



HOUSE OF REPRESENTATIVES

H. No. 4544

BY REPRESENTATIVES LACSON-NOEL, MACAPAGAL-ARROYO, ARROYO, SARMIENTO (C.), CO, TIENG, VELARDE, FORTUNO, RODRIGUEZ (R.), RODRIGUEZ (M.), ESCUDERO, CASTELO, MERCADO-REVILLA, BATOCABE, ATIENZA, CHIPECO, TAN (A.), PRIMICIAS-AGABAS, GERONA-ROBREDO, GUTIERREZ, LAGDAMEO (M.), CRUZ-GONZALES, BELLO (S.), ROMUALDO, AGGABAO, OAMINAL, ALIPING, CUEVA AND ACOSTA-ALBA, PER COMMITTEE REPORT NO. 277

AN ACT PROVIDING FOR A REVISED ANTI-CARNAPPING ACT, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6539, OTHERWISE KNOWN AS THE "ANTI-CARNAPPING ACT OF 1972"

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

1 SECTION 1. *Short Title.* – This Act shall be known as the "Revised
2 Anti-Carnapping Act".

3 SEC. 2. *Definition of Terms.* – As used in this Act:

4 (a) *Body building* refers to a job undertaken on a motor vehicle in
5 order to replace its entire body with a new body.

6 (b) *Defacing or tampering with a serial number* refers to the erasing,
7 scratching, altering or changing of the original factory inscribed serial number
8 on the motor vehicle engine, engine block or chassis of any motor vehicle.
9 Whenever any motor vehicle is found to have a serial number on its engine,

1 engine block or chassis which is different from that which is listed in the
2 records of the Bureau of Customs for motor vehicle imported into the
3 Philippines, that motor vehicle shall be considered to have a defaced or
4 tampered serial number;

5 (c) *Dismantling* refers to the tearing apart, piece-by-piece or
6 part-by-part, of a motor vehicle;

7 (d) *Identity transfer* refers to the act of transferring the engine number,
8 chassis number, body tag number, plate number, and any other identifying
9 marks of a motor vehicle declared as "total wreck" or is beyond economic
10 repair by concerned car insurance companies and/or law enforcement agencies
11 after its involvement in a vehicular accident or other incident and registers the
12 same into another factory-made body or vehicle unit, of the same classification,
13 type, make or model;

14 (e) *Motor vehicle* refers to any vehicle propelled by any power other
15 than muscular power using the public highways, except road rollers, trolley
16 cars, street sweepers, sprinklers, lawn mowers, bulldozers, graders, forklifts,
17 amphibian trucks, and cranes if not used on public highways; vehicles which
18 run only on rails or tracks; and tractors, trailers and traction engines of all
19 kinds used exclusively for agricultural purposes. Trailers having any number of
20 wheels, when propelled or intended to be propelled by attachment to a motor
21 vehicle, shall be classified as separate motor vehicle with no power rating;

22 (f) *Overhauling* refers to the cleaning or repairing of the whole engine
23 of a motor vehicle by separating the motor engine and its parts from the body
24 of the motor vehicle;

25 (g) *Repainting* refers to changing the color of a motor vehicle by means
26 of painting. There is painting whenever the new color of a motor vehicle is
27 different from its color registered in the Land Transportation Office (LTO);

1 (h) *Remodeling* refers to the introduction of some changes in the shape
2 or form of the body of the motor vehicle:

3 (i) *Second hand spare parts* refer to the parts taken from a carnapped
4 vehicle used in assembling another vehicle:

5 (j) *Total wreck* refers to the state or status of a motor vehicle after a
6 vehicular accident or other incident, so that it is rendered inoperational and
7 beyond economic repair due to the extent of damage in its body, chassis and
8 engine: and

9 (k) *Unlawful transfer or use of vehicle plates* refers to the use or
10 transfer of a vehicle plate issued by the LTO to a certain vehicle to another
11 vehicle. It is presumed illegally transferred when the motor vehicle plate does
12 not correspond with that as appearing in the certificate of registration of the
13 motor vehicle to which it was issued.

