

AN ACT TO AMEND ACT NUMBERED TWENTY-ONE HUNDRED AND FIFTY-NINE, AS AMENDED, ENTITLED "AN ACT TO REGULATE MOTOR VEHICLE TRAFFIC IN THE PHILIPPINE ISLANDS, TO PROVIDE FOR THE REGI...

Act No. 2587., February 04, 1916

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By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. Section three of Act Numbered Twenty-one hundred and fifty-nine, entitled "An Act to regulate motor vehicle traffic in the Philippine Islands, to provide for the registration of motor vehicles and the licensing of operators, and to require all vehicles on highways to carry lights, and for other purposes," as amended by Act Numbered Twenty-two hundred and fifty-six, is hereby amended to read as follows:

"SEC. 3. Every person who owns or possesses a motor vehicle shall within thirty days from the time of acquiring said vehicle and thereafter not later than the thirty-first day of January of each year file in the office of the Director of Public Works or in the office of the district engineer for each motor vehicle owned or possessed by him a statement of his name; place of residence and address; the number and date of his cedula and the place where same was issued; a brief description of each such motor vehicle including the name, style or type and seating or carrying capacity thereof; the name or title of the makers, the number, if any, stamped upon or affixed by the makers to the same; the number of wheels; the character of the motive power; and the amount thereof stated in figures of horsepower, such horsepower in case of internal combustion engines to be determined by the formula $D^2N/2.5$ D being the diameter of the cylinder in inches and N the number of cylinders, and in the case of steam and electric motor vehicles the amount of such horsepower to be taken as rated and advertised by the maker thereof; the weight of the motor vehicle; the name of the person from whom the machine was acquired; and such other information as the Director of Public Works may require. Such statement shall be regarded as an application for the official registration of such motor vehicle. Every application for a motor vehicle, or motor truck, used for carrying or hauling freight, merchandise or agricultural produce shall state the weight of the vehicle unloaded, and loaded, the diameter of the wheels, and the width and material of the tires.

"Every person acquiring a motor vehicle not registered under the provisions of this Act after the same is effective shall file a like statement within thirty-six hours after he has taken possession of such motor vehicle, and shall thereafter file a like statement not later than the thirty-first day of January of each succeeding year.

"Any re-registration of motor vehicles not renewed on or before the thirty-first day of January of each year shall become delinquent. The penalty for renewal of a delinquent registration shall be fifteen pesos.

"Any person convicted of a violation of the provisions of this section shall be punished by a fine of not less than twenty-five nor more than two hundred pesos."

SEC. 2. Section four of said Act is hereby amended to read as follows:

"SEC. 4. Each such application, if for one calendar year, shall be accompanied by a registration fee in accordance

with the following tariff:

"All motor vehicles, except motorcycles and motor trucks, the sum of twenty centavos per horsepower.

"Motor trucks, including trailers, carrying passengers, merchandise or freight, the sum of fifty pesos for the first one thousand kilos or fractional part thereof of carrying capacity as determined by the Director of Public Works, and four pesos for each additional five hundred kilos, or fraction thereof over two hundred kilos.

"Motor vehicles operated for hire, except motor trucks and motorcycles, thirty pesos in addition to the fee per horsepower.

"Motorcycles of two or three wheels, five pesos each.

"If an application for the registration is made during the period of January first to March thirty-first, inclusive, the annual fee mentioned above in this section shall be paid. If the application is made during the period April first to June thirtieth, inclusive, three-fourths of the annual fee " shall be paid. If the application is made during the period July first to September thirtieth, inclusive, one-half of the annual fee shall be paid. If the registration is made during the period October first to December thirty-first, inclusive, one-fourth of the annual fee shall be paid.

"The postal date of envelopes containing money orders, checks or cash shall be considered as the date of application " in the appliance of the above tariff, except in case of improperly prepared applications when the postal date of the envelope containing the properly prepared application shall be considered as the date of the application.

"Tourists sojourning in the Philippine Islands for a period of two months or less shall be exempt from the payment of the above stated fees of this section, but if they remain in the Islands for any part of a period from two months to five months, inclusive, they shall be required to pay one quarter of the annual fee; if they remain for any part of a period from six months to eight months, inclusive, they shall be required to pay one-half of the annual fee; if they remain for any part of a period from nine months to eleven months, inclusive, they shall be required to pay three-fourths of the annual fee; if they remain a longer period than eleven months they shall be required to pay the full annual fee. They shall, however, be required to -register their motor vehicles, and shall pay one peso for each certificate, and one peso for each number plate issued, and five pesos for a license if they intend to drive their own cars."

