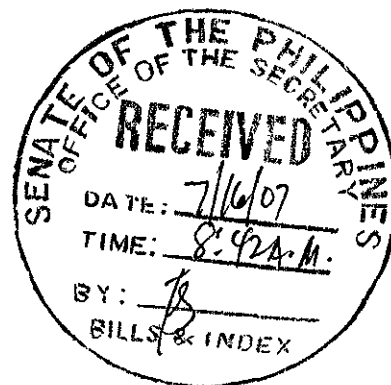


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 1229



Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

With the prevalent use of motor vehicles in everyday life and the increasing incidence of carnapping and other motor vehicle related crimes, the need for a more effective and efficient system of penalizing and preventing these crimes arises.

Republic Act No. 6539, as amended, otherwise known as the Anti-Carnapping Act of 1972, penalizes and prevents carnapping. Part of this law mandates the registration of motor vehicle engines, engine blocks and chassis. However, the present law does not mandate the registration of number plates as a means of identifying motor vehicles. Undoubtedly, the best way to identify and investigate a motor vehicle, especially one that has been the subject or object of a crime, is to start with an inquiry on its number plate.

This bill seeks to update the Anti-Carnapping Act of 1972 by mandating the inclusion of number plates in the registration of motor vehicles for identification and other purposes, and replacing the Philippine Constabulary and the Land Transportation Commission to the Philippine National Police and Land Transportation Office, respectively. Furthermore, this bill proposes that the net proceeds of sales of abandoned motor vehicles be remitted to the National Treasury instead of the Philippine National Police to generate additional revenues for the government.



RICHARD J. GORDON
By Senator *RJG*

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



SENATE
S. No. 1229

Introduced by **Senator Richard J. Gordon**

**AN ACT AMENDING REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE KNOWN
AS THE ANTI-CARNAPPING ACT OF 1972**

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

1 **SECTION 1.** Section 2 of Republic Act No. 6539, as amended, otherwise known as
2 the Anti-Carnapping Act of 1972, is hereby amended to read as follows:

3 “SEC. 2. *Definition of Terms.* – The terms “carnapping,” “motor
4 vehicle,” “defacing or tampering with,” “repainting,” “body-building,”
5 “remodeling,” “dismantling,” and “overhauling” as used in this Act, shall be
6 understood, respectively to mean –

7 XXX

8 “Defacing or tampering with” a NUMBER PLATE OR serial number is
9 the REMOVING, erasing, scratching, altering or changing of the
10 IDENTIFICATION OF ANY MOTOR VEHICLE NUMBER PLATE OR original
11 factory-inscribed serial number on the motor vehicle engine, engine block or
12 chassis of any motor vehicle. Whenever any motor vehicle is found to have a
13 serial number on its motor engine, engine block or chassis which is different
14 from that which is listed in the records of the Bureau of Customs for motor
15 vehicles imported into the Philippines, that motor vehicle shall be considered
16 to have a defaced or tampered serial number.

17 “Repainting” is changing the color of a motor vehicle by means of
18 painting. There is repainting whenever the new color of a motor vehicle is
19 different from its color as registered in the Land Transportation [Commission]
20 OFFICE.

21 XXX

1 **Sec. 2.** Section 3 of Republic Act No. 6539, as amended, otherwise known as the
2 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

3 “SEC. 3. *Registration of MOTOR VEHICLE, motor vehicle engine,*
4 *engine block and chassis.* – [Within one year after the approval of this Act, e]
5 Every owner or possessor of [unregistered] A motor vehicle or parts thereof in
6 knock down condition shall register with the Land Transportation
7 [Commission] OFFICE the MOTOR VEHICLE, motor vehicle engine, engine
8 block and chassis, in his name or in the name of the real owner who shall be
9 readily available to answer any claim over the registered MOTOR VEHICLE,
10 motor vehicle engine, engine block and chassis. [Thereafter, a] All MOTOR
11 VEHICLES, motor vehicle engines, engine blocks and chassis not registered
12 with the Land Transportation [Commission] OFFICE shall be considered as
13 untaxed importation or coming from an illegal source or carnapped, and shall
14 be confiscated in favor of the government.

