chip data shall be verifiable when offline. ISO/IEC 20248 shall be used for data structure verification."

The Joint Venture of Columbia Technologies Inc. & Erich Utsch AG signed by Asec. Galvante and Marcelino Vidal found it difficult to comply due to the proprietary nature of the Order Management System. Thus, they requested several meetings with LTO, but the LTO did not reply:

1. January 3, 2019 e-mail to ED Vera Cruz
2. January 10, 2019 letter to ED Vera Cruz
3. March 8, 2019 letter to ED Vera Cruz

This alone is a violation of Section 5(a) of the Code of Conduct and Ethical Standards for Public Officials and Employees (RA 6713), which requires all public officials and employees to answer letters, within 15 days from receipt thereof.

In a letter dated March 29, 2019 LTO through ED Vera Cruz required the Joint Venture of Columbia Technologies Inc. & Erich Utsch AG to have a full systems audit.

In a letter dated April 5, 2019, the Joint Venture of Columbia Technologies Inc. & Erich Utsch AG expressed their inability to comply because of the proprietary nature of the Order Management System. They even offered a solution:

"There are two options to harmonize the Toennjes system for the MC Plate Project:

1. An Utsch system will be added to the Trojan-Toennjes system or replace it. (We would provide an open solution which enables LTO to work independently and even to work using QR-codes from other manufacturers)
2. LTO shall order Trojan-Toennjes to provide the needed QR codes to us. (We would engrave the plates with those codes and the system continues working as it does now, which is easier and much faster to implement together with the help of LTO MID.)”

In a letter dated May 16, 2019, Erich Utsch AG asked J.H. Tonnejes (Trojan-Tonnejes) to use their DigSig for free. There was no reply from LTO.

In a letter dated May 24, 2019, Columbia Technologies offered LTO an open system for free. Again, no reply from LTO.

On 17 June 2019, LTO sent to Columbia Technologies a Notice of Cancellation of its supply contract with the LTO due to alleged misrepresentation. The alleged misrepresentation was due to alleged use by Columbia Technologies of the DigSig/QR Code belonging to PPI-JKG during

the Full Systems Audit, pursuant to a report made by OIC, PMP Norbert Espino III as well as the letter-complaint submitted to LTO by Marten Harinck of JKG. The letter states, among others, that the use by Utsch of JKG DigSig/QR Code is not allowed and that they have directed Utsch to destroy any copies they might have and that any further use can result in legal action.

However, the Blue Ribbon Committee was able to get hold of an email correspondence between Marten Harinck and Marcos Justo, where Marten Harinck was the one who gave Marcos Justo of Utsch the digital signatures that Utsch used during the full systems audit. In the email correspondence, Marten Harinck even said that there will be no problem in the use of the DigSig/QR Code because LTO Executive Director Romeo Vera Cruz is already aware of the permission given by JKG to Utsch to use their DigSig/QR Code. The email states:

Von: Marten Harinck JKG [mailto:martenharinck@gmail.com]
Gesendet: Donnerstag, 9 Mai 2019 15:54
An: Justo Simon, Marcos
Cc: Moeller, Alexander; Koelsch, Joerg; Engelberts, Stefan, Bedi, Simil;

Betreff: RE 2D JKG/ DigSig fuer LTO Manila

I have send(sic)some digsig codes already, 10 pc.

This is part of the "test" batch we used, so its(sic) functional.
LTO ED knows we talk, so no problem for that.

Will email some photos later today.

regards,

Marten

Also, during the 18 March 2021 hearing of the Committee, Marten Harinck testified that he was forced by Tonnejes (Trojan-Tonnejes) to lie about his granting permission to Utsch for the use of their DigSig/QR Code:

"THE CHAIRPERSON. ...Mr. Harinck, were you coerced by Tonnjes to lie so that UTSCH contact will be terminated? Marten.

MR. HARINCK. Yes, Your Honor, that is correct. I was forced to do that because they had to shut off my access to the digital signatures at that time.

THE CHAIRPERSON. Who shut off your access?

MR. HARINCK. Tonnjes in Germany had shut off my access to the digital signatures." (TSN, 18 March 2021, page 107) (emphasis supplied)

This was once again affirmed in the testimony of Marten Harinck before the Committee on 20 April 2021, to wit:

“THE CHAIRPERSON. I’m asking you, did Trojan force you for JKG to cause Utsch to misrepresent?