SEC. 3. Section seven of said Act is hereby amended to read as follows:

"SEC. 7. The Director of Public Works shall issue, annually, for each motor vehicle having more than three wheels duplicate number plates bearing a distinctive number so that the same will serve to identify the vehicle, and for every other motor vehicle one such number plate. Said plates shall be of a distinctly different color each year."

SEC. 4. Section ten of said Act as amended by Act Numbered Twenty-two hundred and fifty-six is hereby amended to read as follows:

"SEC. 10. Whenever any motor vehicle is sold or any change in the ownership thereof takes place it is hereby made the duty of the former owner thereof to notify the Director of Public Works within fifteen days from the date of the change of ownership, in writing, of such change, giving the name, residence, and address of such purchaser or new owner, the number of the certificate of registration issued to cover the vehicle, and the number borne on the number plate or plates issued for such vehicle. Such notification shall be accompanied by a fee of one peso and the Director of Public Works shall cause the name, residence and address of such purchaser or new owner to be recorded in the "Motor Vehicle Register" in such a manner that the owner of any motor vehicle may

at any time readily be ascertained therefrom. Any statement indorsed on the back of a certificate of registration issued under this Act shall be sufficient evidence, for the purposes of this Act, of the ownership of the purchaser or transferee named in such statement, if the same be signed by the person in whose name the certificate was issued and complies substantially with the following form:

" , ...

(Date)

" 'I have this day transferred my ownership of the motor vehicle described on the face hereof to.....

.....,of.....

"'.....'

(Signature)

"Any person convicted of a violation of this section shall be punished by a fine of not more than ten pesos."

SEC. 5. Section twelve of said Act, as amended by Act Numbered Twenty-two hundred and fifty-six and Act Numbered Twenty-three hundred and eighty-nine, is hereby amended to read as follows:

"SEC. 12. Every dealer in motor vehicles may, instead of registering separately each such vehicle owned by or controlled and used and operated in his business by hire or by his employees or agents, make, before the thirty-first day te of January of each year, application for a general certificate of registration and a general distinguishing number or mark. Such application shall contain whatever information may be required by the Director of Public Works. The Director of Public Works, if satisfied with the statements in such application, may grant to the applicant one general certificate of registration (in quadruplicate) showing the name, residence, place of business, and address of the applicant, and that the same is a dealer in motor vehicles within the meaning of this Act. Such dealer's certificate shall further show the general distinguishing number or mark assigned, the kind, type, style, or make of motor vehicles manufactured, sold or kept, or handled for sale by him, and such other information as the Director of Public in Works may deem expedient. The general distinguishing number or mark shall be issued in quadruplicate. All motor vehicles manufactured, owned, controlled, or kept or handled for sale by such applicant shall thereafter be regarded as registered under such general distinguishing number or mark, except those for his private use, each of which shall be separately registered under sections one and two of this Act, section five of Act Numbered Twenty-one hundred and fifty-nine as amended by Act Numbered Twenty-three hundred and eighty-nine, and section six of Act Numbered Twenty-one hundred and fifty-nine. The fee for registration of a dealer in motor vehicles shall be twenty pesos: Provided, That no dealer shall operate motor vehicles for hire unless the same shall have been registered in accordance with sections one and two of this Act."

SEC. 6. Section fourteen of said Act as amended by Act Numbered Twenty-two hundred and fifty-six is hereby amended to read as follows:

"SEC. 14. The Director of Public Works shall cause to be prepared a form, which shall be furnished free of charge upon request, and upon which every person who desires hereafter to operate any motor vehicle as a chauffeur shall answer under oath all questions asked and give all inf or -mation required by the Director of Public Works, including his true name, address and age, the number, date, and place of issue of his cedula, and the names, kinds, types, or styles of motor vehicles which he is competent to operate, together with the form and amount of their motive power, and whether his senses of sight and hearing are normal. He is also required, except in case of an owner, to have his photograph taken to be pasted to the license.

