



S E N A T E

S. No. 2555

PREPARED BY THE COMMITTEES ON JUSTICE AND HUMAN RIGHTS; AND PUBLIC SERVICES WITH SENATORS EJERCITO, TOLENTINO, TULFO, DELA ROSA, REVILLA JR., VILLANUEVA, AND ZUBIRI AS AUTHORS THEREOF

AN ACT AMENDING REPUBLIC ACT NO. 11235, OTHERWISE KNOWN AS THE "MOTORCYCLE CRIME PREVENTION ACT"

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

1 SECTION 1. Section 3 of Republic Act No. 11235 is
2 hereby amended to read as follows:

3 "SEC. 3. *Definitions.* – As used in this Act,
4 the following terms are defined:

5 (a) xxx

6 (b) xxx

7 (c) xxx

8 (d) xxx

1 (e) xxx; AND

2 (F) *RADIO FREQUENCY IDENTIFICATION*
3 *SYSTEM (RFID) STICKER* REFERS TO A
4 STICKER CONTAINING MACHINE-READABLE
5 DATA THAT INCLUDES THE BASIC
6 INFORMATION ABOUT THE MOTORCYCLE, AS
7 WELL AS OTHER RELEVANT DATA, SUBJECT
8 TO THE PROVISIONS OF REPUBLIC ACT
9 NO. 10173 OR THE DATA PRIVACY ACT OF
10 2012.”

11 SEC. 2. Section 4 of Republic Act No. 11235 is hereby
12 amended to read as follows:

13 “SEC. 4. *Registration [by the Owner] OF*
14 *MOTORCYCLES.* – [~~The owner of a motorcycle~~
15 ~~shall register his or her motorcycle with the~~
16 ~~LTO within five (5) days from such acquisition~~
17 ~~of ownership. The owner of a motorcycle shall~~
18 ~~also immediately report any sale or disposition~~
19 ~~of his or her motorcycle to the LTO.] IN CASE
20 OF ORIGINAL REGISTRATION, A~~

1 MOTORCYCLE SHALL BE REGISTERED
2 WITH THE LTO BY THE DEALER, UPON
3 AUTHORITY OF THE OWNER, WITHIN
4 FIVE (5) DAYS FROM THE DATE OF SALE.

5 IN THE SUBSEQUENT SALE OR
6 DISPOSITION OF A MOTORCYCLE, THE
7 NEW OWNER SHALL REPORT SUCH SALE
8 OR DISPOSITION TO THE LTO BY
9 SUBMITTING THE CORRESPONDING
10 HIGHWAY PATROL GROUP (HPG)
11 CLEARANCE AND DEED OF SALE WITHIN
12 TWENTY (20) DAYS FROM THE
13 ACQUISITION OF OWNERSHIP AND
14 CAUSE THE TRANSFER OF OWNERSHIP
15 OF THE MOTORCYCLE WITHIN A PERIOD
16 OF FORTY-FIVE (45) DAYS FROM THE
17 DATE OF ACQUISITION.

18 IN THE CASE OF SUBSEQUENT SALE
19 OR DISPOSITION OF A MOTORCYCLE
20 WHERE OWNERSHIP IS RETAINED BY

1 THE SELLER AND THE BUYER IS GIVEN
2 THE RIGHT TO USE AND POSSESS THE
3 MOTORCYCLE UNTIL FULL PAYMENT OF
4 THE PURCHASE PRICE, SUCH
5 AGREEMENT SHALL BE REDUCED IN
6 WRITING AND SHALL SERVE AS
7 AUTHORITY TO USE THE MOTORCYCLE.

8 IN THE CASE OF REPOSSESSED
9 MOTORCYCLES, THE DEALERS SHALL
10 REPORT TO THE LTO EVERY TIME THE
11 DEALER REPOSSESSES A MOTORCYCLE.
12 THE REGISTRATION OF SUCH
13 REPOSSESSED MOTORCYCLE SHALL BE
14 TRANSFERRED BACK TO THE NAME OF
15 THE DEALER AND PLACED IN THE
16 SYSTEM OF THE LTO AS BEING UNDER
17 STORAGE TO AVOID INCURRING
18 PENALTY. EACH DEALER SHALL SUBMIT
19 TO THE LTO A YEARLY REPORT ON THE

1 STATUS OF ALL REPOSSESSED
2 MOTORCYCLES UNDER ITS CUSTODY.

3 Failure of the [~~owner to register within~~
4 ~~five (5) days from acquisition of ownership, or~~
5 ~~to immediately report its sale or disposition,~~]

6 DEALER OR THE NEW OWNER TO
7 COMPLY WITH THE REQUIREMENTS OF

8 THIS SECTION shall subject the DEALER OR

9 THE NEW owner to a [~~penalty of~~

10 ~~imprisonment of *arresto mayor* to *prision*~~
11 ~~*correccional*, as defined under the Revised~~

12 ~~Penal Code, or a fine of not less than Twenty~~
13 ~~thousand pesos (P20,000.00) but not more than~~