MR. HARINCK. Yes. Because I was—

THE CHAIRPERSON. Was that yes? Yes? Is the answer yes?

MR. HARINCK. Yes.

THE CHAIRPERSON. What did they cause you to misrepresent?

MR. HARINCK. I was forced to misrepresent that Utsch stole our digital signatures because they had locked me out of the system so that I could not access the system and the OMS anymore. (TSN, 21 April 2021, page 51)”

Tonnjes has been manipulating the LTO Order Management System (OMS), and was able to make at this point, two contractors, JKG and Utsch, fall on their knees. The intention of Trojan was clear: kick a direct competitor out of their contract so that they can seize it for themselves and force JKG to do the dirty work for them, by causing JKG to misrepresent that Utsch stole their digital signatures. JKG had to do this, otherwise they would not

be able to comply with their own contract to deliver plates because of the proprietary nature of the OMS, which Trojan had control.

"THE CHAIRPERSON. And why did they have to force you to misrepresent? What did you misrepresent? Please open your mouth because my Dutch is not that good.

"MR. HARINCK. I'll try. The Utsch was using for testing one of our digital signatures used for testing. And they asked me to write a letter to the LTO that the signatures were stolen by Utsch...

MR. HARINCK. ... were stolen by Utsch and I had to do this because I was cut off from the supply of the digital signatures so I was not able to deliver any more plates to the LTO.

THE CHAIRPERSON. So that was the ... true statement that they made you sign, to misrepresent?

MR. HARINCK. That is correct." (TSN, 21 April 2021, page 52-53)

xxx

"THE CHAIRPERSON. You were intimidated, otherwise, you will not get the business. Correct?

MR. HARINCK. Correct, yes.

THE CHAIRPERSON. If you did not sign, you have no business. Correct.

MR. HARINCK. Correct." (TSN, 21 April 2021, page 53-54)

The only reason why the manipulation by Tonnejes (Trojan-Tonnejes) happened was because at that time, LTO allowed the Order Management System to be proprietary and thus a closed system.

“MR. HARINCK. The digital signature was a unique for the OMS and it was only Trojan who was able to generate the digital signature to be used by the LTO at that time.” (TSN, 21 April 2021, page 52)

xxx

“THE CHAIRPERSON. And the real part of the nature—and I have talked to all of you including our Spanish friend, our Dutch friend, kaya patuloy ang monopoly, the reason why monopoly continues is because of the proprietary nature of the DigSig, digital signature provision ownership na iyan and because of that, it is very difficult for others to participate. The arrangement in LTO is such that they allow monopoly to continue to exist. That is my conclusion.

Would that be correct? I can see you nodding your head, both of you. Is that be correct? Go ahead, Justo. Andale, andale! Arriba, arriba!”

MR. JUSTO. Yes, Your Honor, that is 100 percent correct.

THE CHAIRPERSON. So in order to prevent others from coming in and to come in with their favorite contractor, right?

MR. JUSTO. Yes, Your Honor.” (TSN, 21 April 2021, page 55-56)

xxx

“THE CHAIRPERSON. I will ask Mr. Marcos Justo if the OMS is an open system.

Is it an open system? Anybody can come in?

MR. JUSTO. Your Honor, during the time that we won the ..., it was a complete closed system.

THE CHAIRPERSON. It is a closed system. Sarado.

Answer. Is it an open system or a closed system?

MR. TAN. Mr. Chairman—

THE CHAIRPERSON. I'm asking him a question. Marcos.

MR. JUSTO. Yes, Your Honor. I said, during the time that we received the notice to proceed, it was a complete closed system.

THE CHAIRPERSON. ...closed system. And that is illegal under the law. In the first place, the government should not be in a spot where they allow themselves to be hemmed in, closed out by a private corporation so that they cannot operate other contracts that may be beneficial to the public. Very simple, even a Grade 4 student will understand the inequality of such a proposal.

