

**[DENR-DTI-DOTC JOINT ADMINISTRATIVE
ORDER NO. 1, S. 2007, December 07, 2007]**

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

SECTION 1. Authority -

1.1 WHEREAS, Section 21 of Republic Act 8749 also known as the Philippine Clean Air Act of 1999 (PCA) 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 (PETCs) 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 Environmental Management Bureau (EMB), 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. 01, 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

1.6 WHEREAS, DENR DAO NO. 03, series of 2005 "Operations and Maintenance of Opacimeters and Gas Analyzers Certified by the DENR-EMB to be used by PETCs" states that the DENR has authority to automatically revoke the certifications issued to PETCs for their emission test equipment and prohibit said PETCs from operating their equipment.

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 facilities/activities with the provisions of the Philippine Clean Air Act (PCAA) 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 Emissions test as required by the PCAA.

2.3 Ensure the integrity of emission testing by the PETCs and LTO 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 facilities/activities with pertinent provisions of the PCAA and DTI-DOTC JAO No. 1, series of 2001; and

3.2 Monitoring of the implementation of emission testing prior to registration, which is a requirement of the PCAA.

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

- 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 - APETC or LTO District Office marked for supplemental monitoring based on the criteria provided herein.
- Irregularities - Deviations from the accreditation and authorization terms and condition and from emission test protocols as specified in pertinent DENR/DTI/DOTC issuances and the PCAA-implementing Rules and Regulations (IRRs).
- IT Provider - A company engaged in information technology that provides electronic data services to the LTO
- LGU - Land Government Unit
- LTO- Land Transportation Office
- MMDA- Metro Manila Development Authority
- NGO - Non-Government Organization
- Non- Appearance - Generation of a test result and subsequent issuance of CEC or Motor Vehicle Inspection Report (MVIR) without conducting actual emission test on motor vehicle
- PCAA - Philippine Clean Air Act of 1999 or Republic Act 8749
- PETC - Private Emission Testing Center (DTI Accredited and DOTC-LTO authorized)
- Reference Test Result- Test result obtained from an emission test conducted on the Test Vehicle by an accredited and authorized PETC
- Service Area- consists of several PETC lanes clustered into a specific

	operational area based on acceptable distance traveled by a motorist seeking emission testing of his vehicle
TESDA -	Technical Education and Skills Development Authority
Test Vehicle-	A vehicle with a verified emission test result
Volunteer-	An individual from an NGO who is an observer in the Monitoring Team

SECTION 5. Organization-5.1 PETC Monitoring

National Executive Committee

There shall be a PETC National Executive Committee (NEC) who shall ensure the proper implementation of this Order.

5.1.1 Composition of the NEC

- a. DOTC Undersecretary for Road Transportation-Chairman
- b. DTI Undersecretary for Consumer Welfare and Trade Regulation Group -Member
- c. ADENR Undersecretary - Member

The NEC shall have the following specific functions:

- a. Ensure that immediate action is taken against PETCs and LTO testing facilities found violating the provisions of this JAO;
- b. Provide and set the necessary policy and administrative directions to effectively implement the JAO;
- c. Create an inter-agency national Technical Working Group (TWG) that will provide technical secretariat assistance to the NEC;
- d. Recommend and endorse to appropriate government agencies, such programs and policies that are necessary to support the operationalization of the JAO, including budgetary requirements for implementing the JAO; and
- e. Recommend and endorse to appropriate government agencies the proper action against emission testing centers and government officials/staff found violating the provision of this JAO.

5.2 Regional PETC Monitoring System

The NEC, through the DOTC, shall create a Regional PETC Monitoring System to ensure the effective implementation of this JAO in the field. In this regard, the NEC hereby creates a Regional Monitoring Committee (RMC) and authorizes the RMC to create its Regional Monitoring Team (RMT).

5.2.1 Regional Monitoring Committee (RMC)

The Regional Monitoring Committee (RMC) shall be mainly responsible for coordinating the actual monitoring activities in the regions. It will be headed by the LTO-Regional Office Director and shall have the following as members:

- Regional Director or Assistant Regional Director of the DTI Regional

Office;

- Regional Director or Pollution Control Division Chief of the DENR-EMB Regional Office; and

- Regional Director or Assistant Regional Director of the TESDA Regional Office

* Provided, however, that when monitoring is done on an LTO testing facility/ activity, the chairmanship of the RMC shall be rotated between DTI and DENR. Moreover in this case, LTO shall also inhibit from relevant RMC decisions.

The RMC shall have the following specific functions:

-Nominate respective representatives (permanent and alternate) to the RMT;

-Provide oversight guidance to the RMT in the actual conduct of the PETC monitoring;

-Approve the monitoring plan of the RMT:

- Ensure that immediate and necessary action and proper penalties as provided for under this JAO are imposed on violations against the provisions of this JAO, as validated in the monitoring reports using department/agency's respective adjudication procedure;

- Review and evaluate the monitoring reports of the RMT;

- Submit quarterly monitoring reports, including RMC's minutes of meetings, to the NEC: and

- Prepare an annual technical and financial work plan to be submitted to the NEC The Chairman of the RMC shall have the following responsibilities:

-Act as lead convenor of the RMC during its meetings: and

- Ensure that all the responsibilities/functions of the RMC shall be undertaken

5.2.2 Regional Monitoring Team (RMT)

Each RMT shall be composed of the following members:

A Regular Members 1. Team Leader - a representative from LTO Regional Office

2. Team Members- a representative from the DTI Regional Office, DENR-EMB Regional Office or their respective relevant Provincial Office and TESDA Regional Office

B. Observers - may be invited and shall serve on a case-to-case basis who may be a representative of the:

1. LGU where the PETC is located;
2. Office of the Regional Ombudsman;
3. NGO advocating Clean Air, or
4. Media

The RMTs are tasked with monitoring all PETCs and LTO facility/activity in their jurisdictions at least once a year i.e., total number of monitoring visits to be spread across the year.

The RMT shall have the following responsibilities:

- a. Review pertinent documents pertaining to the PETC/LTO facility to be visited before the actual monitoring;
- b. Implement detailed procedures for monitoring; consistent with the rules of engagement set by the National TWG and approved by the NEC;
- c. Ensure proper and regular calibration of testing equipment;
- d. Monitor activities of PETC, and
- e. Prepare and submit to the RMC its monitoring report/recommendations within three working days after the conduct of monitoring activities.

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

- a. Inform team members of the schedule of monitoring activities and assign tasks to each team member;
- b. Conduct a brief pre-monitoring meeting with team members;
- c. provide documents to be used by the team during onsite monitoring;
- d. Conduct a brief post monitoring evaluating meeting with team members; and

In cases, wherein the LTO testing facility is the subject of the monitoring, the LTO Team Leader shall inhibit himself/herself from any involvement in the monitoring. Furthermore, the Team Leadership shall be rotated between the DTI or DENR representatives.

The Team Members shall have the following responsibilities;

Perform assigned tasks in the morning; and

Report their findings and observations to the team during the post monitoring meet