

**[LTO DEPARTMENT ORDER NO. 2004-01,
November 24, 2003]**

**RULES AND REGULATIONS CONCERNING THE ISSUANCE OF
DOTC/LTO AUTHORIZATION OF MOTOR VEHICLE PRIVATE
EMISSION TESTING CENTERS (PETCS)**

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

WHEREAS, pursuant to Republic Act No. 4136 and Administrative Order No. 91-005, the DOTC/LTO is mandated for the roadworthiness of motor vehicle prior to registration;

NOW, THEREFORE, and in pursuance thereto, the following rules and regulations governing the issuance of authorization of PETCs is hereby prescribed and promulgated for the compliance, information and guidance of all concerned.

1.0 Scope

1.1 This Department Order (DO) promulgates the rules and regulations for the implementation of the DTI-DOTC Joint Administrative Order No. 1 series of 2001, Guidelines for Accreditation and Authorization of Motor Vehicle Private Emission Testing Centers (PETCs) as mandated in the Republic Act No. 8749, otherwise known as the "The Philippine Clean Air Act of 1999"

1.2 The rules and regulations describe the objectives, structure, guidelines and procedures designed to ensure the efficient implementation of the DOTC/LTO nationwide Authorization Program for PETCs.

2.0 Definition of Terms

The following definitions shall apply to acronyms, words and phrases that are used in this DO:

2.1 DTI - Department of Trade and Industry

2.2 BTRCP - Bureau of Trade Regulation and Consumers Protection

2.3 DTI RO/PO - Refers to DTI Regional Office or Provincial Office

2.4 TESDA - Technical Education and Skills Development Authority

2.5 DOTC - Department of Transportation and Communications

2.6 Accreditation - A formal recognition by DTI of a motor vehicle private emission testing center as competent to carry out the task on motor vehicle emission testing.

2.7 Authorization - A formal recognition by DOTC/LTO of a motor vehicle emission testing center as competent to carry out emission testing activities.

2.8 Applicant - A person, natural or juridical, seeking accreditation to engage in emission testing business.

2.9 Approved Signatory - Any officer nominated/designated by the applicant/grantee competent to evaluate test results critically and occupying a position involving responsibility for adequacy of test results, eligible for approval as signatory of endorsed test documents.

2.10 Authorized Representative - A person duly authorized by the applicant/grantee to represent the PETC in matters relating to the accreditation. He is the official contact person of the PETC.

2.11 Assessment - A process of determining whether an organization, individual, process or service meets the requirements of standards or guides.

2.12 Secretariat - one or two person designated by DOTC/LTO who evaluates the applicant's conformance to the requirements for authorization.

2.13 Private Emission Testing Center (PETC) - A private facility engaged in testing the level of opacity and/or the analysis of the gaseous emission of a motor vehicle.

2.14. Private Emission Testing Center Monitoring Committee - A body designated by the Secretary of the Department of Transportation and Communications that shall formulate and review policies pertaining to authorization of motor vehicle emission testing centers.

2.15. Grantee - A PETC formally recognized under established procedures for its competence to carry out motor vehicle emission testing.

2.16 PNS ISO-IEC 17025 - The International Standard promulgated by the Bureau of Product Standards (BPS) as Philippine National Standard

(PNS), containing the general requirements for the competence of testing and calibration laboratories.

3.0 DOTC/LTO Authorization Program

3.1 The DTI-DOTC Joint Administrative Order (JAO) No. 01, series of 2001, Guidelines for Accreditation and Authorization of Motor Vehicle Emission Testing Centers was issued by

DTI and DOTC to harmonize the accreditation and authorization of motor vehicle private emission testing centers (PETCs).

3.2 The DOTC/LTO Authorization Program shall be implemented nationwide.

3.3 For guidance, applicants shall be provided with the Checklist of Requirements (See Annex A^{*}, PETC Form 01)

3.4 All applicant shall however, comply with the requirements as provided in JAO No. 01, series of 2001. Application for authorization, together with the documentary requirements shall be submitted by the applicant to DOTC/LTO.

3.5 Evaluation/Inspection of PETCs shall be based on the requirements specified in the JAO No. 01, series of 2001.

3.6 A Certificate of Authorization shall be issued to a PETC that meets all the requirements of DOTC/LTO Authorization Program.

4.0 Management of the DOTC/LTO Authorization Program

4.1 The LTO shall be the lead agency in the management of the DOTC/LTO Authorization Program for PETCs.

4.2 The LTO Assistant Secretary shall be responsible for the Authorization Program for PETC. He shall constitute an Authorization Committee that will make the final review and evaluation of all PETC applications for authorization.

4.3 All Regional directors shall be responsible for the evaluation/inspection and make recommendation on the PETC applications in the area of their jurisdiction.

5.0 Duties and Responsibilities

5.1 LTO-C.O.

The LTO shall have the following functions:

5.1.1 Formulate and prescribe policy guidelines for the transparent, efficient and effective implementation of the authorization program for PETC.

5.1.2 Issue certificate of authorization to applicants who comply with the requirements for authorization.

5.1.3 Exercise visitorial powers over the applicants and authorized PETCs;

5.1.4 Maintain a Registry of Authorized Motor Vehicle Private Emission Testing Centers and of authorized technicians for each center.

5.1.5 Enter into agreement with other government agencies and private sector in the implementation of the authorization program;

5.1.6 Represent DOTC/LTO in various interagency activities like consultative meetings, seminars/workshops geared towards the improvement of the authorized program;

5.1.7 Coordinate closely with DTI on the accreditation and DENR for the implementation of RA 8749.

5.2 DOTC/LTO REGIONAL OFFICE (RO)

5.2.1 Evaluate and process application for authorization of applicants operating in their area of jurisdiction.

5.2.2 Recommend/Endorse PETC application for the approval/disapproval of the authorization after due inspection and evaluation, to the Assistant Secretary;

5.2.3 Exercise visitorial power over the facilities of applicants and authorized PETC for purposes of determining compliance with the conditions of authorization and to ensure the quality and effectiveness of the tests conducted;

5.2.4 Ensure adequate and appropriate staff resources who shall implement the authorization program.

5.2.5 Represent DOTC/LTO and participates in meetings, conferences and other events related to the PETC authorization.

5.3 Authorization Committee

5.3.1 The LTO Assistant Secretary shall constitute an Authorization Committee, who shall be responsible for the review and final evaluation of all application for PETC submitted by the Regional Offices. It shall be composed of the following:

Chairman: Executive Director

Members: Chief, Operations Division Chief, MID,
DOTC

Secretariat: Operations Division

5.3.2 The Authorization Committee shall report directly to the Assistant Secretary and shall have the following functions:

- a. Reviews and evaluates PETC applications for authorization in accordance with the authorization requirements
- b. Accepts and reviews reports on complaints and takes action on the recommendations of such reports.
- c. Ensures that the procedures for authorization are followed.

5.3.3 The Regional Directors shall likewise constitute a Regional Authorization Committee (RAC) to be composed of the following:

Chairman : Regional Director, LTO

Members : DTI-RO
LTO-District Office (where the PETC is located)

Secretariat : Operations Division, LTO-RO

5.3.4 The RAC shall be responsible for the initial evaluation of all application for PETCs submitted within their jurisdiction and schedule actual inspection of the center.

5.4 ADVISORY BODY

5.4.1 The Authorization Program for PETC shall have an Advisory Body composed of DOTC, LTO, DTI, DENR, TESDA and the Private Sector.

5.5 INSPECTION TEAM