May I ask Marten, is it the same—if the OMS is an open system to you

MR. HARINCK. Your Honor, when we started working with the OMS, it was a closed system. So, the only way to deliver the plates was to initially use the digital signatures provided by Trojan, Tonnjes. And—“(TSN, 21 April 21, 2021, page 65-66)

As a matter of fact, another proof that the OMS was proprietary was the letter received by Trojan-Tonnejes to JKG addressed to Mr. Marten Harinck dated 7 February 2020, demanding a fee for the use of the Order

Management System. If the system was not proprietary or was an open system, why is there a need to pay? And, in a transaction between two corporations on how much to charge whom, **why would the matter be discussed at the office of Asec. Galvante?** The letter states:

"Dear Mr. Harinck,

We wish to inform you that our services to revise the Order Management System (OMS) to accommodate your finished plates with "MV" prefix will cost Two Hundred Fifty Thousand Euro (Euro 250,000). As discussed during the meeting at the office of the Asst. Secretary Edgar C. Galvante late last year where you were present, this cost will be chargeable to K. Kneirem B.V. and not to LTO."

This transaction was affirmed to have happened by Mr. Marten Harinck during the 20 April 2021 hearing of the Blue Ribbon Committee:

THE CHAIRPERSON. So, they asked you to pay? Marten, Justo, did they ask you to pay before you can get in? Right?

MR. HARINCK. Actually, that is a commercial transaction between two companies.

THE CHAIRPERSON. Who are the two companies?

MR. HARINCK. Trojan, Tonnjes and JKG.

THE CHAIRPERSON. So, if you went in and—you represent JKG, right?

MR. HARINCK. Right.

THE CHAIRPERSON. And you were willing to pay them, right?

MR. HARINCK. I paid a royalty fee to use the digital signatures.

THE CHAIRPERSON. Even if they don't have the contract? You have the contract? (TSN, 21 April 2021, page 66-67)

Again, in the same way that Tonnejes (Trojan-Tonnejes) forced him to lie that Utsch stole JKG's digital signatures, at the pain of losing access to the OMS, Mr. Marten Harinck of JKG was forced to pay Tonnejes (Trojan-Tonnejes) for the royalty fee. As observed by the Chairman of the Blue Ribbon Committee during the 20 April 2021 hearing, Tonnejes (Trojan-Tonnejes) made money out of JKG instead of the government.

THE CHAIRPERSON. So, why should you pay JKG? Ah, why should you pay Trojan?

MR. HARINCK. Because that was the only way to use the digital signatures to get access to the OMS to—

THE CHAIRPERSON. So, worse, they made money out of you, right? Instead of the government making money, they made money out of you

MR. HARINCK. In fact, that is correct, yes." (TSN, 21 April 2021, page 67-68)

What's even more reprehensible is that LTO was aware of these shenanigans by Trojan-Tonnejes, yet they refused to act. LTO knew about

the coercion. Why did they not stop it? Did they allow it because they have a favored bidder-Trojan-Tonjes? Mr. Marten Harinck testified during the 18 March 2021 Blue Ribbon hearing that:

“THE CHAIRPERSON. Mr. Marten, let me ask you a question

Did the LTO Vera Cruz know about the coercion? Or did Secretary Galvante know about the coercion?

MR. HARINCK. Yes, they know that because I have told them that when I was there in LTO.” (TSN, 18 March 2021, page 112) (emphasis supplied)

Despite bending backward and forward to accommodate Trojan-Tonnejes’ whims just so they can fulfill their contractual obligation to LTO for plates from 2013 to 2016, JKG found themselves at the losing end when in Trojan-Tonnejes’ 5 February 2020 letter, they refused to supply JKG with the digital signatures that JKG needed. Pertinent portion of the letter Trojan to JKG states:

“We would like to inform you of the following facts and circumstances:

-Trojan Computer Forms Mfg. Corporation and J.H. Tonnjes E.A.S.T. GmbH & CO. KG Joint Venture is the exclusive distributor of all goods and services Tonnjes will supply for use in the Philippines.

-PPI-JKG is a direct competitor of the Joint Venture on the contracts for supply and delivery of goods to LTO,

- During the last bidding for the MC Blank Plates for CY 2019, both of us were the only parties who responded to this bid. After consulting with the lawyer, we got an opinion that supplying PPI-JKG with goods and services for LTO can be interpreted by 3rd parties as connivance among vendors that could be detrimental to the interest of the LTO.

- Again, in the last bid for MC blank plates for CY 2019, you confirmed to comply with the requirements of a digital signature system in compliance with ISO 20248 as required for compatibility with the LTO OMS system. If this is true, then there is no need for PPI-JKG to buy the "digital signatures" from the Joint Venture because you should be able to generate it yourself,

-Since you are persistent in requesting that the Joint Venture supply you with the "digital signatures", then we believe you still don't have the digital signature system compliant to ISO 20248. In other words, by using Tonnjes digital signature solution, JKG is buying time to develop its own solution.