"The Director of Public Works is hereby authorized in his c discretion to require an applicant for a license as chauffeur to answer such further questions or to submit to such an examination touching his qualifications as chauffeur, as in the Director of Public Works' judgment will best disclose the applicant's fitness and competency to operate motor vehicles.

"If after such examination or without the same the Director of Public Works believes the applicant to possess the necessary qualifications and knowledge, he shall, upon the receipt of a fee of two pesos, issue to such applicant a license to operate as a chauffeur motor vehicles of the kind, style, type or make and power described in the application until the thirty-first day of January next following or until such license is revoked. But if the said Director does not believe the applicant to be a person qualified to operate motor vehicles he shall not issue a license as chauffeur to such applicant, in which event the applicant's fee shall be returned to him.

"Every license issued to operate a motor vehicle shall have a line or place for the signature and the photograph of the licensee, and no license issued shall be effective as an authorization to the person to whom issued to operate a motor vehicle until after such person has written his usual signature in the place provided for that purpose.

"Any license not renewed on or before January thirty-first of each year shall become delinquent. The penalty for renewal of a delinquent license shall be three pesos.

"The Director of Public Works may suspend for a period (not exceeding two months or, after hearing, revoke any license issued under the provisions of this Act, and may order any such license to be delivered to him whenever he has reason to believe that the holder thereof is an improper or incompetent person to operate motor vehicles, or is operating a motor vehicle so as to endanger the public; and the license so suspended or revoked shall not be re-issued, unless, upon investigation, the Director of Public Works decides that the operator may again legally be permitted to operate.

"Appeals from the decision of the Director of Public Works on the revocation of or his refusal to renew licenses under the provisions of this section may be taken to the Secretary of Commerce and Police.

"Any person who operates a motor vehicle without having procured a license or while hiss license is suspended or revoked shall be punished by a fine of not less than twenty-five nor more than two hundred pesos for each offense, provided that if the vehicle so operated is for let or hire the penalty shall be a fine of not less than twenty-five pesos nor more than two hundred pesos, or imprisonment of not less than ten days nor more than thirty days, or both in the discretion of the court for each offense."

SEC. 7. Section fifteen of said Act is hereby amended to read as follows:

"SEC. 15. The Director of Public Works is further authorized to issue temporary permits to persons who are learning to operate motor vehicles upon the payment of a fee of fifty centavos. No such permit shall, however, be issued for a longer period than three months, and no such permit shall authorize the person to whom the same is issued to operate a motor vehicle on any public highway unless accompanied as instructor by some person under this Act licensed to operate such motor vehicle. For any violation of the provisions of this Act and for any injury or damage done by a motor vehicle, or on account, or as a result of the operations of a motor vehicle operated by a beginner who is accompanied by an instructor, the instructor shall be liable."

SEC. 8. Section sixteen of said Act as amended by Act Numbered Twenty-two hundred and fifty-six is hereby amended to read as follows:

"SEC. 16. Persons (including tourists) who have procured the registration of one or more motor vehicles owned by them shall, if they desire themselves to operate such vehicles, make a like application as provided in section

fourteen, as amended, and the Director of Public Works shall issue to such owners licenses to operate motor vehicles, free of charge.

"Tourists will not be required to present a personal cedula to obtain a license, but are required, in lieu of a cedula, to make a written statement on their application for a license to the effect that they are tourists and also as to the probable time they expect to remain in the islands.

"Upon proof of loss of a license to operate motor vehicles a duplicate license may be issued under like conditions and after payment of fees as follows:

"For each duplicate driver's, owner's,
or tourist's license..... P2.00

"For each student's license..... 1.00

SEC. 9. Section twenty of said Act is hereby amended to read as follows:

"SEC. 20. No person operating a motor vehicle is permitted to carry any person or persons on the running boards or mudguards of his car or to allow more passengers in his car than its actually fixed and registered carrying capacity.

"The Director of Public Works or his representatives are hereby authorized to fix the carrying capacity of all motor vehicles for hire, as regards passengers, and of trucks as regards freight and merchandise, which capacity is to be entered on the motor vehicle certificate and register and thereby made of record, as will the Director of Public Works or his representatives also fix in the same manner the number of persons permitted on the front or driver's seat of any motor vehicle.

