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RULES AND REGULATIONS ON THE IMPLEMENTATION OF THE RADIO FREQUENCY IDENTIFICATION TAG FOR ALL MOTOR VEHICLES REQUIRED TO BE REGISTERED UNDER THE LAND TRANSPORTATION AND TRAFFIC ...

DOTC DEPARTMENT CIRCULAR NO. 2009-06, May 06, 2009

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WHEREAS, the Department of Transportation and Communications ("DOTC") and the Land Transportation Office ("LTO"), are authorized under Republic Act No. 4136, as amended, otherwise known as the Land Transportation and Traffic Code (the "Code"), to issue rules and regulations governing the registration and re-registration of motor vehicles, and make arrests for violations of the provisions of the Code, among other powers;

WHEREAS, the exclusive IT Provider of the DOTC/LTO under the LTO IT Project BOO Agreement (the "Project Proponent"), presented to the DOTC/LTO its proposal for the implementation of the Radio Frequency Identification (RFID") technology as an enhancement of the LTO IT Project and for the improvement of DOTC/LTO's general and specific services (hereinafter the "RFID Project");

WHEREAS, the RFID will further ensure better compliance with Republic Act No. 8749, otherwise known as the "Clean Air Act of 1999", by providing a facility to ascertain the actual physical appearance of every motor vehicle during emission testing;

WHEREAS, DOTC/LTO approves the implementation of the RFID Project as provided herein;

NOW, THEREFORE, premises considered, this Department Circular (the "Circular") hereby promulgates the rules and regulations for the implementation of the RFID Project as follows:

1.0 RFID PROJECT SCOPE

The RFID Project covers the following:

1.1. Enhancement of the LTO IT Project's systems, particularly its Motor Vehicle Registration System and Law Enforcement and Traffic Adjudication System, to include RFID technology and/or the RFID tag.

1.2 Integration of RFID technology and/or the RFID tag in the PETC System under D.O. No. 2005-34 and 2005-37.

2.0 RFID TAGGING OF MOTOR VEHICLES

2.1 All motor vehicles required to be registered under the Code shall have the duly approved RFID tag attached or mounted to the specified location of its windshield or body as a pre-requisite to its registration or re-registration.

2.2 The initial or one-time RFID tagging of all covered motor vehicles shall be based on their existing renewal registration schedules and at the applicable LTO District Offices, the commencement date of such RFID tagging to begin on August 1, 2009. All new motor vehicles after said commencement date shall likewise have

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an RFID tag attached or mounted to it prior to its registration.

2.3 LTO and the LTO IT Project proponent are hereby directed to undertake the completion of the development, roll-out and testing of the RFID Project, in time for the said commencement RFID tagging date.

2.4 A one-time fee of Three Hundred Fifty Pesos (PhP350.00) shall be collected as payment for the RFID tag initially shouldered by the LTO IT Project proponent. In the event that the RFID tag is subsequently damaged or destroyed, a new RFID tag shall be attached or mounted upon payment for the said fee.

2.5 Any motor vehicle owner or registrant may opt for RFID tagging after August 1, 2009, but before its actual scheduled renewal registration deadline date. However, after August 1, 2009, no motor vehicle shall be permitted registration on its renewal registration deadline date without first having been tagged with an RFID tag.

3.0 INTEGRATION OF THE RFID PROJECT WITH THE PETC SYSTEM

3.1 The PETC System shall also be enhanced to permit it to verify the actual physical presence of a motor vehicle during emission testing.

3.2 The LTO and the LTO IT project proponent, and/or the PETC IT Providers or PETCs, shall ensure the development, roll-out and testing of the integration of the RFID Project into the PETC System in time for its implementation on January 1, 2010. In this regard, the PETC IT Provider and/or the PETC's are directed to contract or enter into the applicable agreement with the LTO IT Project proponent for the integration of the RFID Project with the PETC system.

3.3 No PETC or PETC IT Provider shall be granted authorization or continuance of its authorization or renewal of its authorization if its facilities and systems are non-compliant with the requirements and standards of the RFID project.

4.0 MISCELLANEOUS PROVISIONS

4.1 A motor vehicle that is deemed not duly registered as provided herein shall be subject to the provisions of the Code, existing laws, rules and regulations.

4.2 Any related orders, issuances or parts thereof which are inconsistent with the provisions of this Circular are hereby repealed or amended accordingly.

4.3 This Circular shall take effect fifteen (15) days after receipt of copies thereof by the Office of the National Administrative Register (ONAR), U. P. Law Center, Diliman, Quezon City, and publication thereof in two (2) newspapers of general circulation in the Philippines.

For strict compliance.

Adopted: 6 May 2009

(SGD.) LEANDRO R. MENDOZA
Secretary

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