-The Joint venture has no interest to supply PPI-JKG."
(Emphasis supplied)

This cancellation of the supply agreement for the digital signature threatened the delivery by PPI-JKG of the plates from the supply contract that they secured in the Aquino administration for the supply of plates for CY 2013-2016 under the Motor Vehicle Plate Standardization Program, for performance of the contract in the succeeding administration.

The Committee is convinced that this would not have happened if the LTO during the time of the Duterte administration made sure that the Order Management System is an open system, and not proprietary. Any bidders who would have existing contracts with LTO like PPI-JKG or bidders who may have subsequently won contracts with the LTO- like Utsch could have no problem accessing it and delivering plates in accordance with the terms and conditions of their contracts. This did not happen. With Trojan-Tonnejes, who won in the CY 2017 supply contract, successfully instituting the proprietary nature of the Order Management System, they were able to manipulate and sometimes kick out competing contractors/bidders or made it impossible for subsequent bid winners to fully comply with their obligation/s.

Further in the case of PPI-JKG, the Committee believes that Trojan-Tonnejes would not have initiated a move to deprive the PPI-JKG later on of the supply of the needed digital signature had they confined themselves merely to delivering on their old contract, which Trojan-Tonnejes should have had no interest in securing for themselves. Had PPI-JKG decided not to

bid for the CY 2019 contract and thus became the competitor of Trojan-Tonnejes in the same, Trojan-Tonnejes would have not terminated their supply agreement of digital signatures with PPI-JKG.

Be that as it may, PPI-JKG had no other choice but to find a way to supply plates and it did find a way. This time, through the help of Utsch. In the 18 March 2021 hearing of Blue Ribbon Committee, Mr. Marten Harinck testified that:

"THE CHAIRPERSON. No, I will go back. I'll say it in English now to Secretary Galvante. Has the order been brought out? Or, are you still relying on Trojan? Because I know that Trojan has stopped their joint venture.

Mr. Marten Harinck, do you now have your own code?

MR. HARINCK. Yes. Together with UTSCH, we developed our own digital signatures." (TSN, 18 March 2021, page 122) (emphasis supplied)

The Committee is perplexed. Was not that the Utsch contract with LTO in 2018 terminated due to alleged misrepresentation for which Trojan-Tonnejes forced JKG to aver? At the end of the day, JKG sought help from

the contractor they allegedly did wrong in the CY 2018 plates supply contract. Since LTO now has no other choice because Trojan-Tonnejes refuses to supply the DigSig needed, they had to allow the use of Utsch-made DigSig.

The truth of the matter is, LTO did for PPI-JKG what they did not do for Utsch. In 2019, as Utsch was having trouble complying with their contract and was asking the LTO in several correspondences to intercede for them to Trojan-Tonnejes, LTO interceded for PPI-JKG for them to have access to the Order Management System - something that Utsch asked from LTO while their contract was still alive, but which the LTO never did. Pertinent portion of the December 6, 2019 letter of LTO Assistant Secretary Edgar Galvante to Mr. Giovanni Tan of Trojan-Tonnejes, states:

“Dear Mr. Tan:

In order to serve the motorists in the Philippines, the LTO has ordered and received a good quantity of finished, embossed MV plates from our supplier PPI-JKG. These plates already have the 2D (QR) barcode with the digital signature, compatible with the OMS system as used in LTO PMP.

As we would like to distribute these plates as soon as possible, we herewith request you the following 2 actions:

1. As a temporary measure, allow the embossed plates to be uploaded into the system as "blank plates." The LTO will upload the series the normal way (as if not yet delivered embossed), scan the appropriate plates at the press, and then proceed as normal (only skipping embossing and hot-stamping). This will allow to quickly deliver(sic) the first batches of plates to the motorists.

The specific request is to inform PPI-JKG on how to compose their csv file for upload into the OMS, considering that the DigSig for these plates starts with the series "MV00000000" (avoiding duplicate pallet numbers).

2. Devise a new workflow for pre-embossed series plates, for which the upload csv file already contains the DigSig and the corresponding plate number. As there are new series for new cars, processing will be de-central at NRU.

