

SENATE

'21 SEP 16 P2:31

Senate Bill No. 2402

Introduced by Senator Juan Miguel F. Zubiri

**AN ACT
REGULATING THE USE AND OTHER ACTIVITIES RELATED TO VINTAGE
AUTOMOBILES AND OTHER HISTORICAL, CLASSIC, OR COLLECTOR MOTOR
VEHICLES, AND PROVIDING FOR THEIR EXEMPTION FROM THE STANDARDS
AND RESTRICTIONS SET BY LAWS ENACTED AND REGULATIONS ADOPTED
AFTER THE DATE OF THEIR MANUFACTURE**

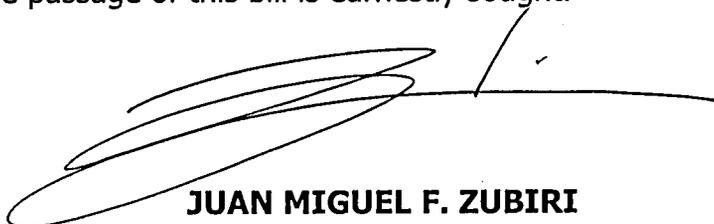
EXPLANATORY NOTE

Article XIV, Section 14 of the 1987 Philippine Constitution states that "the State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression." Furthermore, Section 16 of the same Article states that "all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition."

Executive Order No. 156 (2002), titled "Providing for a Comprehensive Industrial Policy and Directions for the Motor Vehicle Development Program and its Implementing Guidelines," states that "the motor vehicle industry is a significant contributor to the country's economic output, employment, investments, exports, and the development of small and medium scale parts and component manufacturing establishments." In this regard, encouraging vintage car restoration shall not only promote heritage conservation but shall likewise spur economic activity in the micro and small enterprise category, and the development of skills to serve a niche market here and abroad.

The State recognizes motor vehicles to be part of Philippine culture and acknowledges that vintage vehicles provide a window into understanding the development of a nation's way of life. Furthermore, the preservation of such vehicles is expected to provide a source of livelihood for skilled workers in this industry, and would open up much needed opportunities in this time of pandemic. This measure seeks to preserve vintage vehicles and establish the policy that shall govern the importation, exportation, registration and operation of such vehicles.

In view of the foregoing, the passage of this bill is earnestly sought.



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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 “Vintage Vehicle
2 Regulation Act”.

3 **SEC. 2. Declaration of Policy.** – Section 14 Article XIV of the Constitution
4 declares that the State shall foster the preservation, enrichment, and dynamic evolution
5 of a Filipino culture based on the principle of unity in diversity in a climate of free artistic
6 and intellectual expression. Section 16 of the same article declares that the country’s
7 artistic and historic wealth constitutes the cultural treasure of the nation and shall be
8 under the protection of the State which may regulate its disposition.

9 The State recognizes that motor vehicles are integral part of Philippine culture,
10 embedded in its history and chronicles of government, transportation, industry, social life,
11 and popular culture. The State acknowledges that surviving vintage vehicles, as well as
12 their related tools, equipment, accessories, buildings, literature, and collectible ephemera,
13 deserve and require sustainable conservation, and that motoring heritage aids
14 contextualization, documentation, interpretation, and understanding of the development
15 of the nation’s way of life and how it continues to transition. Within this context, the
16 preservation of vintage vehicles is in accord with policy of the State to preserve its
17 heritage and patrimony.

18 The State recognizes the large and expanding international markets for the
19 restoration of these vintage vehicles. The State is keenly aware that the country’s unique
20 conditions, the capability of its small and medium industries, and the quality of its human
21 resource make it competitive in those markets. It is therefore the declared policy of the
22 State to provide an environment that will encourage its entrepreneurs and industries to
23 participate in those markets and permit its businessmen, technicians, and workforce to
24 acquire the knowledge and skills necessary for the purpose. In furtherance of such
25 policies, the State shall pursue the following objectives:

- 1 (i) protect, preserve, enhance, and promote the nation's heritage by
2 preserving vintage vehicles and in furtherance thereof permit the
3 importation of such vehicles in historically correct condition;
4 (ii) establish and strengthen regulatory policies that encourage their
5 preservation, maintenance, occasional use, and registration;
6 (iii) increase economic opportunities by creating conditions favorable to small
7 and medium industries that may participate in the international markets for
8 the restoration and repair of vintage vehicles and the manufacture of their
9 spare and replacement parts; and
10 (iv) encourage tourism through the promotion of automobile tours, shows,
11 vintage motorsports, and similar events.

12 **SEC. 3. Coverage.** – This Act shall apply to all aspects of the regulation of the
13 importation and exportation, registration, and use of vintage vehicles.

