


15 MAY -7 P3:24

SENATE  
S.B. **2756**

RECEIVED BY: 

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Introduced by Senator Poe

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**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"**

**EXPLANATORY NOTE**

The 1987 Philippine Constitution is known for its strong provisions on social justice, fair treatment of citizens and rule of law, as manifested in the specific provisions in Article II:


- Section 5. The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;
- Section 9. The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all;
- Section 10. The State shall promote social justice in all phases of national development; and
- Section 11. The State values the dignity of every human person and guarantees full respect for human rights.

According to the National Statistical Coordination Board, a total of 44,438 carnapping incidents were reported from 2009 to 2013, or 8,888 cars stolen per year. In the first quarter of 2014, the Philippine National Police reported a massive increase of 68.5% in carnapping, representing 3,170 cases compared with 1,881 cases in the same period of the previous year. These incidents should immediately prompt stricter regulation and stiffer penalties to protect car owners.

Republic Act No. 6539 or the Anti-Carnapping Act was passed in 1972, and provisions and penalties indicated in the law seem antiquated. This proposed legislation seeks to repeal the law and to effectively dismantle carnapping syndicates.

Under the measure, carnapping shall be punished by imprisonment of not less than 20 years and one day and not more than 30 years, regardless of the motor vehicle taken. When the carnapping is committed without violence against or intimidation of persons, or force upon things; by imprisonment of not less than 30 years and one day and not more than 40 years when the illegal act is committed by means of violence against or intimidation of persons, or force upon things; and the penalty of life imprisonment shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the crime.

In view of the foregoing, approval of this measure is sought.

  
GRACE POE

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15 MAY -7 P3 24

SENATE  
S. B. 2756

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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 Anti-Carnapping  
2 Act".

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

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

8  
9 (b) *Defacing or tampering with a serial number* refers to the erasing, scratching, altering  
10 or changing of the original factory inscribed serial number on the motor vehicle engine,  
11 engine block or chassis of any motor vehicle. Whenever any motor vehicle is found to  
12 have a serial number on its engine, engine block or chassis which is different from that  
13 which is listed in the records of the Bureau of Customs for motor vehicle imported into  
14 the Philippines, that motor vehicle shall be considered to have a defaced or tampered  
15 serial number;

16  
17 (c) *Dismantling* refers to the tearing apart, piece-by-piece or part-by-part, of a motor  
18 vehicle;

19  
20 (d) *Identity transfer* refers to the act of transferring the engine number, chassis number,  
21 body tag number, plate number, and any other identifying marks of a motor vehicle  
22 declared as "total wreck" or is beyond economic repair by concerned car insurance  
23 companies and/or law enforcement agencies after its involvement in a vehicular  
24 accident or other incident and registers the same into another factory-made body or  
25 vehicle unit, of the same classification, type, make or model;

26  
27 (e) *Motor vehicle* refers to any vehicle propelled by any power other than muscular power  
28 using the public highways, except road rollers, trolley cars, street sweepers, sprinklers,  
29 lawn mowers, bulldozers, graders, forklifts, amphibian trucks, and cranes if not used  
30 on public highways; vehicles which run only on rails or tracks; and tractors, trailers and  
31 traction engines of all kinds used exclusively for agricultural purposes. Trailers having  
32 any number of wheels, when propelled or intended to be propelled by attachment to a  
33 motor vehicle, shall be classified as separate motor vehicle with no power rating;

34  
35 (f) *Overhauling* refers to the cleaning or repairing of the whole engine of a motor vehicle  
36 by separating the motor engine and its parts from the body of the motor vehicle;

