GUIDELINES AND PROCEDURES FOR THE MONITORING OF ACCREDITED AND AUTHORIZED PRIVATE EMISSION TESTING CENTERS (PETC) AND LTO EMISSION TESTING ACTIVIES

Read online (full-text search, related cases, audio case brief): https://batas.org/library/ab9a5b35c47c/

SECTION 1. Authority -

1.1 WHEREAS, Section 21 of Republic Act 8749 also known as the Philippine Clean Air Act of 1999 mandates the DOTC, together with the DTI and the DENR, to establish the procedures for the inspection of motor vehicles and the testing of their emissions;

1.2 WHEREAS, the same section empowers the DOTC to authorize private emission testing centers duly accredited by the DTI;

1.3 WHEREAS, under Section 3, Rule 34 of the Implementing Rules and Regulations of the Clean Air Act of 1999, the DENR has the responsibility of regulating specifications of the emission testing equipment to be used in conducting emission tests;

1.4 WHEREAS, under Section 8, Rule 35 of the IRR of the CAA, the DENR, through, the Bureau, shall certify conformity to standards of emission test equipment before it can be used for mandatory emission tests.

1.5 WHEREAS, Section 35 of DTI-DOTC Joint Administrative Order (JAO) No. 1, Series of 2001 "Guidelines for Accreditation and Authorization of Vehicle Emission Testing Centers" states that "DTI and DOTC/LTO shall undertake joint monitoring and inspection activity on all accredited and authorized Private Emission Testing Centers (PETC)"; and

In consideration of the above premises, the following are hereby prescribed for the compliance, information, and guidance of all concerned.

SECTION 2. Objectives - The objective of this Order is to ensure that emission testing prior to renewal of motor vehicle registration, redemption of confiscated license plate(s), and registration of imported used and rebuilt vehicles, as required by the Clean Air Act of 1999, is properly implemented. Specifically this Order aims to:

2.1 Monitor and ensure compliance of PETCs and LTO Emission Testing activities with the provisions of the Clean Air Act of 1999, with Articles 4 to 9 of the DTI-DOTC JAO No. 1, series of 2001, and with other relevant orders, rules and regulations set by the DENR, DOTC and DTI.

2.2 Ensure that no motor vehicle will be registered without undergoing and passing the emission test as required by the Clean Air Act.

2.3 Ensure the integrity of the emission test as reflected in the official DOTC Certificate of Emission Compliance (CEC).

SECTION 3. Scope - This Order establishes guidelines and procedures for the following:

3.1 Monitoring the compliance of accredited and authorized PETCs and LTO Emission Testing activities with pertinent provisions of the Clean Air Act of 1999 and DTI-DOTC JAO No. 1, series of 2001; and

3.2 Monitoring of the implementation of emission testing prior to registration requirement of the Clean Air Act.

This Order is hereby issued without prejudice to the accreditation and authorization powers of DTI and DOTC, respectively.

SECTION 4. Definition - For purposes of this Order and as used herein, the following definitions are hereby adopted:

CAA

-

Philippine Clean Air Act of 1999 or Republic Act 8749

CEC

-

Certificate of Emission Compliance

DENR

-

Department of Environment and Natural Resources

DOTC

-

Department of Transportation and Communications

DTI

-

Department of Trade and Industry

Flagged

-

A PETC or LTO District Office tagged for monitoring based on the criteria provided herein.

Irregularities

-

Deviations from the accreditation and authorization terms and conditions and from emission test protocols.

IT Provider

-

Information Technology company that provides electronic data services

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

LGU

-

Local Government Unit

LTO

-

Land Transportation Office

MMDA

-

Metro Manila Development Authority

NGO

-

Non-Government Organization

Non-Appearance

-

Generation of a test result without conducting actual emission test

PETC

-

Private Emission Testing Center

Reference Test Result

-

Test result obtained from an emission test conducted on the Test Vehicle by an accredited and authorized PETC.