15 XXX”

16 **Sec 3.** Section 4 of Republic Act No. 6539, as amended, otherwise known as the
17 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

18 “SEC. 4 *Permanent Registry of MOTOR VEHICLES, motor vehicle*
19 *engines, engine blocks and chassis.* – The Land Transportation [Commission]
20 OFFICE shall keep a permanent registry of MOTOR VEHICLES, motor
21 vehicle engines, engine blocks and chassis of all motor vehicles, specifying
22 therein INCLUDING BUT NOT LIMITED TO their type, make, [and] serial
23 numbers AND NUMBER PLATES and stating therein the names and
24 addresses of their present and previous owners. Copies of the registry and of
25 all entries made thereon shall be furnished by the Philippine [Constabulary]
26 NATIONAL POLICE and all Land Transportation [Commission] OFFICE
27 regional, provincial and city branch offices: *Provided,* that all Land
28 Transportation [Commission] OFFICE regional, provincial and city branch
29 offices are likewise obliged to furnish copies of all registrations of motor
30 vehicles to the main office and to the Philippine [Constabulary] NATIONAL
31 POLICE.”

32 **Sec. 4.** Section 5 of Republic Act No. 6539, as amended, otherwise known as the
33 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

1 “SEC. 5. *Registration of sale, transfer, conveyance, substitution or*
2 *replacement of a MOTOR VEHICLE, motor vehicle engine, engine block or*
3 *chassis. – Every sale, transfer, conveyance, substitution or replacement of a*
4 *MOTOR VEHICLE, motor vehicle engine, engine block or chassis or a motor*
5 *vehicle shall be registered with the Land Transportation [Commission]*
6 *OFFICE. Motor vehicles assembled and rebuilt or repaired by replacement*
7 *with motor vehicle engines, engine blocks and chassis not registered with the*
8 *land Transportation [Commission] OFFICE shall not be issued certificates of*
9 *registration and shall be considered as untaxed imported motor vehicles or*
10 *motor vehicles carnapped or proceeding from illegal sources.”*

11 **Sec. 5.** Section 6 of Republic Act No. 6539, as amended, otherwise known as the
12 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

13 “SEC. 6. *Original Registration of motor vehicles. – Any person seeking*
14 *original registration of a motor vehicle, whether that motor vehicle is newly-*
15 *assembled or rebuilt or acquired from a registered owner, shall within one*
16 *week after the completion of the assembly or rebuilding job or the acquisition*
17 *thereof from the registered owner, apply to the Philippine [Constabulary]*
18 *NATIONAL POLICE for clearance of the motor vehicle for registration with the*
19 *Land Transportation [Commission] OFFICE. The Philippine [Constabulary]*
20 *NATIONAL POLICE shall, upon receipt of the application, verify if the motor*
21 *vehicle or its numbered parts, OR MOTOR VEHICLES USED IN THE*
22 *COMMISSION OF CRIMES. If the motor vehicle or any of its numbered parts*
23 *is not on the list, the Philippine [Constabulary] NATIONAL POLICE shall*
24 *forthwith issue a certificate of clearance. Upon presentation of the certificate*
25 *of clearance from the Philippine [Constabulary] NATIONAL POLICE and after*
26 *verification of the registration of the MOTOR VEHICLE, motor vehicle*
27 *engines, engine blocks and chassis, the Land Transportation [Commission]*
28 *OFFICE shall register the motor vehicle in accordance with existing laws,*
29 *rules and regulations.”*

30 **Sec. 6.** Section 7 of Republic Act No. 6539, as amended, otherwise known as the
31 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

32 “SEC. 7. *Duty of Collector of Customs to report arrival of imported*
33 *motor vehicles, etc. – The Collector of Customs of a principal port of entry*