37

- 1 (g) *Repainting* refers to changing the color of a motor vehicle by means of painting. There  
2 is painting whenever the new color of a motor vehicle is different from its color  
3 registered in the Land Transportation Office (LTO);<sup>3</sup>  
4
- 5 (h) *Remodeling* refers to the introduction of some changes in the shape or form of the body  
6 of the motor vehicle;  
7
- 8 (i) *Second hand spare parts* refer to the parts taken from a carnapped vehicle used in  
9 assembling another vehicle;  
10
- 11 (j) *Total wreck* refers to the state or status of a motor vehicle after a vehicular accident or  
12 other incident, so that it is rendered in operational and beyond economic repair due to  
13 the extent of damage in its body, chassis and engine; and  
14
- 15 (k) *Unlawful transfer or use of vehicle plates* refers to the use or transfer of a vehicle plate  
16 issued by the LTO to a certain vehicle to another vehicle. It is presumed illegally  
17 transferred when the motor vehicle plate does not correspond with that as appearing in  
18 the certificate of registration of the motor vehicle to which it was issued.  
19

20 **SECTION 3. *Carnapping; Penalties.*** – Carnapping is the taking, with intent to gain, of a  
21 motor vehicle belonging to another without the latter’s consent, or by means of violence against  
22 or intimidation of persons, or by using force upon things.  
23

24 Any person who is found guilty of carnapping shall, regardless of the value of the motor  
25 vehicle taken, be punished by imprisonment for not less than twenty (20) years and one (1) day  
26 and not more than thirty (30) years, when the carnapping is committed without violence against or  
27 intimidation of persons, or force upon things; and by imprisonment for not less than thirty (30)  
28 years and one (1) day and not more than forty (40) years, when the carnapping is committed by  
29 means of violence against or intimidation of persons, or force upon things; and the penalty of life  
30 imprisonment shall be imposed when the owner, driver, or occupant of the carnapped motor  
31 vehicle is killed in the commission of the carnapping.<sup>4</sup>

32 Any person charged with carnapping as penalized herein shall be denied bail when the evidence  
33 of guilt is strong.  
34

35 **SECTION 4. *Acts Committed in Furtherance or Concealment of Carnapping.*** – Any  
36 person who commits an unlawful act as provided in this law and in furtherance or concealment of  
37 the crime of carnapping shall be punished with imprisonment of six (6) years up to twelve (12)  
38 years and a fine equal to the amount of the acquisition cost of the motor vehicle, motor vehicle  
39 engine, or any other part involved in the violation: *Provided*, That if the person violating any  
40 provision of this Act is a juridical person, the penalty herein provided shall be imposed on its  
41 president, secretary, and/or members of the board of directors or any of its officers and employees  
42 who may have directly participated in the violation.  
43

44 Any public official or employee who directly commits the unlawful acts defined in this Act  
45 or is guilty of gross negligence of duty or connives with or permits the commission of any of the  
46 said unlawful acts shall, in addition to the penalty prescribed in the preceding paragraph, be  
47 dismissed from the service and shall be permanently disqualified from holding public office.  
48

49 **SECTION 5. *Original Registration of Motor Vehicles.*** – Any person seeking the original  
50 registration of a motor vehicle, whether that motor vehicle is newly assembled or rebuilt or  
51 acquired from a registered owner, shall, within one (1) week after the completion of the assembly  
52 or rebuilding job or the acquisition thereof from the registered owner, apply to the Philippine  
53 National Police (PNP) for the clearance of the motor vehicle for registration with the LTO. The  
54 PNP shall, upon receipt of the application, verify if the motor vehicle or its numbered parts are in  
55 the list of carnapped motor vehicles or stolen motor vehicle parts. If the motor vehicle or any of  
56 its numbered parts is not in the list, the PNP shall forthwith issue a certificate of clearance. Upon  
57 presentation of the certificate of clearance from the PNP and after verification 5