Test Vehicle

-

A vehicle with a verified emission test result

Voluteer

-

An individual from an NGO who intends to be a member of a Monitoring Team

SECTION 5. Organization -

5.1 Monitoring Committee - A Monitoring Committee composed of the DOTC Undersecretary for Land Transportation as chairperson, and the DTI Undersecretary for Consumer Welfare and Trade Regulation Groups

and a DENR Undersecretary as members is hereby created. The Monitoring Committee shall ensure the proper implementation of this Order.

5.2 Monitoring Team - The Monitoring Committee shall create Monitoring teams, which shall conduct the actual monitoring activites.

The Monitoring Committee shall create Monitoring teams, which shall conduct the actual monitoring activities.

A team shall be composed of at least four (4) members:

- A representative from the DOTC, who shall be the team leader;
- A representative from the DTI;
- At least one (1) representative from either the DENR or MMDA (for Metro Manila) or LGU where the PETC is located; and
- At least one (1) from the NGO or media.

Representatives of LTO, transport operators, PETC operators and/or the Ombudsman may be invited as observers when necessary.

5.2.1 Responsibilities of the Monitoring Team

The Monitoring Team shall have the following responsibilities:

- Review pertinent documents pertaining to the PETC/LTO Testing Center to be visited before the actual monitoring;

- Prepare detailed procedures for monitoring subject to the approval of the Monitoring Committee;

- Conduct monitoring activities of PETC/LTO Testing Center; and

- Prepare and submit to the Monitoring Committe its monitoring report within seven days after the conduct of monitoring activities.

The Team Leader of the Monitoring Team shall have the following responsibilities:

- Inform a team members of the schedule of monitoring activities;

- Conduct a brief pre-monitoring meeting with team members;

- Provide documents to be used by the team during onsite monitoring;

- Conduct a brief post monitoring meeting with team members; and

- Assign tasks to each team member.

The Team Members shall have the following responsibilities:

- Perform assigned taks in the monitoring; and

- Report his/her findings and observations to the team during the post monitoring meeting.

5.2.2. Qualifications of Monitoring Team Members

Members of the Monitoring Teams from Government Agencies shall undergo Training on Monitoring Procedures to be conducted by the DOTC. Volunteers shall be required to file an application for membership in the Monitoring Teams and undergo Training on Monitoring Procedures. The Training Module and Applications for membership shall be approved by the Monitoring Committee.

5.3 Secretariat

A secretariat shall be established at the DOTC, composed of DOTC personnel, whose main function is to assist the Monitoring Committee and Teams in accepting and documenting complaints, records keeping, and coordinating activities pertinent to the provisions of this Order.

SECTION 6. Regular On Site Inspection and Monitoring of PETC

The Monitoring Team shall inform the PETC operator that an on-site inspection shall be conducted.

The following information/documents shall be required from the PETC operator:

- Valid PETC accreditation and authorization
- Record of CEC issued for the month being monitored including copies of receipts issued
- Calibration certificate of test equipment
- Valid technician authorization
- Test equipment interfaced with the PETC-IT system
- Serial number of test equipment that corresponds to the accreditation record

The PETC technician shall be required to conduct an emission test of the test vehicle. The result of the test conducted shall be compared to reference test results. Discrepancy in test results, passed when actually failed or vice-versa, shall mean that a violation was committed.

SECTION 7. Procedure for Identification and Monitoring of Irregularities -

7.1 Basis for Monitoring for Identification and Monitoring of Irregularities

The following shall be the basis for flagging a PETC and/or LTO-Testing Center for monitoring:

1. Five (5) verbal complaints or one written and verified report of irregularities received against a PETC or LTO-Testing Center.

2. Unusually high or low rate of vehicles passing/failing the emission tests.

3. Discrepancies in the number of CECs issued by the PETCs or LTO Testing Center and the number of motor vehicle registrations issued by an LTO-DO on a per month basis.

