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IMPLEMENTING RULES AND REGULATIONS OF EXECUTIVE ORDER NO. 628 CREATING THE COMMITTEE ON HARMONIZATION OF VEHICLE STANDARDS AND REGULATIONS (CHVSR)

DOTC, February 12, 2008

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Pursuant to Executive Order No. 628, dated 20 June 2007, Creating a Committee on Harmonization of Vehicle Standards and Regulations (CHVSR), the Department of Transportation and Communications (DOTC) hereby adopts and promulgates the following rules and regulations:

SECTION 1. Title - These Rules shall be known as the implementing Rules and Regulations of Executive Order No. 628 creating the Committee on Harmonization of Vehicle Standards and Regulations, and shall hereinafter referred to as the "Committee".

SECTION 2. Declaration of Policy - It is the policy of the government to provide efficient, safe, reliable and sustainable transport services in order to improve the quality or life by enhancing vehicle safety, protecting the environment, promoting energy efficiency and increasing anti-theft performance.

SECTION 3. Framework and Objectives:

1. Provide measures to ensure that motor vehicles are conforming to or compliant with tn standards set under Republic Act No. 4136 otherwise known as the Land Transportation and Traffic Code of the Philinnines. as amended and other related laws;

2 Initiate the development, review, revision and publication of vehicle standards every two years, or as the need arises, pursuant to the provisions of Republic Act 4109 otherwise known as the Philippine Standardization Law, to ensure substantial improvement in air duality for the health, safety and welfare of the general public;

3 provide for the harmonization of national vehicle emission standards with the international standards as well as setting of fuel quality standards pursuant to the provisions of Republic Act No. 8749 or the "Philippine Clean Air Act'; and

4 Establish uniform and simplified standards, procedures and regulations for worldwide recognition pursuant to the objectives of the 1958, 1997 and 1998 WP 29 Agreements

SECTION 4. Coverage/Composition - The Committee shall be composed of the following:

1. Chairman: Secretary of the Department of Transportation and Communications

2. Vice-Chairman; Secretary of the Department of Trade and Industry

3. Members :

A. Representatives from the following departments concerned:
1. Department of Environment and Natural Resources (DENR),
2. Department of Energy (DOE)

3. Department of Science and Technology (DOST)
4. Department of Interior and Local Government (DILG
5. Department of Foreign Affairs (DFA)

B. Representative from component agencies:

1. Land Transportation Office (LTO)
2. Land Transportation Franchising and Regulatory Board (LTFRB)
3. Bureau of Product Standards (BPS)
4. Board of Investments (BOI)
5. Bureau of Import Services (BIS)
6. Environmental Management Bureau (EMB)
7. Oil industry Management Bureau (OIMB)
8. Energy Utilization Management Bureau (EUMB)
9. Industrial Technology Development Institute (ITDI)
10. Metals Industry Research and Development Center(MIRDC)
11. Philippine Council for Industry and Energy Research and Development (PCIERD)
12. Philippine National Police - Traffic Management Group (PNP-TMG)

C. Representative from the Academe:

1. University of the Philippines (U.P)

D. Representatives from the private sector:

1. Philippine Automotive Federation Inc. (PAFI)
2. Automobile Association of the Philippines (AAP)
3. Confederation of Land Transportation Organization of the Phils. (COLTOP)

The Committee may however invite other representatives from the academe and the private sector.

SECTION 5. Functions of the Committee:

The Committee shall have the following functions:

1. Review the existing Philippine National Standards and other relevant laws and regulations on whether they are in conformity with current international rules and procedures as well as technical regulations;

2. Identify, classify and prioritize implementation of type approval system based on United Nations - Economic Commission for Europe (UN-ECE) standards and regulations;

3. Identify safety regulations for harmonization with UN-ECE regulations;

4. Identify and establish the institutional and technical infrastructure requirements to enhance participation to the WP 29.