14 **SEC. 4. Definition of Terms.** – As used in this Act:

- 15 (a) Authentic component refers to a replacement part, whether old or newly
16 produced, that is identical in appearance and function to an original component
17 installed in the vehicle or in vehicles belonging to the same model line as the
18 vehicle at the time of manufacture, but not necessarily made of the same
19 material, including chassis and monocoque shell and subframe replacements
20 of the same pattern as the original. This will include spare parts from the
21 manufacturer's stock intended for the later servicing or repair of vehicles of
22 the same model line as the vehicle.
23 (b) Motor vehicle refers to any self-propelled vehicle designed to carry passengers
24 or goods, including automobiles, pick-up trucks, vans, sports utility vehicles,
25 Asian utility vehicles, and motorcycles. A trailer, caravan, or other vehicle
26 intended to be towed by attachment to a motor vehicle shall be deemed a
27 motor vehicle for purposes of this Act.
28 (c) Original spare parts refer to parts of the vehicle, including the motor and
29 gearbox, that were originally installed by its manufacturer at the time of
30 manufacture.
31 (d) Vintage vehicle refers to a motor vehicle that is at least thirty (30) years old
32 reckoned from the date of manufacture, whose chassis, engine, steering
33 assembly, and suspension assembly are either original or authentic and whose
34 body has not been altered in general appearance, subject only to the
35 exceptions in Section 10 hereof. It shall exclude replicas and reproductions of
36 vintage vehicles.

37 **SEC. 5. Exemption.** – In recognition of their small number, their expected limited
38 use, and the historical fact that the technology available at the time of their manufacture
39 will not permit them to meet modern standards, vintage vehicles registered under this
40 Act shall not be required to meet clean-air, anti-pollution, safety, road-use, and other
41 standards that were not in force at the time of their manufacture, either as a condition
42 for their registration and use on public roads or otherwise, the provisions of the Clean Air
43 Act (RA 8749) and any other law or regulation notwithstanding. However, vintage vehicles
44 manufactured after December 31, 1967 must be fitted with safety belts as mandated by
45 Republic Act No. 8750 or the Seat Belts Use Act of 1999.

46 **SEC. 6. Importation.** – Vintage vehicles may be imported into the Philippines
47 by any 2 person or entity.

48 **SEC. 7. Exportation.** – A vintage vehicle may be exported without restriction:
49 *Provided,* That in the interest of preserving the cultural and historical heritage associated

1 with vintage vehicles, the exportation of vintage vehicles that have historical significance
2 to the country, such as vehicles of Presidents of the Philippines, as certified by the
3 National Historical Commission of the Philippines (NHCP) in accordance with rules and
4 guidelines, shall be prohibited.

5 **SEC. 8. Right-hand Drive Vehicles.** – The prohibition on the importation,
6 registration, and use of right-hand-drive vehicles shall not apply to vintage vehicles
7 manufactured on or before December 31, 1970 or to vintage vehicles intended principally
8 for racing or other motorsport.

9 **SEC. 9. Period Specification.** – A vintage vehicle registered or otherwise
10 benefitting under this Act shall be preserved and maintained in a historically correct
11 condition, which, for purposes of this Act and subject to Section 10 hereof, shall mean
12 that (i) its chassis, engine, steering, and suspension shall not have been replaced or
13 modified except with original or authentic components, and (ii) its body has not been
14 changed in general appearance.

15 **SEC. 10. Permitted Modifications.** – The following modifications shall be
16 permitted on vintage vehicles:

- 17 (i) modifications of a type that can be demonstrated to have been made when
18 the vintage vehicle was in production or within ten (10) years of the end of
19 production;
- 20 (ii) modifications to brakes, suspension, axles and running gear to improve
21 efficiency or safety;
- 22 (iii) use of carburetors or fuel injection systems not original to the vintage
23 vehicle to improve efficiency, economy or environmental performance;
- 24 (iv) installation of a new, modern engine of the same brand or manufacture and
25 of the same general specification as the engine original to the vintage
26 vehicle or vehicles belonging to the same model line as the vintage vehicle;
27 and
- 28 (v) installation of after-market accessories and equipment, such as radios, air-
29 conditioning, and directional lights, to permit the convenient or safe use of
30 the vehicle.

31 **SEC. 11. Limited Use.** – A vintage vehicle that (i) is imported after the effectivity
32 of this Act, or (ii) is registered under this Act, or (iii) otherwise benefits from any
33 exemption or privilege under this Act shall be used only on Saturdays, Sundays, and
34 holidays, except for the purpose of registration or inspections by the Land Transportation
35 Office (LTO) under this Act. A vintage vehicle shall in no event be used for commercial
36 purposes, except only for motion pictures, advertisements, pictorials, weddings, and
37 motorcades. In no event shall a vintage vehicle be used as a public utility vehicle or for
38 the commercial transport of persons or goods.

39 **SEC. 12. Registration.** – All vintage vehicles (i) imported after the effectivity of
40 this Act or (ii) benefitting from any exemption or privilege under this Act shall be registered
41 as a vintage vehicle with the LTO in order to benefit from the provisions of this Act. Such
42 registration shall be valid for five (5) years.

43 **SEC. 13. License Plate.** – The LTO shall issue to each registered vintage vehicle
44 license plates that contain the words "vintage vehicle" in addition to the usual letters and
45 numerals appearing in license plates. The model year or year of manufacture shall be
46 indicated on any appropriate part of the plate.