14 SEC. 3 *Carnapping, Penalties.* – Carnapping is the taking, with
15 intent to gain, of a motor vehicle belonging to another without the latter's
16 consent, or by means of violence against or intimidation of persons, or by
17 using force upon things.

18 Any person who is found guilty of carnapping shall, regardless of the
19 value of the motor vehicle taken, be punished by imprisonment for not less
20 than twenty (20) years and one (1) day and not more than thirty (30) years,
21 when the carnapping is committed without violence against or intimidation of
22 persons, or force upon things; and by imprisonment for not less than thirty (30)
23 years and one (1) day and not more than forty (40) years, when the carnapping
24 is committed by means of violence against or intimidation of persons, or force
25 upon things; and the penalty of life imprisonment shall be imposed when the
26 owner, driver, or occupant of the carnapped motor vehicle is killed in the
27 commission of the carnapping.

1 Any person charged with carnapping as penalized herein shall be denied
2 bail when the evidence of guilt is strong.

3 SEC. 4. *Acts Committed in Furtherance or Concealment of*
4 *Carnapping.* – Any person who commits an unlawful act as provided in this
5 law and in furtherance or concealment of the crime of carnapping shall be
6 punished with imprisonment of six (6) years up to twelve (12) years and a fine
7 equal to the amount of the acquisition cost of the motor vehicle, motor vehicle
8 engine, or any other part involved in the violation: *Provided,* That if the
9 person violating any provision of this Act is a juridical person, the penalty
10 herein provided shall be imposed on its president, secretary, and/or members
11 of the board of directors or any of its officers and employees who may have
12 directly participated in the violation.

13 Any public official or employee who directly commits the unlawful acts
14 defined in this Act or is guilty of gross negligence of duty or connives with or
15 permits the commission of any of the said unlawful acts shall, in addition to the
16 penalty prescribed in the preceding paragraph, be dismissed from the service
17 and shall be permanently disqualified from holding public office.

18 SEC. 5. *Original Registration of Motor Vehicles* – Any person
19 seeking the original registration of a motor vehicle, whether that motor vehicle
20 is newly assembled or rebuilt or acquired from a registered owner, shall, within
21 one (1) week after the completion of the assembly or rebuilding job or the
22 acquisition thereof from the registered owner, apply to the Philippine National
23 Police (PNP) for the clearance of the motor vehicle for registration with the
24 LTO. The PNP shall, upon receipt of the application, verify if the motor
25 vehicle or its numbered parts are in the list of carnapped motor vehicles or
26 stolen motor vehicle parts. If the motor vehicle or any of its numbered parts is
27 not in the list, the PNP shall forthwith issue a certificate of clearance. Upon
28 presentation of the certificate of clearance from the PNP and after verification

1 of the registration of the motor vehicle engine, engine block and chassis in the
2 permanent registry of motor vehicle engine, engine block and chassis, the LTO
3 shall register the motor vehicle in accordance with existing laws, rules and
4 regulations within twenty (20) working days.

5 SEC. 6. *Registration of Motor Vehicle, Motor Vehicle Engine, Engine*
6 *Block and Chassis.* – Within one (1) year upon approval of this Act, every
7 owner or possessor of unregistered motor vehicle or parts thereof in knock
8 down condition shall register before the LTO the motor vehicle engine, engine
9 block and chassis in the name of the possessor or in the name of the real owner
10 who shall be readily available to answer any claim over the registered motor
11 vehicle engine, engine block and chassis. Thereafter, all motor vehicle
12 engines, engine blocks and chassis not registered with the LTO shall be
13 considered as a carnapped vehicle, an untaxed importation or coming from
14 illegal source and shall be confiscated in favor of the government.