"Motor vehicles for hire, or trucks used in the carrying of passengers or freight or merchandise, are required to have the maximum allowed passenger or freight or merchandise carrying capacity plainly painted in a conspicuous place upon the vehicle or truck.

"Any person violating any of the above provisions of this section shall be punished by a fine of from fifty to two hundred pesos or if the car is a public vehicle by imprisonment of three months or both fine and imprisonment in the discretion of the court.

"The Director of Public Works or his representative is furthermore authorized at any time to examine and inspect any motor vehicle, in order to determine whether the same is unsafe, improperly marked and equipped, or otherwise unfit to be operated because of possible danger to the chauffeur, to the passenger, or to the public; or because of possible excessive damage to the public highways, bridges, or culverts. If the Director of Public Works finds any such vehicle to be dangerous, or capable of causing excessive damage to the public highways, bridges or culverts, as aforesaid he may refuse to register the same, or if the same be registered he may revoke such registration or suspend the force and operation thereof, until the defects, improper equipment, or other cause of insecurity, danger or excessive damage has been remedied. The Director of Public Works action under this section shall be communicated in writing to the owner of the vehicle, and, if the vehicle be property of the Government or any of its political subdivisions, to the chief of the Bureau or Office to which the vehicle in question belongs. If, after the suspension or revocation of the registration of a motor vehicle, or motor vehicles, excessive damage is caused to any public highway, bridge, or culvert as a result of the operation of such motor vehicle, or motor vehicles, the owner of such vehicle, or vehicles, or the person, or persons, having control and authority over such vehicle or vehicles, shall be punished for each offense by a fine of not less than fifty pesos nor more than two hundred pesos for each motor vehicle operating after the revocation of its registration, or by imprisonment at hard

labor not exceeding three months, or by both such fine and imprisonment, in the discretion of the court: Provided, That from the decision of the Director of Public Works regarding the state of security of a motor vehicle, an appeal may be taken to the Secretary of Commerce and Police.

"If after the suspension or revocation of the registration of a motor vehicle, any person is injured, the owner of such vehicle, or the person having control and authority over such vehicle, shall be guilty of the offense described in the first paragraph of article five hundred and sixty-eight of the Penal Code and shall be subject to the penalties therein prescribed."

SEC. 10. The provisions of this section shall be applicable to heavy motor vehicles and trailers when upon the public highway:

- (a) The approved registered weights and the allowable rate of speed shall be conspicuously marked upon the sides of the vehicles.
- (b) The total weight of a laden vehicle shall in no case exceed eight metric tons (17,920 pounds) unless permission in writing, from the Director of Public Works, or his authorized representative, has been obtained.
- (c) No metal tire of a vehicle, shall be provided with dogs, flanges, grooves, corrugations, ribs, strips, or present other than a smooth surface.
- (d) Vehicles traveling over the highways shall have the proportion between width of tire and weight of vehicle loaded as determined in the following paragraph.
- (e) The width of tire of any wheel of a vehicle shall be determined from the following empirical formula: $T=K/D$, T being the number expressing the width of the tire in centimeters, K the number expressing the pressure of the wheel upon the highway surface in kilograms, and D the number expressing the diameter of the wheel in centimeters.
- (f) No vehicle of a weight, including its load, of three and one-half metric tons (7,840 pounds) but less than five metric tons (11,200 pounds), shall be operated upon any highway or bridge at a speed greater than twenty kilometers per hour if the tires are of rubber, or at a speed greater than twelve kilometers per hour if the tires are of metal; and no vehicle of a weight, including its load, greater than five metric tons (11,200 pounds) but less than eight metric tons (17,920 pounds) shall be operated upon any highway or bridge at a speed greater than fifteen kilometers per hour if the tires are of rubber, or at a speed greater than ten kilometers per hour if the tires are made of metal.
- (g) The width of tire of each wheel shall be governed by the provisions of paragraph (e) of this Act.
- (h) The owners of the vehicles shall be liable for any and all damages to the highways, bridges and culverts, which damages may be recovered by the government of the province wherein the damage occurred, or by the Insular Government, in a court of competent jurisdiction.
- (i) The terms "heavy motor vehicle" and "trailers" used in this section are those vehicles carrying passengers, or carrying or hauling freight or merchandise or agricultural produce and having a weight when loaded greater than one and one-half metric tons (3,360 pounds).
- (j) Infractions of any of the provisions of this section shall be punished by a fine of the owner of the vehicle, or trailer, of ten pesos for the first offense and for a second offense by a revocation of the registration of the vehicle and a fine of the owner of the vehicle of two hundred pesos or by imprisonment for a term not to exceed fifty days or both fine and imprisonment.