1 **SEC. 14. *Applicability of Prohibitions.*** – The prohibitions set out in this Act,
2 including against daily use, shall not apply to motor vehicles that are not registered under
3 this Act or which do not seek to benefit from any exemption or privilege under this Act.
4 Such motor vehicles shall be subject to all laws and regulations governing the registration
5 and use of motor vehicles in general, including all air emission, safety, roadworthiness
6 and other standards.

7 **SEC. 15. *Inspection.*** – A vintage vehicle applying for registration or the renewal
8 of its registration under this Act shall be subject to inspection in compliance with Sections
9 9 and 10 hereof and, if manufactured after December 31, 1975, in compliance with the
10 minimum safety and roadworthiness guidelines established by the LTO in consultation
11 with stakeholders. In no event shall the standards for safety inspection for vintage
12 vehicles registered under this Act exceed or be more stringent than those that were in
13 force at the year the vehicle was manufactured.

14 As in the case of any motor vehicle and in the interest of public safety and
15 responsible ownership, the LTO shall conduct random inspection of registered vintage
16 vehicles on public roads and highways.

17 **SEC. 16. *Lost Papers.*** – (a) A vintage vehicle that has no certificate of
18 registration, official receipt of registration payment, or other evidence of ownership or
19 registration may be registered as a vintage vehicle under this Act, subject to the
20 submission by the applicant of (i) a notarized affidavit that states that the applicant is the
21 owner, is in possession of the vehicle, knows of no claim on the vehicle, and which
22 describes the circumstances by which the applicant came to acquire the vehicle, (ii)
23 clearance from the relevant police agency that there is no record of the vehicle having
24 been stolen, and (iii) payment to the LTO of a one-time reconstitution fee of Ten thousand
25 pesos (Php 10,000.00) in addition to the regular fees and charges for the registration of
26 vintage vehicles.

27 (b) Publication of Notice of Application for Registration. The LTO shall publish a
28 notice of the application in a newspaper of general circulation once a week for three (3)
29 consecutive weeks at the expense of the applicant and on its website within three (3)
30 days from receipt of each complete application, describing the vehicle and stating that
31 the applicant has applied for registration. If the LTO receives no objection to the
32 application or claim by third parties on the vehicle within three (3) months from the date
33 of publication, it shall register the vehicle as a vintage vehicle under this Act. The
34 registration of a vintage vehicle shall be without prejudice to rights of persons who may
35 claim ownership of the vintage vehicle under applicable laws.

36 (c) Date of manufacture. The date of manufacture of a vintage vehicle with lost,
37 incomplete, or inconsistent papers may be ascertained through the car manufacturer or
38 the assistance of vintage car associations or interest groups. If details such as the exact
39 date of manufacture cannot be ascertained, the registration paper and entry in the
40 database of the LTO shall indicate this fact and an annotation that the "date of
41 manufacture is not available but has been estimated by [name of authority/association]."

42 **SEC. 17. *Vintage Vehicle Restoration Database; Education.*** – (a)
43 Recognizing the historical and cultural value and contribution of vintage vehicles to
44 employment and the industry in general, the LTO shall establish and maintain a national
45 database that lists and describes vintage vehicles in the country, which it shall share with
46 the NHCP for purposes of Section 7 hereof.

47 (b) To support the local restoration industry, the LTO shall include in its database
48 authorized and licensed companies and shops engaged in the repair or restoration of
49 vintage vehicles or in the manufacture of spare and replacement parts for vintage
50 vehicles, private sector associations and interest groups, and relevant government

1 agencies, such as the Technical Education and Skills Development Authority, and actively
2 engage them, in strengthening opportunities and programs for skills and technological
3 development in these and related industries.

4 (c) The LTO shall promote and encourage the conscientious, correct and safe
5 maintenance of vintage vehicles through consistent information and education campaigns
6 and other means.

7 **SEC. 18. *Implementing Rules and Regulations.*** – The LTO shall, after public
8 hearings and consultation with concerned sectors of society, including at least five (5)
9 vintage vehicle owners or representatives from owners’ groups or associations, formulate
10 and issue the necessary rules and regulations for the effective and speedy implementation
11 of this Act within sixty (60) days of its effectivity. Likewise, the LTO shall consult with
12 vintage vehicle owners or representatives from owners’ groups or associations in the
13 development of other relevant policies and issuances. Any draft issuance or policy shall
14 also be circulated electronically via email and other social media channels for meaningful
15 engagement of stakeholders especially owners, collectors, restorers, mechanics, and
16 enthusiasts.

17 **SEC. 19. *Separability Clause.*** – If any provision of this Act is declared invalid
18 or unconstitutional, such parts not affected by such declaration shall remain in full force
19 and effect.

20 **SEC. 20. *Repealing Clause.*** – All laws, orders, rules and regulations and other
21 issuances, or parts thereof, which are inconsistent with this Act are hereby repealed,
22 amended or modified accordingly.

23 **SEC. 21. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
24 publication in the Official Gazette or in a newspaper of general circulation.

Approved,