

**[DENR-DTI-DOTC JOINT ADMINISTRATIVE
ORDER NO. 1, Series 2003, November 07, 2003]**

**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 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 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 Bureau, 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. 1, 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

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 activities with the provisions of the Clean Air Act of 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 emission test as required by the Clean Air Act.

2.3 Ensure the integrity of the emission test 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 activities with pertinent provisions of the Clean Air Act of 1999 and DTI-DOTC JAO No. 1, series of 2001; and

3.2 Monitoring of the implementation of emission testing prior to registration requirement of the Clean Air Act.

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

SECTION 4. Definition - For purposes of this Order and as used herein, the following definitions are hereby adopted:

CAA	- Philippine Clean Air Act of 1999 or Republic Act 8749
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	- A PETC or LTO District Office tagged for monitoring based on the criteria provided herein.
Irregularities	- Deviations from the accreditation and authorization terms and conditions and from emission test protocols.
IT Provider	- Information Technology company that provides electronic data services
LGU	- Local Government Unit
LTO	- Land Transportation Office
MMDA	- Metro Manila Development Authority
NGO	- Non-Government Organization
Non-Appearance	- Generation of a test result without conducting actual emission test
PETC	- Private Emission Testing Center
Reference Test Result	- Test result obtained from an emission test conducted on the Test Vehicle by an accredited and authorized PETC.
Test Vehicle	- A vehicle with a verified emission test result
Volunteer	- An individual from an NGO who intends to be a member of a Monitoring Team

SECTION 5. Organization -

5.1 Monitoring Committee - A Monitoring Committee composed of the DOTC Undersecretary for Land Transportation as chairperson, and the DTI Undersecretary for Consumer Welfare and Trade Regulation Groups and a DENR Undersecretary as members is hereby created. The Monitoring Committee shall ensure the proper implementation of this Order.

5.2 Monitoring Team - The Monitoring Committee shall create Monitoring teams, which shall conduct the actual monitoring activities.

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A team shall be composed of at least four (4) members:

- A representative from the DOTC, who shall be the team leader;
- A representative from the DTI;
- At least one (1) representative from either the DENR or MMDA (for Metro Manila) or LGU where the PETC is located; and
- At least one (1) from the NGO or media.

Representatives of LTO, transport operators, PETC operators and/or the Ombudsman may be invited as observers when necessary.

5.2.1 Responsibilities of the Monitoring Team

The Monitoring Team shall have the following responsibilities:

- Review pertinent documents pertaining to the PETC/LTO Testing Center to be visited before the actual monitoring;
- Prepare detailed procedures for monitoring subject to the approval of the Monitoring Committee;
- Conduct monitoring activities of PETC/LTO Testing Center; and
- Prepare and submit to the Monitoring Committee its monitoring report within seven days after the conduct of monitoring activities.

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

- Inform a team members of the schedule of monitoring activities;
- Conduct a brief pre-monitoring meeting with team members;
- Provide documents to be used by the team during onsite monitoring;
- Conduct a brief post monitoring meeting with team members; and
- Assign tasks to each team member.

The Team Members shall have the following responsibilities:

- Perform assigned tasks in the monitoring; and
- Report his/her findings and observations to the team during the post monitoring meeting.

5.2.2. Qualifications of Monitoring Team Members

Members of the Monitoring Teams from Government Agencies shall undergo Training on Monitoring Procedures to be conducted by the DOTC. Volunteers shall be required to file an application for membership in the Monitoring Teams and undergo Training on Monitoring Procedures. The Training Module and Applications for membership shall be approved by the Monitoring Committee.

5.3 Secretariat

A secretariat shall be established at the DOTC, composed of DOTC personnel, whose main function is to assist the Monitoring Committee and Teams in accepting and documenting complaints, records keeping, and coordinating activities pertinent to the provisions of this Order.

SECTION 6. Regular On Site Inspection and Monitoring of PETC

The Monitoring Team shall inform the PETC operator that an on-site inspection shall be conducted.

The following information/documents shall be required from the PETC operator:

- Valid PETC accreditation and authorization
- Record of CEC issued for the month being monitored including copies of receipts issued
- Calibration certificate of test equipment
- Valid technician authorization
- Test equipment interfaced with the PETC-IT system
- Serial number of test equipment that corresponds to the accreditation record

The PETC technician shall be required to conduct an emission test of the test vehicle. The result of the test conducted shall be compared to reference test results. Discrepancy in test results, passed when actually failed or vice-versa, shall mean that a violation was committed.

SECTION 7. Procedure for Identification and Monitoring of Irregularities -

7.1 Basis for Monitoring for Identification and Monitoring of Irregularities

The following shall be the basis for flagging a PETC and/or LTO-Testing Center for monitoring:

1. Five (5) verbal complaints or one written and verified report of irregularities received against a PETC or LTO-Testing Center.
2. Unusually high or low rate of vehicles passing/failing the emission tests.
3. Discrepancies in the number of CECs issued by the PETCs or LTO Testing Center and the number of motor vehicle registrations issued by an LTO-DO on a per month basis.

7.2 Complaints and Reports of Irregularities