7.2 Complaints and Reports of Irregularities

All complaints and reports of irregularities shall be documented by the Secretariat. Government agencies that receive complaints or reports of irregularities against a PETC or LTO-Testing Center emission testing activity shall forward the same to the Secretariat for information and proper coordination of actions to be taken on said complaint. Any monitoring report shall be referred by the Committee to the appropriate government agency for proper adjudication of the case. Actions taken by other agencies shall be reported to the Secretariat. The report shall contain the following: the name of the PETC or LTO Testing Center, the specific complaint, the name of the complainant and contact number. The Secretariat shall regularly submit to the Monitoring Committee a summary of the complaint received that contains a list of PETC and LTO-Testing Center that must be monitored.

The monitoring Committee shall ensure that no violations as hereto presented below and in Annexes I and II are committed by PETCs or LTO-Testing Centers.

7.3 Discrepancies in Number of CEC and motor vehicle registration issued

7.3.1 The Information Technology (IT) providers of the PETC and LTO-Testing Center shall furnish the Secretariat monthly report on the number of vehicle tested and CECs issued.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

7.3.2 The LTO shall provide the Secretariat monthly reports on the number of motor vehicles registration issued per LTO-DO.

7.3.3 The above information shall be forwarded by DOTC to the Secretariat, which shall compare the above data. The Secretariat shall regularly submit to the Monitoring Committee a summary of the information and the list of PETC and LTO-Testing Center that must be monitored.

7.4 Monitoring Procedure for Reported Tampering of Test Results by PETC and LTO

7.4.1 Roadside Monitoring

A monitoring team shall be dispatched to the vicinity of a flagged testing center. A vehicle that has just completed the emission test shall be flagged down by the Monitoring Team and subjected to emission test. The result of the test conducted by the Monitoring Team shall be compared with the test result conducted in the PETC/LTO Testing Center. This process shall be repeated until a total of three (3) vehicles tested have shown a large discrepancy in the test result or proven to be tampered.

7.4.2 Monitoring Using a Test Vehicle

The Monitoring Team shall dispatch a test vehicle to the flagged testing center for emission testing just like an ordinary vehicle owner seeking an emission test. The result of the test conducted by the test center shall be compared with the reference test results of the test vehicle.

If comparison of test results show large discrepancy (passed when actually failed or vice versa), then a violation was committed.

7.4.3 On-Site Inspection

The Monitoring Team shall inform the PETC operator/LTO Testing Center of the complaints and/or alleged violations and that an on-site inspection shall be conducted by the Team following the procedures enumerated herein.

7.5 Monitoring Procedure for Reported Issuance of CECs without Actual Emission Test (Non-Appearance)

The Monitoring Team shall verify the actual number of vehicles tested by the PETC or LTO Testing Center by discreetly posting personnel who shall conduct actual count of vehicles tested for at least one day. The personnel shall report the number of vehicles to the Monitoring Team. This information is compared with the number of CECs issued by the PETC for that specific day.

If the number of CECs issued is greater than the number of vehicles that entered a particular PETC, then a violation was committed.

7.6 Monitoring Procedure for Reported Registration of Vehicles Without Actual Emission Test (Non-Appearance)

The Monitoring Team shall verify the actual number of vehicles tested by a PETC or LTO Testing Center by discreetly posting personnel who shall conduct actual count of vehicles tested for at least one day. The personnel shall report the number of vehicles to the Monitoring Team. This information is compared with the number of registration for that specific day.

If the number of vehicle registered is greater than the number of vehicles counted plus CEC received, then a violation was committed.

7.7 Flexibility of Operations

The Monitoring Team with the approval of the Monitoring Committee may implement other means, such as but

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

not limited to entrapment operations, necessary to prove the irregularities committed by the PETC or LTO-DO.