1 where an imported motor vehicle, motor vehicle engine, engine block, chassis
2 or body is unloaded, shall within seven (7) days after the arrival of the
3 imported motor vehicle or any of its parts enumerated herein, make a report
4 of the shipment to the Land Transportation [Commission] OFFICE, specifying
5 the make, type and serial numbers, if any, of the MOTOR VEHICLE, motor
6 vehicle engine, engine block and chassis or body, and stating the names and
7 addresses of the owner or consignee thereof. If the MOTOR VEHICLE, motor
8 vehicle engine, engine block and chassis or body does not bear any serial
9 number, the Collector of Customs concerned shall hold the MOTOR
10 VEHICLE, motor vehicle engine, engine block, chassis or body until it is
11 numbered by the Land Transportation [Commission] OFFICE.”

12 **Sec. 7.** Section 8 of Republic Act No. 6539, as amended, otherwise known as the
13 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

14 *“SEC. 8. Duty of importers, distributors and sellers of motor vehicles to*
15 *keep record of stocks. – Any person engaged in the importation, distribution,*
16 *and buying and selling of motor vehicles, motor vehicle engines, engine*
17 *blocks, chassis or body, shall keep a permanent record of his stocks, stating*
18 *therein their type, make, [and] serial numbers AND NUMBER PLATES, and*
19 *the names and addresses of the persons from whom they were acquired and*
20 *the names and addresses of the persons to whom they were sold, and shall*
21 *render an accurate monthly report of his transactions in motor vehicles to the*
22 *Land Transportation [Registration Commission] OFFICE.”*

23 **Sec. 8.** Section 9 of Republic Act No. 6539, as amended, otherwise known as the
24 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

25 *“SEC. 9. Duty of manufacturers of engine blocks, chassis or body to*
26 *cause numbering of engine blocks, chassis or body manufactured. – Any*
27 *person engaged in the manufacture of engine blocks, chassis or body shall*
28 *cause the numbering of every engine block, chassis or body manufactured in*
29 *a convenient and conspicuous part thereof which the Land Transportation*
30 *[Commission] OFFICE may direct for the purpose of uniformity and*
31 *identification of the factory and shall submit to the Land Transportation*
32 *[Commission] OFFICE a monthly report of the manufacture and sale of*
33 *engine blocks, chassis or body.”*

1 **Sec. 9.** Section 10 of Republic Act No. 6539, as amended, otherwise known as the
2 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

3 “SEC. 10. *Clearance and permit required for assembly or rebuilding of*
4 *motor vehicles.* – Any person who shall undertake to assemble or rebuild or
5 cause the assembly or rebuilding of a motor vehicle shall secure a certificate
6 of clearance from the Philippine [Constabulary] NATIONAL POLICE;
7 *Provided,* That no such permit shall be issued unless the applicant shall
8 present a statement under oath containing the type, make and serial numbers
9 of the engine, chassis and body, if any, and the complete list of the spare
10 parts of the motor vehicle to be assembled or rebuilt together with the names
11 and addresses of the sources thereof.

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

17 **Sec. 10.** Section 11 of Republic Act No. 6539, as amended, otherwise known as the
18 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

19 “SEC. 11. *Clearance required for shipment of motor vehicles, motor*
20 *vehicle engines, engine blocks, chassis or body.* – A person who owns or
21 operates inter-island shipping or any water transportation with launches,
22 boats, vessels or ships shall within seven (7) days submit a report to the
23 Philippine [Constabulary] NATIONAL POLICE on all motor vehicle, motor
24 vehicle engines, engine blocks, chassis or body to be loaded on board the
25 launch, boat, vessel or ship.”