5. Consult and coordinate with the Department of Foreign Affairs (DFA) and other bodies concerned concerning the country's accession to relevant UN Agreements and Conventions;

6. Perform such other duties and functions which may be necessary in the attainment of the objectives of WP 29, and such other acts as maybe necessary and proper to implement the provisions of EO 628.

SECTION 6. Subcommittees:

Pursuant to Section 2 of EO 628 the following Sub-Committees are hereby created with their respective composition:

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1. Sub-Committee on Standards Development

Chairman: Bureau of Product Standards (BPS);
Co-Chairman: Oil industry Management Bureau (OI.MB);
Vice-Chairman: Philippine Automotive Federation Inc. (PAFI);
Members: DOTC-Road Transport Program Management Office (DOTC-RTPMO), Land Transportation Office (LTO), Environmental Management Bureau (EMB), Metals Industry Research and Development Center (MIRDC), Industrial Technology Development Institute (ITDI), Philippine Council for Industry and Energy Research and Development (PCIERD), Philippine National Police-Development (PCIERD), Philippine National Police-Traffic Management Group (PNP-TMG), Safety Organization of the Philippines Inc. (SOPI), University of the Philippines-National Center for Transport Studies (UP-NCTS), Local Automotive Manufacturers and Assemblers, Chamber of Automotive Manufacturers Motor Vehicle Parts Manufacturer of the Phils., Inc., Association of the Phils. (MVPMAP), Motorcycle Development Program Participants Association (MDPPA), Truck Manufacturers Association (TMA), Philippine Association of Motorcycle importers and Assemblers, Inc. (PAMIA), and Motorcycle Parts Producers and Exporters Association (MCPPEA)

2. Sub-Committee on Certification and Regulations.

Chairman: Land Transportation Office LTO)
Co-Chairman: Environmental Management Bureau (EMB)
Vice-Chairman: Philippine Automotive Federation Inc. (PAFI)
Members: Bureau of Product Standards (BPS), Bureau of Import Services (BIS), Energy Utilization Management Bureau (EUMB), Oil Industry Management Bureau (OIMB), Department of Transportation and Communications-Road Transport Program Management Office (DOTC-RTPMO), Land Transportation Franchising and Regulatory Board (LTFRB), Philippine National Police-Traffic Management Group (PNP-TMG), University of the Philippines-National Center for Transport Studies (UP-NCTS), Automotive Association of the Philippines (AAP) and Confederation of Land Transportation Organization of the Philippines (COLTOP)

3. Sub-Committee on Participation to Regional and International Agreements:
Chairman: Department of Transportation and Communications-Road Transport Program Management Office (DOTC-RTPMO)
Co-Chairman: Land Transportation Office (LTO)
Vice-Chairman: Philippine Automotive Federation Inc. (PAFI)
Members: Bureau of Product Standards (BPS), Board of Investment(BOI), Environmental Management Bureau (EMB), Oil Industry Management Bureau (OIMB), Philippine National Police-Traffic Management Group (PNP-TMG), Senate-Committee on Public Services and Congress-Committee on Transport

4. Sub Committee on Legislative Agenda

Chairman: Department of Transportation and Communications-Road Transport Program Management Office (DOTC-RTPMO)
Co-Chairman; Land Transportation Office (LTO)
Vice Chairman: Philippine Automotive Federation Inc. (PAFI)
Members: Bureau of Product Standards (BPS), Board of Investment (BOI), Energy Utilization Management Bureau (EUMB), Oil Industry Management Bureau (OiMB), Environmental Management Bureau (EMB), Philippine National Police-Traffic Management Group (PNP-TMG), University of the Philippines-National Center for Transport Studies (UP-NCTS), Confederation of Land Transportation Organization of the Philippines (COLTOP), Senate-Committee on Public Services and Congress-Committee on Transport

SECTION 7. Functions of the Sub-Committees:

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The Sub-Committees shall initiate and pursue the formulation of plans and programs towards the harmonization of vehicle standards and regulations. They shall specifically perform the foilowing:

