

[LTO MEMORANDUM, July 20, 2009]

AMENDING ADMINISTRATIVE ORDER NO. AHS-2008-013 IN RE: RULES AND REGULATIONS GOVERNING THE USE AND ISSUANCE OF COMMEMORATIVE PLATES

This has reference to your letter dated 23 June 2009, requesting confirmation of the draft LTO Administrative Order No. ACL-2009-017, with the subject: "Amending Administrative Order No. AHS-2008-013, re: Rules and Regulations Governing the Use and Issuance of Commemorative Plates" to read as follows:

"Placement and Installation. As stated in Administrative Order No. BGC-AO-99-003 "The commemorative plate shall be superimposed over the regular plate as illustrated in the attached sketches "A", "B", "C" and "D". As such, the placement of the regular front plate in the motor vehicle shall be maintained in the space provided for the purpose. Removal thereof shall be deemed to be a violation of this Order." (underscoring and italics supplied)

Your proposal cannot be given due course as it is contrary to Section 3(c) of Memorandum Order No. 405, s. 1996 and Section 18 of Republic Act No. 4136, otherwise known as the "Land Transportation and Traffic Code."

Section 3(c) of Memorandum Order 405 states:

"Section 3. Limitations. The issuance and use of the commemorative plates shall have the following limitations:

a) x x x

b) x x x

c) The commemorative plate shall not be used in place of the regulate plate. As such, the display of the latter in the motor vehicle shall be maintained in the space provided for the purpose even during the period of use of a commemorative plate." (Italics and underscoring supplied)

Section 18 of Republic Act No. 4136 states:

"Section 18. Use of Number Plates. – At all times, every motor vehicle shall display in conspicuous places, one in front and one in the rear thereof, the said number plates.

The number plates shall be kept clean and cared for, and shall be firmly affixed to the motor vehicle in such a manner as will make it entirely visible and always legible." (Italics and underscoring supplied)

Hence, the superimposition of the commemorative plate over the regular license plates is a clear violation of the aforecited provisions of law.