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

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

14 **SECTION 7. *Permanent Registry of Motor Vehicle, Motor Vehicle Engines, Engine***  
15 ***Blocks and Chassis.*** – The LTO shall keep a permanent registry of motor vehicle, motor vehicle  
16 engines, engine blocks and chassis of all motor vehicles, specifying therein their type, make, serial  
17 numbers and stating therein the names and addresses of their present and previous owners. Copies  
18 of the registry and of all entries made thereon shall be furnished the PNP and all LTO regional,  
19 provincial and city branch offices: *Provided*, That all LTO regional, provincial and city offices are  
20 likewise obliged to furnish copies of all registrations of motor vehicles to the main office and to  
21 the PNP: *Provided, further*, That the original copy of the certificate of registration shall be given  
22 to the registered owner, the second copy shall be retained with the LTO and the third copy shall  
23 be submitted to the PNP. Moreover, it shall be unlawful for any person or employee who willfully  
24 encodes in the registry of motor vehicles  
25 a non-existing vehicle or without history, new identity of already existing vehicle or  
26 double/multiple registration (“KAMBAL”) of vehicle.  
27

28 **SECTION 8. *Registration of Sale, Transfer, Conveyance of a Motor Vehicle,***  
29 ***Substitution or Replacement of a Motor Vehicle Engine, Engine Block or Chassis.*** – Every sale,  
30 transfer, conveyance of a motor vehicle, substitution or replacement of a motor vehicle engine,  
31 engine block or chassis of a motor vehicle shall be registered with the LTO within twenty (20)  
32 working days upon purchase/acquisition of a motor vehicle and substitution or replacement of a  
33 motor vehicle engine, engine block or chassis. A motor vehicle, motor vehicle engine, engine block  
34 or chassis not registered with the LTO shall be considered as a carnapped vehicle, an untaxed  
35 imported vehicle, or a vehicle proceeding from illegal sources and shall be confiscated in favor of  
36 the government.  
37

38 **SECTION 9. *Duty of Collector of Customs to Report.*** – Within seven (7) days after the  
39 arrival of an imported vehicle, motor vehicle engine, engine block, chassis or body, the Collector  
40 of Customs of a principal port of entry where the imported vehicle or parts enumerated above are  
41 unloaded shall report the shipment to the LTO, specifying the make, type and serial numbers, if  
42 any, of the motor vehicle, motor vehicle engine, engine block, chassis or body, and stating the  
43 names and addresses of the owner or consignee thereof. If the motor vehicle, motor vehicle engine,  
44 engine block, chassis or body does not bear any serial number, the Collector of Customs concerned  
45 shall hold the motor vehicle, motor vehicle engine, engine block, chassis or body until it is  
46 numbered by the LTO: *Provided*, That a PNP clearance shall be required prior to engraving the  
47 engine or chassis number.  
48

49 **SECTION 10. *Duty of Importers, Distributors and Sellers of Motor Vehicles to Keep***  
50 ***Record of Stocks.*** – Any person engaged in the importation, distribution, and buying and selling  
51 of motor vehicles, motor vehicle engines, engine blocks, chassis or body shall keep a permanent  
52 record of one’s stocks, stating therein their type, make and serial numbers, and the names and  
53 addresses of the persons from whom they were acquired and the names and addresses of the  
54 persons to whom they are sold, and shall render accurately a monthly report of his transactions in  
55 motor vehicles to the LTO.  
56

57 **SECTION 11. *Duty of Manufacturers of Engine Blocks, Chassis or Body to Cause the***  
***Numbering of Engine Blocks, Chassis or Body Manufactured.*** – Any person engaged in the

1 manufacture of engine blocks, chassis or body shall cause the numbering of every engine block,  
2 chassis or body manufactured in a convenient and conspicuous part thereof which the LTO may  
3 direct for the purpose of uniformity and identification of the factory and shall submit to the LTO  
4 a monthly report of the manufacture and sale of engine blocks, chassis or body.

5  
6 **SECTION 12. Clearance and Permit Required for Assembly or Rebuilding of Motor**  
7 **Vehicles.** – Any person who shall undertake to assemble or rebuild or cause the assembly or  
8 rebuilding of a motor vehicle shall first secure a certificate of clearance from the PNP: *Provided,*  
9 That no such permit shall be issued unless the applicant shall present a statement under oath  
10 containing the type, make and serial numbers of the engine, chassis and body, if any, and the  
11 complete list of the spare parts of the motor vehicle to be assembled or rebuilt together with the  
12 names and addresses of the sources thereof.