The required data is already available, and the manufacturer, JKG Netherlands, is willing to assist you and provide the data in the exact format as requested by you for proper upload and verification. This is an urgent request and a quick response will be highly appreciated."

What LTO did for Utsch was to remain silent, silence to Utsch's request for assistance to comply with the contract, and silence despite knowledge of Trojan-Tonnjes plans against Utsch which led to the cancellation of the latter's contract.

“THE CHAIRPERSON. Anyway, when the Utsch contract was still alive, they asked the LTO to allow them to use their own digital signature, and there was no reply.

MR. JUSTO. That is correct, Your Honor.

THE CHAIRPERSON. They did not allow you because they never replied to you, correct?

MR. JUSTO. That is correct, Your Honor.”

(TSN, April 21, 2021, page 62)

The LTO underhandedness continued even after the matter between Trojan-Tonnjes, Utsch and PPI-JKG was being resolved.

Based on the documents that the Committee received, we found out that Joint Venture of Wide Integrated Solutions Expert Corporation & J. Kneirem B.V. (WISE) was declared the lowest calculated bidder on 12 December 2019 for the 2019 plate requirement. But, on 14 February 2020, WISE was post-disqualified. One of the reasons for their disqualification is the same reason for the termination of Contract with Utsch: DigSig. WISE was disqualified because it does not own the DigSig they used. Sounds familiar?

Technical Specification, page 70, Item 1.5 Laser Engraved 2D Bar Code and Bid Bulletin No. 6, Item No. 6, states:

"The data/information in the 2D barcode shall be stored in a digital signature envelope which can be verified using ISO/IEC 20248.

Bidders must provide a public key/CD for implementation in the LTO Central and Decentral Order Management Software for verification of 2D barcodes supplied by the bidder."

Note that the requirement for developing the supplier's own digital signature was not in the original terms of reference. However, the LTO BAC headed by ED Vera Cruz disqualified WISE on the ground that WISE is not the developer of its own digital signature. According to the LTO-BAC:

"Considering that there is no public key/CID provided to the LTO, the BAC Technical Working Group (TWG) conducted its own verification of the 2D barcodes embedded in the sample MC blank plates submitted by the bidder. Upon scanning the 2D barcodes, it showed that the Domain Authority Identifier (DAID) belongs to IDeTRUST which is owned by Tonnjes which is NOT a party to the Joint Venture (JV) of the bidder. (Annex A)

As further verified, the bidder is not included in the list of companies with valid DAIDs and under <https://repository.20248.org/daids>, the site where official and certified listing of companies providing legitimate

DigSig generation capability, DigSig Certificate distribution capability and valid IAC-CIN number (Annex B). Hence, the bidder having no authority to create its own 2D Bar Codes, shall also not be able to provide a public key/CID to the LTO as required above.

In addition, it is understood that if a bidder is required to submit a sample, it is presumed that it is its own product. Otherwise, if one component of the product is produced by another entity, that entity must be part of the JV.”(emphasis supplied)

There is something wrong here. Both Trojan-Tonnejes and PPI-JKG did not develop their own digital signatures but owned it, just like WISE, due to some contractual arrangements with their developers. TrueVolve Technologies is the developer for Trojan-Tonnejes while now, Utsch is the developer for PPI-JKG. The Committee cannot help but think that there is a blatant bias on display here. LTO is trying to disqualify another bidder again just so it can favor Trojan-Tonnejes.

As a result, Trojan-Tonnejes won all the biddings, at least insofar as all the years that passed in the Duterte administration.

This is **MALFEASANCE**, for which the LTO under the leadership of Assistant Secretary Edgar Galvante and Executive Director Romeo Vera Cruz must be held liable.

IV. ACCOUNTABILITY

A. Failure to Implement RA 11235 (Motorcycle Crime Prevention Act)

Persons who Violated	Act Performed	Laws Violated
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<p>LTO Assistant Secretary Edgar Galvante</p>	<p>Non- implementation of RA 11235 (Motorcycle Crime Prevention Act)</p>	<p>RA 3019 (Anti-Graft and Corrupt Practices Act)</p> <p>Section 3. Corrupt practices of public officers. – In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officer and are hereby declared to be unlawful: x x x x</p> <p>(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 <u>gross inexcusable negligence</u>. This provision shall apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions.</p> <p>"Gross negligence has been so defined as negligence characterized by the want of even slight care, acting or <u>omitting to act in a situation where there is a duty to act, not inadvertently but wilfully and</u></p>
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		<p><u>intentionally with a conscious indifference to consequences in so far as other persons may be affected.</u> It is the omission of that care which even inattentive and thoughtless men never fail to take on their own property." (Alvarez v. People, G.R. No. 192591, June 29, 2011, 653 SCRA 52, 59.)</p> <p>Penalty: Imprisonment for not less than one year nor more than ten years, perpetual disqualification from public office, and confiscation or forfeiture in favor of the Government of any prohibited interest and unexplained wealth manifestly out of proportion to his salary and other lawful income.</p>
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B. Regulatory Capture arising from LTO's Order Management System

