



Republic of the Philippines
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS

M. P. LAW CENTER, DILIMAN, Q.C.

U.P. Law Center
Office of the National Administrative Register
RECORDED
SEP 07 2012
Date: _____ Time: 11:25 By: [Signature]

DEPARTMENT ORDER NO. 2012-10

Subject : REVISED RULES AND REGULATIONS ON THE AUTHORIZATION AND MONITORING OF MOTOR VEHICLE PRIVATE EMISSION TESTING CENTERS (PETCs), PETC IT PROVIDERS AND MOTOR VEHICLE EMISSION CONTROL TECHNICIANS AND RULES OF PROCEDURE GOVERNING APPEALED CASES BEFORE THE DOTC SECRETARY FROM DECISIONS OR RESOLUTIONS OF THE LTO ASSISTANT SECRETARY

Thru (3) etc
pls

WHEREAS, Section 21 of Republic Act (R.A.) No. 8749 otherwise known as the "Clean Air Act of 1999" mandates the Department of Trade and Industry (DTI), Department of Environment and Natural Resources (DENR) and the Department of Transportation and Communications (DOTC) to establish the procedures for the inspection of motor vehicles and the testing of their emissions for the purpose of determining the concentration and/or rate of emission pollutants discharged by said sources;

WHEREAS, under the same section (Section 21) of R.A. No. 8749, the DOTC is tasked to enforce compliance with the emission standards set by the DENR and is empowered to authorize private emission testing centers duly accredited by DTI;

WHEREAS, DTI-DOTC Joint Administrative Order (JAO) No. 1, Series of 2001, prescribes the guidelines for accreditation and authorization of motor vehicle Private Emission Testing Centers (PETCs);

WHEREAS, pursuant to R.A. No. 4136 and Administrative Order No. 91-005, as amended by Administrative Order No. ACL-2009-018, the DOTC/Land Transportation Office (LTO) is mandated to ensure the roadworthiness of motor vehicles prior to registration;

WHEREAS, DENR-DTI-DOTC JAO No. 1, Series of 2007 mandates the conduct of 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;

NOW, THEREFORE, premises considered, the following rules and regulations governing the authorization and monitoring of PETCs, PETC IT Service Providers and Motor Vehicle Emission Control Technicians (MVECTs), and the rules of procedure for appealed cases before the DOTC Secretary from decisions/resolutions of the LTO Assistant Secretary are hereby prescribed and promulgated for the compliance, information and guidance of all concerned:

THE COLUMBIA TOWER
BRGY. WACK-WACK, ORTIGAS AVENUE
1555 MANDALUYONG CITY, PHILIPPINES

2012-10-9

ROSALIA T. VISTA
CHIEF, ACCOUNTING DIVISION

TELEFAX: (632) 723-4925
TOLL FREE: 727-7960 TO 79
DOTC ACTION CENTER HOTLINE: 7890

12-003189

Chief, Accounting Division

EDNA C. TAPAR
Chief, Accounting Division

Inspection/Monitoring Team

Monitoring Team

Secretariat

Chief
Chief
Reg
and
Ope

1. SCOPE

- 1.1 This Department Order (DO) consolidates and revises all rules and regulations governing the authorization and monitoring of Motor Vehicle PETCs, MVECTs and PETC IT Service Providers.
- 1.2 These revised rules define the objectives, structure, guidelines, and procedures designed to ensure the efficient implementation of the DOTC/LTO nationwide PETC Authorization Program.

This DO provides for the rules of procedure to be observed in appealed cases before the DOTC Secretary from decisions/resolutions of the LTO Assistant Secretary.

2. DEFINITION OF TERMS

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

- 2.1 **DENR** – Department of Environment and Natural Resources
- 2.2 **DOTC** – Department of Transportation and Communications
- 2.3 **DTI** – Department of Trade and Industry
- 2.4 **DTI RO/PO** – DTI Regional Office or Provincial Office
- 2.5 **LTO** – Land Transportation Office
- 2.6 **TESDA** – Technical Education and Skills Development Authority
- 2.7 **Accreditation** – A formal recognition by DTI of a motor vehicle private emission testing center as competent to carry out the task of motor vehicle emission testing.
- 2.8 **Authorization** – A formal recognition by DOTC/LTO of a motor vehicle emission testing center as competent to carry out emission testing activities.
- 2.9 **Applicant** – A natural or juridical person seeking accreditation to engage in the emission testing business.