1. Sub-Committee on Standards Development

a. Oversee and coordinate all standardization activities of all government member agencies through the Committee which will be used as basis for regulations;

b. Recommend to the Committee policy thrusts for all road vehicle related standards development organizations based on established road map of standardization and harmonization in accordance with regional and international agreements such as, but not limited to, the ASEAN Consultative Committee on Standards and Quality Automotive Product Working Group, Asia Pacific Economic Cooperation-Road Transport Harmonization Pro gram (APEC-RTHP), Vienna Agreement on Road Traffic Safety, UN-ECE WP 29 and World Trade Organization-Technical Barriers to Trade (WTO-TBT) Agreement;

c. Develop, implement and maintain processes for setting priorities for motor vehicle standards through the Committee;

d. Identify and recommend to the Committee the institutional and technical infrastructure requirements relative to the implementation of standards and regulations; and

e. Conduct public information campaign, public hearings and consultations to all stake holders.

2. Sub-Committee on Certification and Regulations:

a. Establish and recommend to the Committee a motor vehicle type approval system for whole vehicle and component parts that is in conformance with international standards;

b. Formulate and recommend to the Committee the matrix of technical requirements, relative to the harmonization of motor vehicle standards and regulations;

c. Develop and recommend to the Committee, standards and procedures for the accredi tation of training institutions, instructors and their facilities and the licensing of qualified private service centers and their technicians as a prerequisite for conducting the testing, servicing, repair and the required adjustment of vehicle emission system and component parts and testing certification system;

d. identify and recommend to the Committee the institutional and technical infrastructure requirements relative to the implementation of whole vehicle type approval system and component parts and testing certification system;

e. Conduct public information campaign, public hearings and consultations to all stake holders.

3. Sub-Committee on Participation to Regional and International Agreements

a. Plan and organize the administrative activities of the Committee for the participation to the regional and international agreements such as, but not limited to, the ASEAN Consultative Committee on Standards and Quality Automotive Product Working Group, Asia Pacific Economic Cooperation-Road Transport Harmonization Program (APEC-RTHP), Vienna Agreement on Road Traffic Safety, UN-ECE WP 29 and World Trade Organization-Technical Barriers to Trade (WTO-TBT) Agreement;

b. Recommend administrative measures to the Committee, that will ensure implementation of the objectives set in the aforementioned regional and international agreements;

c. Coordinate with government bodies concerned as regards accession and participation to WP 29 Agreements.

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4. Sub-Committee on Legislative Agenda

a. Review the current jurisprudence, laws, rules, regulations, and issuances relative to motor vehicle standards and regulations.

b. Recommend to the Committee legislative measures towards the attainment of the mo tor vehicle standards, regulations and other related laws.

c. Prepare the draft and conduct consultation on the proposed legislations and submit such to the Committee for endorsement to the House of Representatives and the Senate.'

SECTION 8. Secretariat- The Department of Transportation and Communications-Road Transport Program Management Office shall be the Secretariat of the Committee and will have the following functions:

1. Record and document all the proceedings of the Committee meetings.
2. Handle all administrative requirements of the Committee.
3. Prepare all documents for deliberation by the Committee.
4. Manage all records used as referenced by the Committee.
5. Perform all other functions as may be deemed necessary by the Committee.

SECTION 9. Reportorial Requirements:

The Sub-Committees shall submit their Regular Reports, through the Secretariat, to the Committee.

The Secretariat shall consolidate the Sub-Committee reports for submission to the Committee.

The Committee shall submit an Annual Report of its activities and accomplishments to the President.

SECTION 10. Funding - The funds to support the operations and activities of the Committee shall be sourced from the special road safety and special vehicle pollution control funds administered by the Road Board created under Republic Act No. 8794 or the "Motor Vehicle User's Charge Law", and such other funding sources as maybe recommended by the Department of Budget and Management (DBM).

SECTION 11. Effectivity - This Implementing Rules and Regulations shall take effect fifteen (15) days after its publication in the Official Gazette or newspaper of general circulation.

Adopted: Jan. 2008

(SGD.) LEANDRO R. MENDOZA
Secretary

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