14 ~~Fifty thousand pesos (P50,000.00), or both]~~

15 FINE OF NOT MORE THAN FIVE
16 THOUSAND PESOS (P5,000.00): *PROVIDED*,

17 THAT NO SEIZURE SHALL BE MADE
18 SOLELY ON THE FAILURE OF THE BUYER

19 TO COMPLY WITH THE REQUIREMENTS
20 OF THIS SECTION.

1 ~~[If a motorcycle that is not yet registered~~
2 ~~with the LTO is used in connection with an~~
3 ~~offense punishable under the Revised Penal~~
4 ~~Code or special penal laws, the maximum~~
5 ~~penalty of the relevant offense shall be imposed~~
6 ~~on the offenders.]”~~

7 SEC. 3. Section 5 of Republic Act No. 11235 is hereby
8 amended to read as follows:

9 “SEC. 5. *Bigger, Readable and Color-*
10 *Coded Number Plates AND INSTALLATION*
11 *OF RFID STICKER.* – The LTO shall issue a
12 readable number plate AND RFID STICKER
13 for every motorcycle. The LTO shall, in the
14 implementing rules and regulations (IRR) of
15 this Act, determine the font style and size of
16 the bigger, readable and color-coded number
17 plates AND A SMALL SCANNER-READABLE
18 RFID STICKER: *Provided,* That the contents of
19 the number plates shall be readable from the
20 ~~[front, the back, and the side]~~ BACK PORTION

1 of the motorcycle from a distance of at least
2 fifteen (15) meters from the motorcycle; AND
3 THE DATA CONTAINED IN THE RFID
4 STICKER INSTALLED ON THE FRONT OF
5 THE MOTORCYCLE SHALL BE READABLE
6 BY RFID SCANNERS.

7 xxx

8 The readable number plates must be
9 displayed in [~~both the front and back sides~~]
10 THE BACK PORTION of a motorcycle and
11 shall be made of suitable and durable material
12 as determined by the LTO.

13 xxx.”

14 SEC. 4. Section 7 of Republic Act No. 11235 is hereby
15 amended to read as follows:

16 “SEC. 7. *Driving Without a Number Plate*
17 *or Readable Number Plate OR WITHOUT AN*
18 *RFID STICKER.* – Driving without a number
19 plate or a readable number plate, OR
20 WITHOUT AN RFID STICKER, as provided in

1 this Act, is prohibited. The driver of a
2 motorcycle without a number plate or readable
3 number plate, OR WITHOUT AN RFID
4 STICKER, as provided in this Act, shall be
5 punished by [~~prision correctional as provided in~~
6 ~~the Revised Penal Code, or a fine not less than~~
7 ~~Fifty thousand pesos (P50,000.00) but not more~~
8 ~~than One hundred thousand pesos~~
9 ~~(P100,000.00), or both]~~ A FINE OF NOT
10 MORE THAN FIVE THOUSAND PESOS
11 (P5,000.00).

12 A motorcycle driven without a number
13 plate or a readable number plate, OR
14 WITHOUT AN RFID STICKER, shall be
15 stopped, and such motorcycle shall be seized by
16 law enforcers and immediately surrendered to
17 the Philippine National Police (PNP):
18 *PROVIDED*, THAT NO SEIZURE SHALL BE
19 MADE UPON SHOWING PROOF OF
20 OWNERSHIP AND REGISTRATION AND

1 THAT THE OWNER IS NOT AT FAULT FOR
2 THE NON-INSTALLATION OF A NUMBER
3 PLATE OR A READABLE PLATE AND RFID
4 STICKER. Any apprehension must be reported
5 immediately to the LTO, PNP and the
6 Department of Information and
7 Communications Technology (DICT) through
8 the Joint LTO and PNP Operations and
9 Control Center. The owner of such motorcycle
10 may redeem his or her seized motorcycle from
11 the PNP WITH THE REQUIRED
12 CLEARANCE FROM THE LTO upon proof of
13 ownership, payment of the costs of seizure, and
14 compliance with a number plate or readable
15 number plate.”

16 SEC. 5. Section 11 of Republic Act No. 11235 is
17 hereby amended to read as follows:

18 “SEC. 11. *Loss of Number Plate or*
19 *Readable Number Plate OR RFID STICKER.* –
20 If the number plate or readable number plate

1 OR RFID STICKER of a motorcycle is lost,
2 damaged, or stolen, the owner OR
3 POSSESSOR of such motorcycle shall
4 ~~[immediately]~~ report the same to the LTO and
5 the PNP through the Joint PNP and LTO
6 Operations and Control Center WITHIN
7 SEVENTY-TWO HOURS (72 HOURS) FROM
8 DISCOVERY OF SUCH LOSS, and request a
9 replacement number plate. Failure of the
10 owner to report the same shall subject the
11 owner to a fine of ~~[not less than Twenty~~
12 ~~thousand pesos (P20,000.00) but not more than~~
13 ~~Fifty thousand pesos (P50,000.00)]~~ NOT MORE
14 THAN FIVE THOUSAND PESOS (P5,000.00).