SEC. 11. Except in cases of a special permit in writing from the Director of Public Works all motor vehicles and trailers shall carry their loads so distributed that no part of same shall extend beyond the sides of the vehicles, and trailers, and in no case shall the width of the vehicle or trailer exceed two and twenty-five one hundredths meters.

SEC. 12. Section forty-nine of said Act is hereby amended to read as follows:

"SEC. 49. All moneys collected under the provisions of this Act shall be covered into the Insular Treasury to create a special fund for the maintenance of roads and bridges in the Philippine Islands, to be allotted in the discretion of the Secretary of Commerce and Police for the carrying out of the provisions of this Act and for the maintenance of roads and bridges in the Philippine Islands."

SEC. 13. All motor vehicles under this Act shall be exempted from any local or municipal taxation.

SEC. 14. Section thirty-two of said Act as amended by Acts Numbered Twenty-two hundred and fifty-six and Twenty-three hundred and eighty-nine is hereby amended to read as follows:

"SEC. 32. Every motor vehicle of more than three wheels in use on any public highway, whether in motion or not, shall bear two lamps in front, one on each side which not later than one-half hour before sunrise, shall be lighted. While the vehicle is in motion, the lights on a level shall render the person of a man dressed in dark clothing visible for a distance of not less than one hundred feet ahead and the light thrown forward or ahead of the motor vehicle shall be white light. Additional lamps and lights may be carried; but if one additional lamp is carried it shall be affixed midway between the two lamps hereinbefore required. If two additional lamps are carried and one of them is lighted the other shall also be lighted. The lighting of only one of a pair of additional lamps while the motor vehicle is operated upon a public highway is prohibited.

"Each such vehicle shall further, during the hours aforesaid, bear in the rear a lamp throwing a white light upon the number plate or other distinguishing mark issued for each vehicle, which light shall render the number legible for a distance of sixty feet in the direction from which such motor vehicle is proceeding, and a red light to the rear. The hours herein fixed within which such lamps shall burn shall not exempt operators from the obligation of lighting such lamps or causing the same to be lighted at earlier or later hours or times, when on account of atmospheric or weather conditions or other phenomena, the use of such motor vehicles upon public highways might otherwise be dangerous or unsafe. Motor vehicles of less than four wheels shall, during the hours herein fixed, bear in front a lamp throwing a white light ahead.

"Every other vehicle, of whatever style, kind, make, character, or nature, when upon a highway during the hours aforesaid, whether in motion or not, shall bear one offnore' lights so arranged that the same shall be visible from in front and from the rear of such vehicle.

"No lamp shall be used upon a motor vehicle, or motorcycle, which concentrates and projects the light or any portion thereof into a beam, unless the lamp is so adjusted or equipped that the beam of light projected therefrom shall not be directly visible for more than seventy-five centimeters above the surface of the highway at a distance of twenty-five meters or more.

"Any person violating the provisions of this section, shall upon conviction be punished by a fine of not less than twenty-five pesos nor more than two hundred pesos."

SEC. 15. Section thirty-nine of said Act is hereby repealed.

SEC. 16. Section forty-three of said Act is hereby amended to read as follows:

"SEC. 43. Whenever any owner or chauffeur has been three times in one year convicted of the violation of any one or more provisions of this Act, or of any regulations lawfully issued or prescribed by the Director of Public

Works under authority of this Act such third conviction shall ipso facto revoke the license of the person convicted and he shall for two years thereafter be ineligible to be licensed to operate a motor vehicle in the Philippine Islands."

SEC. 17. The Chief of Constabulary is hereby given authority, and it is made his duty, to prevent violations of the provisions of this Act outside of the city of Manila, and he is hereby authorized to designate as his agents and deputies, officers of Constabulary, at such places and offices as he may deem expedient to properly carry out the police requirements of this Act.

SEC. 18. This Act shall take effect on April first, nineteen hundred and sixteen.

Enacted, February 4, 1916.

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