- 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 **Private Emission Testing Center (PETC)** – An LTO authorized private facility engaged in testing the level of opacity and/or the analysis of the gaseous emission of a motor vehicle.
- 2.12 **PETC IT Service Provider** – An authorized company engaged in information technology that provides electronic data services to the PETCs.
- 2.13 **MVECT** – A Motor Vehicle Emission Control Technician certified by TESDA and authorized by the LTO to conduct emission test.
- 2.14 **PETC Authorization Committee** – A committee created by the LTO Assistant Secretary tasked to formulate policies, and review and evaluate the applicant's conformity with the mandatory requirements for authorization of PETCs and monitor operations of PETCs.
- 2.15 **PETC Inspection/Monitoring Team** – A team designated to inspect and validate applications for PETCs and monitor operations of PETCs.
- 2.16 **Regional Authorization Committee (RAC)** – A committee in an LTO Regional Office responsible for the initial evaluation and inspection of all applications of PETCs submitted within their jurisdiction.
- 2.17 **Regional Monitoring Committee (RMC)** – A committee responsible for coordinating the actual monitoring activities in the regions.
- 2.18 **Regional Monitoring Team** – A team tasked with monitoring the operations of all PETCs in its jurisdictional area of responsibility.
- 2.19 **GAOR** – refers to Geographical Area of Responsibility
- 2.20 **PNS ISO-IEC 17025** – The International Standards promulgated by the Bureau of Product Standards (BPS) as Philippine National Standards (PNS), containing the general requirements for the competence of testing and calibration laboratories.

3. **PETC AUTHORIZATION PROGRAM**

- 3.1 The DTI-DOTC JAO No. 01, Series of 2001 (Guidelines for Accreditation and Authorization of Motor Vehicle Emission Testing Centers) was issued to harmonize the accreditation and authorization of motor vehicle PETCs.
- 3.2 The DOTC/LTO Authorization Program shall be implemented nationwide.
- 3.3 All applicants shall comply with the mandatory requirements provided in DTI-DOTC JAO No. 01, Series of 2001.
- 3.4 All applications for authorization, together with the complete documentary requirements, shall be filed with the LTO. The Checklist of Requirements (PETC Form No. 01) is attached herewith and made an integral part hereof as **Annex "A"**.
- 3.5 A Certificate of Authorization shall be issued to a PETC, MVECT or PETC IT Service Provider that meet all the requirements of the Program.
- 3.6 The LTO shall be the lead agency in the management of the DOTC/LTO PETC Authorization Program.
- 3.7 The LTO Assistant Secretary shall be responsible for the effective implementation of the Program. An LTO Central Office PETC Authorization Committee that shall review and evaluate all applications for authorization of PETCs and PETC IT Service Providers shall be constituted by the LTO Assistant Secretary.
- 3.8 The PETC Authorization Committee is responsible for the inspection, evaluation, and final review of all new applications for authorization of PETCs, MVECTs, PETC IT Service Providers, and the renewals thereof.
- 3.9 The RAC shall be responsible for the initial evaluation of all applications for authorization of PETCs within their jurisdiction as well as in the inspection and monitoring thereof.

4. **DUTIES AND RESPONSIBILITIES**

4.1 **LTO CENTRAL OFFICE (CO)**

The LTO CO shall have the following functions:

- 4.1.1 Formulate and prescribe policy guidelines for the transparent, efficient and effective implementation of the DOTC/LTO PETC Authorization Program.
- 4.1.2 Issue Certificates of Authorization to applicants who comply with all the requirements for authorization.
- 4.1.3 Exercise visitorial powers over all authorized PETCs and PETC IT Service Providers.
- 4.1.4 Maintain a Registry of all authorized PETCs, MVECTs and PETC It Service Providers.
- 4.1.5 Conduct consultative meetings and seminars/workshops geared towards the improvement of the DOTC/LTO Authorization Program, and represent DOTC/LTO in various activities in connection therewith.
- 4.1.6 Maintain close coordination with the DTI, DENR, TESDA and other government agencies in the effective implementation of RA 8749.