26 **Sec. 11.** Sections 12, 12-A and 12-B of Republic Act No. 6539, as amended,
27 otherwise known as the Anti-Carnapping Act of 1972, is hereby amended to read as follows:

28 “SEC. 12. *Defacing or tampering with NUMBER PLATES OF MOTOR*
29 *VEHICLES OR serial numbers of motor vehicle engines, engine blocks and*
30 *chassis.* – It shall be unlawful for any person to deface or otherwise tamper
31 with the original or registered NUMBER PLATES OF MOTOR VEHICLES
32 AND serial numbers of motor vehicle engines, engine blocks and chassis.

1 NO MOTOR VEHICLE WITH A DEFACED OR TAMPERED WITH
2 NUMBER PLATE MAY BE DRIVEN ON PUBLIC HIGHWAYS. ANY PERSON
3 DRIVING A MOTOR VEHICLE WITH A DEFACED OR TAMPERED WITH
4 NUMBER PLATE ON THE PUBLIC HIGHWAYS IS DISPUTABLY
5 PRESUMED TO HAVE DEFACED OR TAMPERED WITH THE NUMBER
6 PLATE OF THE MOTOR VEHICLE.

7 Sec. 12-A. All carnapped or stolen motor vehicle, recovered and
8 impounded by law enforcement agencies which after a period of three (3)
9 months from the date of its seizure/recovery have remained unclaimed or
10 whose real owners could no longer be determined or established because the
11 original NUMBER PLATE OF THE MOTOR VEHICLE OR SERIAL numbers
12 of the motor VEHICLE engine, ENGINE BLOCK AND [or] chassis [numbers]
13 could no longer be determined and restored, are considered as abandoned
14 motor vehicles and shall be sold and disposed of by the Chief of
15 [Constabulary] THE PHILIPPINE NATIONAL POLICE or his authorized
16 representative in a public auction; *Provided*, That, in all cases before any
17 public auction is effected, there shall be published once a week for three (3)
18 consecutive weeks in a newspaper of general circulation in the Philippines or
19 in the place where it was recovered or found, a description of the vehicles
20 intended to be auctioned with a notice that after the lapse of one (1) month
21 from the date of the last publication, should no person file a claim for the
22 recovery of the same, said motor vehicles will be sold at a public auction:
23 *Provided, finally*, That the date and place of the public auction to be
24 conducted by the Chief of [Constabulary] THE PHILIPPINE NATIONAL
25 POLICE or his authorized representative shall already be fixed in the last
26 publication aforementioned.

27 SEC. 12-B. After the public auction, the proceeds shall be applied to
28 answer for charges including storage and cost of publication and related
29 expenses incurred in connection therewith: *Provided*, That the remainder, if
30 any, shall be [retained by the Philippine Constabulary/ Integrated National
31 Police to be used for the operational expenses of the Anti-Carnapping Task
32 Force or any such unit as may hereinafter be created for a similar purpose for

1 which the Anti-Carnapping Task Force was created] REMITTED TO THE
2 NATIONAL TREASURY.”

3 **Sec. 12.** Section 16 of Republic Act No. 6539, as amended, otherwise known as the
4 Anti-Carnapping Act of 1972, is hereby amended to read as follows:

5 “Sec. 16. *Reward.* – Any person who voluntarily gives information
6 leading to the recovery of carnapped vehicles and for the conviction of the
7 persons charged with carnapping shall be given as reward so much reward
8 money as the Philippine [Constabulary] NATIONAL POLICE is authorized to
9 include in its annual budget the amount necessary to carry out the purposes
10 of this section. Any information given by the informers shall be treated as
11 confidential matter.”

12 **Sec. 13. *Repealing Clause.*** – Any law, presidential decree or issuance, executive
13 order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is
14 hereby repealed or modified accordingly.

15 **Sec. 14. *Separability Clause.*** – If any portion or provision of this Act is declared
16 *unconstitutional*, the remainder of this Act or any provisions not affected thereby shall
17 remain in force and effect.

18 **Sec. 15. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days
19 following the completion of its publication either in the Official Gazette or in a newspaper of
20 general circulation in the Philippines.

21 Approved,