REVISED PROCEDURE IN THE REPORTING AND DISPOSITION OF STOLEN RECOVERED/IMPOUNDED MOTOR VEHICLES

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1. GENERAL:

This SOP prescribes the procedures in reporting stolen and wanted motor vehicles and in disposing of recovered/impounded vehicles by all PNP Units.

2. APPLICATION:

This SOP applies to all stolen/carnapped vehicles and those which are recovered and/or impounded by any PNP Unit pursuant to the provisions of RA 6539 otherwise known as the “Anti-Carnapping Act of 1972”, as amended.

3. OBJECTIVES:

a. To serve as a guide for the PNP and other law enforcement agencies that are involved in anti-crime operations involving stolen motor vehicles;
b. To establish the responsibility in reporting stolen/wanted and recovered motor vehicles; and
c. To take the responsibility for the safekeeping/custody of impounded motor vehicles.

4. PROCEDURES:

a. Reporting of stolen and other wanted motor vehicles:

1. The Chief/Head of Office of any PNP Territorial Unit that took cognizance of a loss of a motor vehicle or in case where the subject of the crime is a motor vehicle, shall cause the owner to make a sworn written complaint supported by documents of ownership such as Certificate of Registration, LTO Receipt of Payment, Deed of Sale, Invoice Receipt if unregistered, Insurance Policy, Certificate of Encumbrance if the vehicle was acquired through a financing/banking institution and other related documents. The PNP Territorial Unit that took cognizance of a loss of a motor vehicle, after validating the report and record at the official log book shall immediately report the incident to Regional Tactical Operation Center (RTOC)/Provincial Tactical Operation Center (PTOC) for flash alarm;
2. The Regional/Provincial Tactical Operations Center shall then inform the adjacent PROs and PPOs to include the Regional Highway Patrol Units (RHPUs), for the possible apprehension of the possessor of the vehicle subject of the flash alarm. Concerned PROs and PPOs, however, should be strictly guided by Police Operational Procedures in flagging down and accosting the driver/possessor;
3. The RHPUs which received the alarm shall disseminate or relay the information to their subordinate units within their AOR;
4. Concerned RHPU shall render formal report to the Director, HPG through channel using a Uniform Alarm and Complaint Sheet and all its accompanying documents, HPG shall conduct validation/investigation of the reported lost vehicle to ascertain the authenticity of the report;
5. All Alarm and Complaint Sheets received by the other PNP Units shall be forwarded to their respective RDs (Attn: RIDMD), copy furnished the RHPUs for outside Metro Manila and HPG when within Metro Manila for widest dissemination, Chief, RHPUs will forward the Alarm and Complaint Sheet received to Director, HPG for inclusion in the VIMS within 72 hours upon receipt;

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6. Report shall be prepared in three (3) copies to be distributed as follows: Original Report for the PNP Information Technology Management Service (ITMS) personnel detailed at HPG; Duplicate Copy for Motor Vehicle Clearance Division (MVCD), HPG and Triplicate Copy for the reporting office;
7. The MVCD, HPG shall provide the PNP ITMS a periodic/updated list of wanted/recovered motor vehicles for uploading in the PNP website (www.pnp.gov.ph);
8. All PNP Units which undertake anti-carnapping missions are required to submit incident report to the HPG, copy furnished LED- DO, IRC-DI and CMD-DIDM. The report shall include the following information:

a Number of motor vehicles reported stolen are classified as:

a.1 Stolen while parked; and
a.2 Forcibly Taken

b. Number of motor vehicles recovered;
c. Number of motor vehicles turned-over to HPG;
d. Number of suspects arrested;
e. Status of cases filed; and
f. Details of the incidents.

9. Additionally, a monthly report on the anti-carnapping operations of the above cited units shall be submitted to the HPG, copy furnished LED-DO, IRC-DI and CMD-DIDM not later than the 7th day of the month following the period covered by the report; and
10. In all cases, the reporting of stolen/wanted and recovered motor vehicles shall be coursed through the Chain of Command.

b. Disposition of Recovered/Impounded Motor Vehicles:

1. The Chief/Head of the PNP Unit concerned shall render a Spot report to the Chief, PNP through the Chain of Command after a motor vehicle was seized for violation of RA 4136, RA 6539 and/or other related laws. Verification through any possible means from HPG shall be undertaken to ascertain if subject vehicle is in the list of stolen/carnapped vehicles:

2. A Technical Inspection Report (TIR) shall be conducted on the seized motor vehicle at the recovery site in the presence of a local government official and/or any Barangay Official and/or any responsible citizens residing at the place of recovery who will affix his/her signature on the TIR except however, when there is highly reasonable ground for the non-availability of a witness taking into consideration the time of the day and the area of recovery.