4.2 LTO REGIONAL OFFICE (RO)

The LTO RO shall have the following functions:

- 4.2.1 Inspect and evaluate applications for authorization of PETCs within their region and make recommendations to the LTO CO Authorization Committee.
- 4.2.2 Exercise visitorial powers over all PETCs within their jurisdiction to ensure continued compliance with the conditions for authorization.
- 4.2.3 Provide adequate personnel and resources to effectively implement the PETC Authorization Program.

4.3 PETC AUTHORIZATION COMMITTEE AND INSPECTION/MONITORING TEAM

- 4.3.1 The LTO Assistant Secretary shall constitute a PETC Authorization Committee and an Inspection/Monitoring Team to be composed of the following:

PETC Authorization Committee:

Chairman : Executive Director
Vice-Chairman : Director, LES or TAS
Members : Chief, Operations Division
 Chief, Management Information Division
 Chief, Administrative Division

Inspection/Monitoring Team :

Monitoring Team : Regular employees of the Operations Division
 and Management Information Division
Secretariat : Operations Division

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

4.3.2.1 Evaluate, review and validate all applications for authorization and renewal of PETCs, MVECTs and PETC IT Service Provider and make recommendations on its findings and/or evaluation to the LTO Assistant Secretary; and

4.3.2.2 Perform other duties and functions relevant to the PETC Authorization Program.

4.3.3 The Inspection/Monitoring Team shall perform the following functions:

4.3.3.1 Conduct ocular inspection on authorized PETC and PETC IT Service Providers;

4.3.3.2 Inspect/monitor the performance of all PETC IT Service Providers, MVECTs and PETCs with approved permits to operate within its jurisdiction;

4.3.3.3 Accept complaints relative to PETC, MVECT and PETC IT Service Providers operating within its jurisdiction; and

4.3.3.4 Perform other duties and functions relevant to the PETC, MVECTs and PETC IT Service Provider Authorization Program.

4.4 REGIONAL AUTHORIZATION COMMITTEE (RAC)

4.4.1 The Regional Directors shall likewise constitute their respective RACs to be composed of the following:

Chairman : Assistant Regional Director
Members : Chief, Operations Division
 : Chief, Administrative Division
Secretariat : Staff, Operations Division

4.4.2 The RAC shall have the following functions:

4.4.2.1 Make initial evaluation of the submitted documentary requirements;

4.4.2.2 Conduct ocular inspection on the applicant PETC;

4.4.2.3 Accept complaints within its jurisdiction and recommend actions to the LTO Assistant Secretary through the PETC Authorization Committee.

4.4.2.4 Monitor performance of the authorized PETC and MVECTs; and

4.4.2.5 Perform other duties and functions relevant to the PETC Authorization Program.

4.5 REPORTING

4.5.1 The RAC shall submit to the PETC Authorization Committee a quarterly monitoring report using the prescribed form attached herewith as **Annex "B"**.

4.5.2 The PETC Authorization Committee shall then evaluate and consolidate the foregoing reports and submit the same to the LTO Assistant Secretary for submission to the PETC National Executive Committee.

7 *ps*

5. REQUIREMENTS FOR PETC AUTHORIZATION

Application requirements as specified in Article III of DTI-DOTC JAO No. 01, Series of 2001, shall be as follows:

5.1 QUALIFICATIONS OF AN APPLICANT

5.1.1 Any natural person who is at least eighteen (18) years of age or any juridical person who is not disqualified by any existing law or regulation to engage in vehicle emission testing activity is qualified to apply for authorization.

5.1.2 A center duly accredited by DTI as a motor vehicle emission testing center may apply for authorization provided it meets the requirements of the PETC Authorization Program and that no DOTC/LTO official/personnel, his/her spouse, or relative by consanguinity or affinity within the third (3rd) civil degree shall have ownership of or any beneficial and/or financial interest therein.