15 SEC. 7. *Permanent Registry of Motor Vehicle, Motor Vehicle Engines,*
16 *Engine Blocks and Chassis.* – The LTO shall keep a permanent registry of
17 motor vehicle, motor vehicle engines, engine blocks and chassis of all motor
18 vehicles, specifying therein their type, make, serial numbers and stating therein
19 the names and addresses of their present and previous owners. Copies of the
20 registry and of all entries made thereon shall be furnished the PNP and all LTO
21 regional, provincial and city branch offices: *Provided,* That all LTO regional,
22 provincial and city offices are likewise obliged to furnish copies of all
23 registrations of motor vehicles to the main office and to the PNP: *Provided,*
24 *further,* That the original copy of the certificate of registration shall be given to
25 the registered owner, the second copy shall be retained with the LTO and the
26 third copy shall be submitted to the PNP. Moreover, it shall be unlawful for
27 any person or employee who willfully encodes in the registry of motor vehicles

1 a non-existing vehicle or without history. new identity of already existing
2 vehicle or double/multiple registration ("KAMBAL") of vehicle.

3 *SEC. 8. Registration of Sale, Transfer, Conveyance of a Motor Vehicle,*
4 *Substitution or Replacement of a Motor Vehicle Engine, Engine Block or*
5 *Chassis. – Every sale, transfer, conveyance of a motor vehicle, substitution or*
6 *replacement of a motor vehicle engine, engine block or chassis of a motor*
7 *vehicle shall be registered with the LTO within twenty (20) working days upon*
8 *purchase/acquisition of a motor vehicle and substitution or replacement of a*
9 *motor vehicle engine, engine block or chassis. A motor vehicle, motor vehicle*
10 *engine, engine block or chassis not registered with the LTO shall be considered*
11 *as a carnapped vehicle, an untaxed imported vehicle, or a vehicle proceeding*
12 *from illegal sources and shall be confiscated in favor of the government*

13 *SEC. 9. Duty of Collector of Customs to Report. – Within seven (7)*
14 *days after the arrival of an imported vehicle, motor vehicle engine, engine*
15 *block, chassis or body, the Collector of Customs of a principal port of entry*
16 *where the imported vehicle or parts enumerated above are unloaded shall*
17 *report the shipment to the LTO, specifying the make, type and serial numbers,*
18 *if any, of the motor vehicle, motor vehicle engine, engine block, chassis or*
19 *body, and stating the names and addresses of the owner or consignee thereof. If*
20 *the motor vehicle, motor vehicle engine, engine block, chassis or body does*
21 *not bear any serial number, the Collector of Customs concerned shall hold the*
22 *motor vehicle, motor vehicle engine, engine block, chassis or body until it is*
23 *numbered by the LTO: Provided, That a PNP clearance shall be required prior*
24 *to engraving the engine or chassis number.*

25 *SEC. 10. Duty of Importers, Distributors and Sellers of Motor Vehicles*
26 *to Keep Record of Stocks. – Any person engaged in the importation,*
27 *distribution, and buying and selling of motor vehicles, motor vehicle engines,*
28 *engine blocks, chassis or body shall keep a permanent record of one's stocks.*

1 stating therein their type, make and serial numbers, and the names and
2 addresses of the persons from whom they were acquired and the names and
3 addresses of the persons to whom they are sold, and shall render accurately a
4 monthly report of his transactions in motor vehicles to the LTO.

5 SEC. 11. *Duty of Manufacturers of Engine Blocks, Chassis or Body to*
6 *Cause the Numbering of Engine Blocks, Chassis or Body Manufactured* –
7 Any person engaged in the manufacture of engine blocks, chassis or body shall
8 cause the numbering of every engine block, chassis or body manufactured in a
9 convenient and conspicuous part thereof which the LTO may direct for the
10 purpose of uniformity and identification of the factory and shall submit to the
11 LTO a monthly report of the manufacture and sale of engine blocks, chassis or
12 body.