SECTION 8. Reporting - The Monitoring Team shall furnish the Monitoring Committee a Monitoring Report and Recommendations within seven (7) working days after the conclusion of the monitoring.

SECTION 9. Budget - Budget for the operationalization of this Order shall be charged against the Air Quality Management Fund (AQMF) or other sources.

SECTION 10. Penalties -

10.1 Government Personnel - DOTC, LTO, DTI and DENR personnel found to have committed any violation of the provisions of the Clean Air Act and its Implementing Rules and Regulations shall be investigated by their respective Departments for corresponding administrative sanctions and by the Ombudsman for criminal liability.

10.2 PETC Operator - PETC operator and personnel found to have committed irregularities shall be penalized in accordance with Section 46 of the CAA, Section 45 of the DTI-DOTC JAO No. 01 Series of 2001 and DTI DAO No. 3, 2002.

SECTION 11. Repealing Clause - All orders, memoranda, and issuances found inconsistent with this Order are hereby modified or revoked accordingly.

SECTION 12. Effectivity - This Order shall take effect after 15 days, following the publication of its full text in a newspaper of general circulation.

The original copy of this Order shall be filed and kept in the DTI General Administrative Services (DTI-GAS). Three certified copies of this Order shall be filed with the UP Law Center by the DTI-GAS within seven days (7) after the Order is signed.

Adopted: 7 Nov. 2003.

(SGD.) ELISEA G. GOZUN
Department of Environment and Natural Resources

(SGD.) LEANDRO R. MENDOZA
Department of Transportation and Communications

(SGD.) MANUEL A. ROXAS II
Department of Trade and Industry

Annex 1

PETC Authorization Violations (DOTC)

1. Operating with expired or invalid authorization

2. Operating with expired or invalid technician authorization.

3. Operating using uncertified testing equipment.

4. Operating without using Real Time Data Storing and Retrieval System (IT components)

5. Operating with test equipment not interfaced with IT system.

6. Operating vehicle repair (maintenance) and/or related vehicle engine enhancement activities.

7. Operating a center not capable of administering tests for all types/classes of vehicles.

8. Operating in violation of the "service area" concept.

9. Falsification of test results including "non-appearance".

10. Failure to transmit real time inspection results to LTO.

11. Issuing Fake Certificate of Emission Compliance (CEC).

12. Conducting test inconsistent with test procedures.

13. All other practices that are deemed inconsistent with the DOTC/LTO Authorization Guidelines.

Annex 2

PETC Accreditation Violations (DTI)

1. Operating a PETC or engaging in emission testing business with invalid accreditation.

2. Operating without necessary business and/or mayor's permits.

3. PETCs (permanent site or mobile) engaging in activities outside the scope of the accreditation.

4. Employment of technicians not TESDA certified.

5. Personnel not qualified based on appropriate education, training, experience and/or demonstrated skill.

6. PETC work area does not meet maneuvering area of at least 6 m wide and 6m long per proposed number of vehicles to be inspected at any given time.

7. Any changes in the original state of the PETC facility that do not satisfy the requirements on accreditation.

8. Operating without the required equipment (i.e gas analyser for gasoline-fuelled vehicles and opacimeter for diesel-fuelled vehicles).

9. Equipment not certified by the DENR.

10. Equipment not properly calibrated.

11. Equipment and its software not capable of achieving the accuracy required and do not comply with specifications relevant to the tests.

12. Test methods/procedures not as required in the Clean Air Act of 1999 (Annex B and Annex C)

13. Test report/certificates not containing the minimum requirements as required in DAO 03, 2002, sub-clause 7.6.

14. Obstructing or attempting to obstruct inspection by the Assessment Team or visits by the authorized representative of DTI.

15. Signboard, certificate of accreditation and fees not properly displayed in the PETC area.

16. PETC not reporting to DTI any change of information related to PETC.

17. Non-compliance with other requirements of the DTI PETC accreditation.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at https://batas.org

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.