5.2 DOCUMENTARY REQUIREMENTS (PETC Form 01 [Annex "A"])

5.2.1 New Applications

5.2.1.1 Duly accomplished application form, under oath;

5.2.1.2 Certified true copy/ies of the following:

- a. For sole proprietorships, Certificate of Business Name Registration (DTI);
- b. For corporations/partnerships, Securities and Exchange Commission Certificate of Registration, Articles of Incorporation/Partnership and By-Laws, and Board Resolution certified by the Corporate Secretary, specifying the name of the authorized representative who must be an officer of the corporation/ partnership;
- c. For cooperatives, Cooperative Development Authority Certificate of Registration, Articles of Cooperation and By-Laws, and Board Resolution, certified by the Corporate Secretary, specifying the name of the authorized representative who must be an officer of the cooperative;

- 5.2.1.3** Certified true copy of DTI Accreditation Certificate;
- 5.2.1.4** Certified true Copy of Mayor's Permit;
- 5.2.1.5** Bureau of Internal Revenue (BIR) Registration and Tax Identification Number;
- 5.2.1.6** SSS Membership Certificate;
- 5.2.1.7** Audited Financial Statement for the last two (2) years or a Pre-operating Financial Statement, whichever is applicable, showing that the owner-applicant shall be of such financial capacity to operate for at least one (1) year;
- 5.2.1.8** Location map and layout of the center, including dimensions;
- 5.2.1.9** Organizational structure showing the relationship between the center and other operations of the firm, when applicable, and the structure of the center showing its personnel and their functions;
- 5.2.1.10** List of personnel involved in the operation of the center with their job descriptions, responsibilities and qualifications, including the Certificates of Competency as an MVECT issued by TESDA;
- 5.2.1.11** List of all equipment, including manuals, reference materials required for the calibrations and tests, manual of the test procedures and personnel;
- 5.2.1.12** Procedure for handling complaints;
- 5.2.1.13** Certificate of Conformity from DENR that the testing equipment is in compliance with R.A. No. 8749;
- 5.2.1.14** Certificate showing that the testing equipment used is interfaced with the system of the PETC IT Service Provider;
- 5.2.1.15** Picture of the Establishment; and

5.2.1.16 PETC Contract with an authorized IT Service Provider.

5.2.2 Renewal of Authorization

5.2.2.1 Duly accomplished application form, under oath;

5.2.2.2 Certified true copy of DTI Accreditation Certificate;

5.2.2.3 Original LTO Certificate of Authorization;

5.2.2.4 Original LTO Certificate of the MVECT;

5.2.2.5 TESDA Certificate of the MVECT;

5.2.2.6 Certified true copy of Mayor's Permit;
The Mayor's Permit of the previous year shall be accepted for those authorizations that are about to expire in the month of January provided that the current year's Mayor's Permit shall be submitted prior to the release of the Certificate of Authorization. In cases where Mayor's Permit is not yet released, the Official Receipt of payment shall be accepted.

5.2.2.7 Income Tax Return for the current year, duly stamped and received by the BIR;

5.2.2.8 Duly sworn Affidavit attesting to its continuing compliance with all the requirements for authorization, unless there are changes thereto, in which case the applicant shall submit the applicable documents;

5.2.2.9 Picture of Establishment; and

5.2.2.10 Certificate of calibration issued by DTI-BPS accredited calibration laboratories.

5.3 PERSONNEL

5.3.1 A technician shall be certified as an MVECT by the TESDA.

5.3.2 Personnel performing specific tasks shall be qualified on the basis of appropriate education, training, experience and/or demonstrated skill, as required.

5.3.3 The center shall maintain current job descriptions for managerial, technical and key support personnel involved in testing.

5.3.4 The center's management shall authorize specific personnel to perform particular sampling, tests, issue test reports, give opinions and interpretations and operate the emission testing equipment.

5.3.5 The PETC shall have at least one (1) authorized MVECT per lane.

5.4 WORK ENVIRONMENT

5.4.1 The work area shall be within a permanent site and shall have a maneuvering area/site of at least 6 m wide x 6 m long and minimum height of 4.5 m per proposed number of vehicles to be inspected at any given time where the driver can park for off-highway emission testing. The center must be capable of inspecting all types of motor vehicles.

5.4.2 The facility for testing and/or calibration, including but not limited to energy sources, lighting and environmental conditions, shall be such as to facilitate correct performance of the test and/or calibrations.

5.4.3 The area in which the test will be undertaken shall not invalidate the results or adversely affect the required accuracy of measurement.

5.4.4 Measures shall be undertaken to ensure good housekeeping in the facility. Special procedures shall be prepared where necessary.

5.5 TEST PARAMETERS

The test parameters to be measured are as follows:

5.5.1 For gasoline vehicles: hydrocarbon (HC) and carbon monoxide (CO), NOx and other pollutants as may be specified by law.