15 However, if the lost, damaged, or stolen
16 number plate or readable number plate OR
17 RFID STICKER is used in connection with an
18 offense penalized under the Revised Penal
19 Code or special penal laws, the failure of the
20 owner to report within three (3) days that the

1 motorcycle is lost, damaged, or stolen, shall
2 subject the owner to a [~~penalty of~~
3 ~~imprisonment of *arresto mayor* to *prision*~~
4 ~~*correcional*~~] FINE OF NOT MORE THAN
5 TEN THOUSAND PESOS (P10,000.00).”

6 SEC. 6. Section 12 of Republic Act No. 11235 is
7 hereby amended to read as follows:

8 “SEC. 12. *Erasing, Tampering, Forging,*
9 *Imitating, Covering or Concealing a Number*
10 *Plate or Readable Number Plate and*
11 *Intentional Use Thereof. –*

12 (A) Erasing, tampering, altering, forging,
13 imitating, covering, OR concealing a number
14 plate or readable number plate[~~, or~~] SHALL
15 BE PUNISHED WITH IMPRISONMENT
16 RANGING FROM TWO (2) YEARS AND ONE
17 (1) DAY TO SIX (6) YEARS AND A FINE OF
18 NOT MORE THAN TEN THOUSAND PESOS
19 (P10,000.00);

1 (B) The intentional use of such erased,
2 tampered, altered, forged, imitated, covered or
3 concealed number plate or readable number
4 plate, under this Act shall be punished [~~by~~
5 ~~prison mayor~~ as provided under the Revised
6 Penal Code, or a fine of not less than Fifty
7 thousand pesos (P50,000.00) but not more than
8 One hundred thousand pesos (P100,000.00), or
9 ~~both.~~] WITH A FINE OF NOT MORE THAN
10 TWENTY THOUSAND PESOS (P20,000.00);

11 (C) If a person knowingly sells or buys an
12 erased, tampered, altered, forged or imitated
13 number plate or readable number plate, both
14 such buyer and seller shall be punished [~~by~~
15 ~~prison mayor~~ as provided under the Revised Penal
16 Code.—However,] WITH IMPRISONMENT
17 RANGING FROM SIX (6) MONTHS AND ONE (1)
18 DAY TO TWO (2) YEARS, AND A FINE OF TEN
19 THOUSAND PESOS (P10,000.00) [~~if the person~~
20 ~~who sells or buys the number plate proves that~~

1 ~~he or she has no knowledge that it was erased,~~
2 ~~tampered, altered, forged or imitated, he or she~~
3 ~~shall be punished by arresto mayor].”~~

4 SEC. 7. Section 13 of Republic Act No. 11235 is
5 hereby amended to read as follows:

6 “SEC. 13. *Use of a Stolen Number Plate or*
7 *Readable Number Plate.* – WITHOUT
8 PREJUDICE TO CRIMINAL PROSECUTION
9 FOR VIOLATION OF EXISTING LAWS,
10 [~~T~~]the use of a stolen number plate or readable
11 number plate in a motorcycle shall be punished
12 [~~by prison mayor as provided under the~~
13 ~~Revised Penal Code, or a fine of not less than~~
14 ~~Fifty thousand pesos (P50,000.00) but not more~~
15 ~~than One hundred thousand pesos~~
16 ~~(P100,000.00), or both at the discretion of the~~
17 ~~court~~] WITH A FINE OF NOT MORE THAN
18 TWENTY THOUSAND PESOS (P20,000.00).”

19 SEC. 8. Section 19 of Republic Act No. 11235 is
20 hereby amended to read as follows:

1 “SEC. 19. *Transitory Provision.* –

2 Motorcycle owners with number plates not in
3 conformity with the provisions of this Act, shall
4 renew their registration and apply for the
5 required readable number plate AND RFID not
6 later than [~~June 30, 2019~~] JUNE 30, 2025. The
7 LTO is given until [~~December 31, 2019~~]
8 DECEMBER 31, 2025 to produce, release, and
9 issue the number plates AND RFID as required
10 by this Act. After [~~December 31, 2019~~]
11 DECEMBER 31, 2025, the penal provisions
12 regarding the use of bigger, readable and color-
13 coded number plates AND RFID as required
14 under this Act shall take effect.”

15 SEC. 9. *Separability Clause.* – If any provision of this

16 Act is held invalid or unconstitutional, the same shall not
17 affect the validity and effectivity of the other provisions
18 hereof.

19 SEC. 10. *Repealing Clause.* – All laws, decrees,

20 executive orders, rules and regulations, which are

1 inconsistent with the provisions of this Act are hereby
2 repealed, amended, or modified accordingly.

3 SEC. 11. *Effectivity.* – This Act shall take effect fifteen
4 (15) days after its publication in the *Official Gazette* or in a
5 newspaper of general circulation.

Approved,