3. Seized motor vehicle shall be subjected to macro-etching examination by the PNP Crime Laboratory (CL) to determine whether the chassis and engine numbers are tampered or not. PNP CL shall give the original copy of the macro-etching examination result to HPG;

4. All carnapped/stolen motor vehicles, including the abandoned ones, recovered by PNP units in Metro Manila shall be turned-over within forty-eight (48) hours to the HPG Central Vehicle Impounding Area (CVIA) at Camp Crame. If the recovered vehicle is not in running condition, the recovering unit shall inform HPG [PLDT Nrs. (02) 7218516 and (02) 7224103] which shall undertake the towing services for the subject motor vehicle to HPG CVIA;

5. Motor vehicles recovered by City/Municipal Police Stations outside Metro Manila shall be turned-over within forty-eight (48) hours to the nearest HPG Regional or Provincial Unit for proper investigation/disposition;

6. Within five (5) working days, the concerned HPG Unit that recovered/impounded a motor vehicle or took

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cognizance of a lost vehicle which was turned-over by a local PNP Unit shall identify and inform the rightful owner that his/her lost vehicle was already recovered and under the possession of the informing unit. Thereafter, subject vehicle shall be released to the rightful owner upon presentation of proper documents and lifting of alarm as approved by the HPG Anti-Carnapping Committee not exceeding fifteen (15) days upon application of lifting of alarm;

7. In case the carnapped/stolen motor vehicle is recovered by its owner without PNP assistance, subject motor vehicle shall be physically presented at the nearest PNP Office/Station and shall be subjected to macro-etching examination by the nearest CL Office. The PNP Office/Station concerned shall endorse to HPG all documents required for proper identification and eventual lifting of the alarm;

8. Director, HPG upon receipt of the letter-request for the lifting of the alarm, shall receive said motor vehicle from the owner and assume responsibility for its security in the impounding area in accordance with the provision of this SOP. An individual case folder for each impounded vehicle shall be maintained;

9. All releases of impounded motor vehicles shall only be made upon the approval of the Director, HPG by virtue of the delegated authority of the Chief, PNP. Formal release of recovered/impounded vehicle shall be undertaken by the Chief, CVIA or by the Chief, RHPU;

10. The Chief CVIA, HPG or the Chief, RHPU or their authorized representatives upon receipt of the release order signed by both parties (Releasing Officer & Receiving Person) shall document the actual-turn-over of the motor vehicle to the rightful owner with proper photo or video coverage;

11. If a criminal complaint is filed relative to the recovery of the carnapped/stolen or impounded motor vehicle, the investigator-on-case shall correspondingly request for the release thereof in favor of the rightful owner through undertaking. In case there is an order from the competent court or fiscal for the release of a motor vehicle the same shall be released in accordance with the existing rules governing the release of impounded motor vehicle. Director, HPG shall then inform the investigating unit of the release of the motor vehicle; and

12. Before any vehicle is released, the TIR previously prepared shall be reviewed by both the owner or his authorized representatives and the Director, HPG. In case of discrepancies, the Chief, CVIA shall be held administratively liable if evidence warrant. It shall be presumed that a motor vehicle before the same is received for impounding, is true in all respect as described in the TIR.

5. LIFTING OF ALARM OF WANTED/RECOVERED MOTOR VEHICLES:

a. The basis for the lifting of alarm of any wanted/recovered motor vehicle shall be any of the following:

1. Recovery Report;
2. Court Order;
3. Termination of Investigation;
4. Actual possession of owner; and
5. Other lawful grounds or as ordered by competent authority.

b. The lifting of any alarm of wanted-recovered motor vehicle shall only be upon the approval of the Director, HPG by authority of the Chief PNP and

c. The information to lift an alarm for any motor vehicle shall be entered in the form “Lifting of Alarm” and the information shall be disseminated by Director, HPG to concerned PNP Units. The consolidated monthly listing of such vehicles shall be prepared by Director, HPG and copies furnished to DO, DI, DIDM and other PNP Territorial Units.

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6. HEADQUARTERS AND REGIONAL IMPOUNDING AREA:

Headquarters HPG shall maintain the present CVIA in Camp Crame and all the Regional Vehicle Impounding Area (RVIA) until new areas are designated by the proper authority. The designated Chief, CVIA and Chief, Regional/Provincial Impounding Area shall be accountable for the safekeeping and securing of recovered/impounded motor vehicles until their release or disposition.

7. PROHIBITIONS:

a. No PNP personnel shall use a recovered-stolen/impounded motor vehicle or cause the use thereof by any person prior to the lifting of the "alarm" issued thereon and the subsequent release of said motor vehicle to its lawful owner pursuant to this SOP; and
b. No PNP personnel shall replace/remove any part of or accessory of the recovered-stolen/impounded motor vehicle or cause the replacement/removal of any part accessory thereof by any person, unless there is written authority from the Chief/Head of the PNP Unit where said vehicle is being impounded and which replacement/removal of said part/ accessory shall be for preservation purposes.

8. PENALTY CLAUSE:

Any violation of this SOP by any PNP personnel shall be dealt with administratively pursuant to the provisions of NAPOLCOM Memorandum Circular No. 2007-001. The immediate superior of the subject personnel shall be included in the investigation under the principle of "Command Responsibility".

9. MISCELLANEOUS:

a. HPG shall exercise functional supervision in the Implementation of this SOP; and
b. Said supervision shall be exercised in the field through the Regional Chiefs, RHPU/ Provincial Officers PHPT in close coordination with the PROs, PPOs and City/Municipal Police Stations.

10. REPEALING CLAUSE:

All existing SOPs, circulars and other issuances inconsistent herewith are hereby repealed and modified accordingly.

11. EFFECTIVITY:

This Circular shall take effect after fifteen (15) days from the filing of a copy hereof at the University of the Philippines Law Center in consonance with Section 3 and 4, Chapter 2, Book VII, EO No. 292 otherwise known as "The Revised Administrative Code of 1987" as amended.

Adopted: 12 April 2011

(SGD.) ATTY. RAUL M. BACALZO, Ph.D.
Police Director General
Chief, PNP

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