13 SEC. 12. *Clearance and Permit Required for Assembly or Rebuilding*
14 *of Motor Vehicles.* – Any person who shall undertake to assemble or rebuild
15 or cause the assembly or rebuilding of a motor vehicle shall first secure a
16 certificate of clearance from the PNP: *Provided,* That no such permit shall be
17 issued unless the applicant shall present a statement under oath containing the
18 type, make and serial numbers of the engine, chassis and body, if any, and the
19 complete list of the spare parts of the motor vehicle to be assembled or rebuilt
20 together with the names and addresses of the sources thereof

21 In the case of motor vehicle engines to be mounted on motor boats,
22 motor bancas and other light water vessels, the applicant shall secure a permit
23 from the Philippine Coast Guard, which office shall in turn furnish the LTO the
24 pertinent data concerning the motor vehicle engines including their type, make
25 and serial numbers.

26 SEC 13. *Clearance Required for Shipment of Motor Vehicles, Motor*
27 *Vehicle Engines, Engine Blocks, Chassis or Body.* – The Philippine Ports
28 Authority (PPA) shall submit a report to the PNP within seven (7) days upon

1 boarding all motor vehicles being boarded the "RORO", ferry, boat, vessel or
2 ship for interisland and international shipment. The PPA shall not allow the
3 loading of motor vehicles in all interisland and international shipping vessels
4 without a motor vehicle clearance from the PNP, except cargo trucks and other
5 trucks carrying goods. Land Transportation Franchising and Regulatory Board
6 (LTFRB)-accredited public utility vehicles (PUV) and other motor vehicles
7 carrying foodstuff and dry goods.

8 SEC. 14. *Defacing or Tampering with Serial Numbers of Motor*
9 *Vehicle Engines, Engine Blocks and Chassis.* – It shall be unlawful for any
10 person to deface or otherwise tamper with the original or registered serial
11 number of motor vehicle engines, engine blocks and chassis.

12 SEC. 15. *Identity Transfer.* – It shall be unlawful for any person,
13 office or entity to cause and/or allow the sale, registration, and/or transfer into
14 another name, the chassis number, engine number and plate number of a motor
15 vehicle declared as "total wreck" or beyond economic repair by concerned
16 insurance company, and/or law enforcement agencies, due to its involvement in:
17 a vehicular accident or for some other causes. The LTO shall cancel the
18 registration of total wreck vehicle as reported by the PNP and/or as declared by
19 the Insurance Commission

20 SEC. 16. *Transfer of Vehicle Plate.* – It shall be unlawful for any
21 person, office or entity to transfer or use a vehicle plate from one vehicle to
22 another without securing the proper authority from the LTO.

23 SEC. 17. *Sale of Second Hand Spare Parts* – It shall be unlawful for
24 any person, office or entity to buy and/or sell any second hand spare parts
25 taken from a carnapped vehicle.

26 SEC. 18. *Aliens.* – Aliens convicted under the provisions of this Act
27 shall be deported immediately after service of sentence without further
28 proceedings by the Bureau of Immigration.

1 SEC. 19. *Reward.* – Any person who voluntarily gives information
2 leading to the recovery of carnapped vehicles and for the apprehension of the
3 persons charged with carnapping shall be given monetary reward as the PNP
4 may determine. The PNP shall include in their annual budget the amount
5 necessary to carry out the purposes of this section. Any information given by
6 informers shall be treated as confidential matter.

7 SEC. 20 *Implementing Rules and Regulations.* – The National Police
8 Commission and the Department of Transportation and Communications shall,
9 within sixty (60) days from the effectivity of this Act, jointly promulgate the
10 necessary implementing rules and regulations to effectively carry out the
11 provisions of this Act.

12 SEC. 21. *Separability Clause.* – If any provision of this Act is
13 declared invalid, the remainder of this Act or any provision not affected
14 thereby shall remain in full force and effect.

15 SEC. 22. *Repealing Clause.* – Republic Act No. 6539, otherwise
16 known as the “Anti-Carnapping Act of 1972”, is hereby repealed. All laws,
17 executive orders, rules and regulations or parts thereof inconsistent with the
18 provisions of this Act are hereby amended or repealed accordingly.

19 SEC. 23. *Effectivity.* – This Act shall take effect fifteen (15) days after
20 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.