NATIONAL ADMINISTRATIVE REGISTER · [DOTC DEPARTMENT ORDER NO. 2005-34, OCTOBER 11, 2005] · NOVEMBER 24, 2003

AMENDMENT OF SECTION 7.5 (IT REQUIREMENT) OF DEPARTMENT ORDER NO. 2004-01 PRESCRIBING THE RULES AND REGULATIONS CONCERNING THE ISSUANCE OF DOTC/LTO AUTHORIZATION OF MOTOR VEHICL...

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WHEREAS, pursuant to Section 21 (B) of Republic Act No. 8749, otherwise known as the "Philippine Clean Air Act of 1999", DOTC is mandated to implement the emission standards for motor vehicles as provided in the Philippine Clean Air Act of 1999, authorize private emission testing centers duly accredited by DTI, and formulate, with DTI, a national motor vehicle inspection and maintenance program that will promote efficient and safe operation of all motor vehicles;

WHEREAS, pursuant to the said Act, DOTC and DTI issued on July 11, 2001, their Joint Administrative Order No. 1, series of 2001, providing for the Guidelines for Accreditation and Authorization of Motor Vehicle Emission Testing Centers;

WHEREAS, DOTC issued on November 24, 2003, Department Order No. 2004-01, providing for the Rules and Regulations Concerning the Issuance of DOTC/LTO Authorization of Motor Vehicle Private Emission Testing Centers (PETCs);

WHEREAS, PETCs were required, through PETC Information Technology (I.T.) Providers, to upload emission test results, online and real-time, to the DOTC/LTO IT System, to assure the integrity of the emission test results.;

WHEREAS, DOTC earlier issued Memorandum Circular No. 2003-1, on June 11, 2003, adopting the LTO Proposal to Improve the Efficiency and Effectiveness of the PETC Information Management System;

WHEREAS, to date, not all of the LTO considered proposals have been effected to improve the efficiency and effectiveness of the PETC Information Management System (the "PETC System"), including its integration or interconnection with the DOTC/LTO IT System, and neither have proper qualifications and regulations been adopted with respect to PETC IT Providers;

WHEREAS, there is therefore an urgent need to address the foregoing deficiencies, which are contributory to the continued proliferation of fraudulently issued Certificates of Emission Compliance ("CEC") or non-compliance by PETCs with the foregoing prescribed rules and regulations;

NOW, THEREFORE, premises considered, Section 7.5 of Department Order No. 2004-01 dated November 24, 2003, prescribing the Rules and Regulations governing the Issuance of Authorization of PETC IT Providers, are hereby amended to read as follows:

"7.5 IT REQUIREMENTS

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7.5.1 All PETCs shall be required to upload the emission test results, online and real-time to the PETC IT Providers. The PETC IT Providers, as aggregators of these various emission test results, are correspondingly required to upload the same data of emission test results to the DOTC/LTO IT System also an online and real-time basis. The emission test results may therefore be validated upon registration of the motor vehicle in any LTO District Office nationwide.

7.5.2 Interfacing of equipment and the PETC computer or workstation shall be strictly enforced. There will be no human intervention in capturing test results. Likewise, the client program will not have an edit capability to alter or edit test results.

7.5.3 The PETC System shall not have direct access to the DOTC/LTO IT System's database. This is to protect the integrity of the DOTC/LTO IT System's database.

7.5.4 An interface service shall enable integration of the PETC IT Providers with the DOTC/LTO IT System, the services and maintenance of which shall be the sole responsibility of the PETC IT Providers, and shall entail no cost to LTO.

7.5.5 The PETC IT Providers and the DOTC/LTO IT System shall provide audit trails and reports of all the emission test transactions to DOTC/LTO.

7.5.6 No PETC and PETC IT Provider, as the case may be, shall be granted any authorization by the Authorization Committee unless the PETC IT Provider has complied, and continues to comply, with all of the qualifications and requirements stated herein and as may from time to time be duly prescribed by DOTC."

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

This Department Order shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines and filing of three certified (3) copies hereof with the UP Law Center pursuant to Presidential Memorandum Circular No. 11 dated October 9, 1992.

Adopted: 11 Oct. 2005

(SGD.) LEANDRO R. MENDOZA
Secretary

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