13  
14 In the case of motor vehicle engines to be mounted on motor boats, motor bancas and other  
15 light water vessels, the applicant shall secure a permit from the Philippine Coast Guard, which  
16 office shall in turn furnish the LTO the pertinent data concerning the motor vehicle engines  
17 including their type, make and serial numbers.

18  
19 **SECTION 13. Clearance Required for Shipment of Motor Vehicles, Motor Vehicle**  
20 **Engines, Engine Blocks, Chassis or Body.** – The Philippine Ports Authority (PPA) shall submit  
21 a report to the PNP within seven (7) days upon boarding all motor vehicles being boarded the  
22 “RORO”, ferry, boat, vessel or ship for interisland and international shipment. The PPA shall not  
23 allow the loading of motor vehicles in all interisland and international shipping vessels without a  
24 motor vehicle clearance from the PNP, except cargo trucks and other trucks carrying goods, Land  
25 Transportation Franchising and Regulatory Board (LTFRB)-accredited public utility vehicles  
26 (PUV) and other motor vehicles carrying foodstuff and dry goods.

27  
28 **SECTION 14. Defacing or Tampering with Serial Numbers of Motor Vehicle Engines,**  
29 **Engine Blocks and Chassis.** – It shall be unlawful for any person to deface or otherwise tamper  
30 with the original or registered serial number of motor vehicle engines, engine blocks and chassis.

31  
32 **SECTION 15. Identity Transfer.** – It shall be unlawful for any person, office or entity to  
33 cause and/or allow the sale, registration, and/or transfer into another name, the chassis number,  
34 engine number and plate number of a motor vehicle declared as “total wreck” or beyond economic  
35 repair by concerned insurance company, and/or law enforcement agencies, due to its involvement  
36 in a vehicular accident or for some other causes. The LTO shall cancel the registration of total  
37 wreck vehicle as reported by the PNP and/or as declared by the Insurance Commission.

38  
39 **SECTION 16. Transfer of Vehicle Plate.** – It shall be unlawful for any person, office or  
40 entity to transfer or use a vehicle plate from one vehicle to another without securing the proper  
41 authority from the LTO.

42  
43 **SECTION 17. Sale of Second Hand Spare Parts.** – It shall be unlawful for any person,  
44 office or entity to buy and/or sell any second hand spare parts taken from a carnapped vehicle.

45  
46 **SECTION 18. Aliens.** – Aliens convicted under the provisions of this Act shall be deported  
47 immediately after service of sentence without further proceedings by the Bureau of Immigration.

48  
49 **SECTION 19. Reward.** – Any person who voluntarily gives information leading to the  
50 recovery of carnapped vehicles and for the apprehension of the persons charged with carnapping  
51 shall be given monetary reward as the PNP may determine. The PNP shall include in their annual  
52 budget the amount necessary to carry out the purposes of this section. Any information given by  
53 informers shall be treated as confidential matter.

54  
55 **SECTION 20. Implementing Rules and Regulations.** – The National Police Commission  
56 and the Department of Transportation and Communications shall, within sixty (60) days from the

1 effectivity of this Act, jointly promulgate the necessary implementing rules and regulations to  
2 effectively carry out the provisions of this Act.

3  
4 **SECTION 21. *Separability Clause.*** – If any provision of this Act is declared invalid, the  
5 remainder of this Act or any provision not affected thereby shall remain in full force and effect.

6  
7 **SECTION 22. *Repealing Clause.*** – Republic Act No. 6539, otherwise known as the “Anti-  
8 Carnapping Act of 1972”, is hereby repealed. All laws, executive orders, rules and regulations or  
9 parts thereof inconsistent with the provisions of this Act are hereby amended or repealed  
10 accordingly.

11  
12 **SECTION 23. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication  
13 in the *Official Gazette* or in a newspaper of general circulation.

14  
15 Approved,