Persons who Violated	Acts Performed	Laws Violated
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<p>Assistant Secretary Edgar Galvante and Executive Director Romeo Vera Cruz</p>	<p>1. Allowing Trojan-Tonnejes to install a proprietary and closed system such as the "Order Management System" to the detriment of future bidders thus allowing the regulatory capture of the LTO's Order Management System</p>	<p>RA 3019 Anti-Graft and Corrupt Practices Act</p> <p><u>Section 3(e) RA 3019</u></p> <p>(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.</p> <p>Penalty: Imprisonment for not less than one year nor more than ten years, perpetual disqualification from public office, and confiscation or forfeiture in favor of the Government of any prohibited interest and unexplained wealth manifestly out of proportion to his salary and other lawful income.</p>
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<p>Executive Director Romeo Vera Cruz</p>	<p>Failure to answer to the letters sent by Joint Venture of Columbia Technologies and Utsch</p>	<p>RA 6713 Code of Ethics for Public Officials and Employees</p> <p>Section 5. <i>Duties of Public Officials and Employees.</i> - In the performance of their duties, all public officials and employees are under obligation to:</p> <p>(a) Act promptly on letters and requests. - All public officials and employees shall, within fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means of communications sent by the public. The reply must contain the action taken on the request.</p> <p>Penalty: Fine not exceeding the equivalent of six (6) months' salary or suspension not exceeding one (1) year, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body or agency.</p>
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V. Recommendation/Proposed Legislation:

Proposed new legislation:

- A. Increasing penalties for RA 3019
- B. Enact summary proceedings for the speedy dismissal of erring public officers
- C. Digital infrastructure of the LTO OpCen in the form of, among others, smartphone app.


VI. Epilogue

Rule of law is achieved when all people - both the weak and the powerful - bind themselves to adhering to it. Respect for the law is paramount if we are to create a society of laws and not of men. But when those who are charged or mandated by existing laws to perform a specific function do not perform the required duty, they themselves become law-breakers. They, by their own action (or inaction), have become themselves lawless elements of society and thus must be removed from office; replaced by those who are willing to be bound by legislated rules. The nation does not deserve anything less.

Respectfully submitted:


RICHARD J. GORDON
Chairman

Members

 <small>May interpellate/amend</small> SONNY ANGARA <i>Vice Chairperson</i>	PANFILO M. LACSON
EMMANUEL "Manny" D. PACQUIAO	GRACE POE
CYNTHIA A. VILLAR	WIN GATCHALIAN
AQUILINO "Koko" PIMENTEL III	MANUEL "Lito" M. LAPID




EMMANUEL D. PACQUIAO

grace Poe
GRACE POE

Respectfully submitted:


RICHARD J. GORDON
Chairman

Members

SONNY ANGARA <i>Vice Chairperson</i>	PANFILO M. LACSON
EMMANUEL "Manny" D. PACQUIAO	GRACE POE
CYNTHIA A. VILLAR	WIN GATCHALIAN
 AQUILINO "Koko" PIMENTEL III	MANUEL "Lito" M. LAPID

With Reservation

A handwritten signature in black ink, appearing to be 'R. Revilla Jr.', written in a cursive style.

RAMON Bong REVILLA Jr.

James H. Moore

<p>PIA S. CAYETANO</p>	<p>CHRISTOPHER LAWRENCE T. GO</p>
<p>RAMON Bong REVILLA Jr.</p>	<p>IMEE R. MARCOS</p>
<p>FRANCISCO "Toi" N. TOLENTINO</p>	<p>RISA HONTIVEROS</p>
<p>FRANCIS "Kiko" PANGILINAN</p>	<p>LEILA M. DE LIMA</p>
<p>FRANKLIN M. DRILON Minority Leader</p>	<p>JUAN MIGUEL "Migz" F. ZUBIRI Majority Leader</p>

RALPH G. RECTO

President Pro Tempore

PIA S. CAYETANO	CHRISTOPHER LAWRENCE T. GO
RAMON Bong REVILLA Jr.	IMEE R. MARCOS
FRANCISCO "Toi" N. TOLENTINO	<i>Risa Hontiveros</i> RISA HONTIVEROS <i>Chairperson of the findings on RPL - PDA, pending consultations of stakeholders & affected groups</i>
FRANCIS "Kiko" PANGILINAN	LEILA M. DE LIMA
FRANKLIN M. DRILON	JUAN MIGUEL "Migz" F. ZUBIRI

RALPH G. RECTO

<p>PIA S. CAYETANO</p>	<p>CHRISTOPHER LAWRENCE T. GO</p>
<p>RAMON Bong REVILLA Jr.</p>	<p>IMEE R. MARCOS</p>
<p>FRANCISCO "Toi" N. TOLENTINO</p>	<p>RISA HONTIVEROS</p>
<p> Will amend FRANCIS "Kiko" PANGILINAN</p>	<p>LEILA M. DE LIMA</p>
<p>FRANKLIN M. DRILON Minority Leader</p>	<p>JUAN MIGUEL "Migz" F. ZUBIRI Majority Leader</p>

RALPH G. RECTO

President Pro Tempore

<p><i>Pia S. Cayetano</i> <i>may interp / amend</i> PIA S. CAYETANO</p>	<p>CHRISTOPHER LAWRENCE T. GO</p>
<p>RAMON Bong REVILLA Jr.</p>	<p>IMEE R. MARCOS</p>
<p>FRANCISCO "Toi" N. TOLENTINO</p>	<p>RISA HONTIVEROS</p>
<p>FRANCIS "Kiko" PANGILINAN</p>	<p>LEILA M. DE LIMA</p>
<p>FRANKLIN M. DRILON Minority Leader</p>	<p>JUAN MIGUEL "Migz" F. ZUBIRI Majority Leader</p>

RALPH G. RECTO
President Pro Tempore

A handwritten signature in black ink, appearing to read "Franklin M. Drillon". The signature is written in a cursive style with a large initial "F" and a long, sweeping underline.

SEN. FRANKLIN M. DRILLON

Minority Floor Leader



Senate of the Philippines

Hon. Juan Miguel F. Zubiri
SENATE MAJORITY LEADER

DATE : 15 December 2021

FOR : THE COMMITTEE SECRETARY OF THE BLUE RIBBON COMMITTEE

FROM : OFFICE OF SEN. JUAN MIGUEL F. ZUBIRI

SUBJECT: COMMITTEE REPORT ON THE LTO MOTORCYCLE PLATES BLUE RIBBON REPORT

This is to authorize the use of the electronic signature of Sen. Juan Miguel F. Zubiri to be affixed on the Committee Report on the LTO Motorcycle Plates Blue Ribbon Report.

It is understood that the electronic signature appearing below may only be used for the filing of the Committee Report of the measure stated above and therefore may not be used or extracted for other purposes. Any use, dissemination, distribution, copying or reproduction by unintended recipients is not authorized, unless with expressed consent from our Office.

Thank you very much.

E-signature of Sen. Juan Miguel F. Zubiri:



JUAN MIGUEL F. ZUBIRI

- [4] <https://www.dickgordon.ph/news/press-releases/motorcycle-crime-prevention-law-to-give-chance-to-riding-in-tandem-victims-gordon>; 13 July 2019
- [2] <https://newsinfo.inquirer.net/1379205/village-watchman-enforcing-quarantine-protocols-slain-in-pampanga#ixzz6jrN1FHra>
- [3] <https://news.abs-cbn.com/news/01/12/21/barangay-chairman-patay-sa-pamamaril-sa-malabon>
- [4] <https://www.google.com.ph/amp/s/www.aljazeera.com/amp/news/2020/12/16/doctor-linked-to-communist-movement-killed-in-the-philippines>
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- [6] <https://newsinfo.inquirer.net/1379205/village-watchman-enforcing-quarantine-protocols-slain-in-pampanga#ixzz6jrPhaqUJ>
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- [10] TSN. Hearing of the Committee on Accountability of Public Officers and Investigations, 18 March 2021