5.5.2 For diesel vehicles: opacity and/or particulate matters.

5.6 EQUIPMENT

5.6.1 The center shall have the minimum test equipment required in the test procedures, as follows:

- a. For testing of gasoline fed vehicles: gas analyzer
- b. For testing of diesel fed vehicles: opacimeter

5.6.2 The equipment shall be certified by the DENR.

5.6.3 The equipment shall be calibrated every six (6) months by DTI-BPS accredited calibration laboratories.

5.6.4 All emission testing equipment shall conform to the specifications of the appropriate PNS and have reference/operating manuals.

5.6.5 The equipment and its software used for testing and sampling shall be capable of achieving the accuracy required and shall comply with specifications relevant to the tests.

5.6.6 Only authorized personnel shall operate the equipment. Up-to-date instructions on the use and maintenance of equipment (including any relevant manuals provided by the manufacturer of the equipment) shall be readily available for use by the appropriate personnel.

5.6.7 Only brand new testing equipments shall be allowed for new applicants. Tampered serial numbers of the testing equipment shall be considered a violation of DENR-DTI-DOTC JAO No. 1, Series of 2007 and automatically disqualifies the application for authorization or its renewal and shall be a ground for the revocation of existing authorizations.

5.6.8 Testing machine five (5) years old and above must be re-certified as conforming with the specifications of the appropriate PNS.

6. PETC IT SERVICE PROVIDER

6.1 GENERAL REQUIREMENTS

6.1.1 The PETC IT Service Provider shall undergo the authorization process on a yearly basis.

- 6.1.2 The PETC IT Service Provider must strictly adhere to and implement all IT requirements/guidelines germane to the operation of PETC.
- 6.1.3 There shall be only one (1) PETC IT Service Provider for each PETC. A PETC is strictly prohibited from having a back-up client application of another IT Service Provider.
- 6.1.4 PETC IT Provider shall enable integration with the DOTC/LTO IT System, the service maintenance of which shall be the sole responsibility of the PETC IT Provider and shall entail no cost to LTO. However, the system of the PETC IT Provider shall not have direct access to the DOTC/LTO IT System's database.
- 6.1.5 The PETC IT Service Provider must submit any enhancement/ updated version of its respective Client Application Programs (other software components such as Interfacing, Webcam and etc.), including its source code, and obtain LTO approval thereof prior to implementation of the said programs. The PETC IT Service Provider shall also provide the LTO with online monitoring capability of any enhancement and deployment of IT Providers Client Application Program for monitoring purposes.
- 6.1.6 The PETC IT Service Provider shall assist the LTO in putting up the Image Repository Database Server, including a viewing facility, at no cost to the Government. The PETC IT Service Provider shall maintain a record of its database, including the main, back-up and PETC local database of motor vehicles details, emission results and pictures, for a period of one (1) year only. Thereafter, said record shall be purged permanently.
- 6.1.7 The PETC IT Service Provider shall upload the image and the corresponding data from the PETC to the LTO Image Repository Database Server on a real-time basis to establish the authenticity of the pictures printed on the Certificate of Emission Compliance (CEC) forms submitted during registration.
- 6.1.8 The image repository database server shall be the source of audit trails and reports of all the emission test transactions to DOTC/LTO.
- 6.1.9 The testing equipment shall at all times be interfaced with the PETC computer or workstation. There shall be no human

intervention in capturing test results. Likewise, the Client Application Program shall have no edit capability to alter test results.

6.1.10 PETCs who intend to change IT providers shall apply for transfer of IT provider with the Authorization Committee upon payment of corresponding fees and submission of the following documentary requirements:

- 6.1.10.1** Duly accomplished application form, under oath;
- 6.1.10.2** Letter request from the PETC operator stating the reason for transfer;
- 6.1.10.3** Clearance from the former IT Provider provided that the latter has no pending case;
- 6.1.10.4** IT Contract of the new IT Provider;
- 6.1.10.5** Certificate showing that the testing equipment used is interfaced with the system of the PETC IT Provider; and
- 6.1.10.6** Original Certificate of Authorization of the center and of the new IT Provider.

6.2 QUALIFICATIONS OF PETC IT SERVICE PROVIDER

6.2.1 Any natural person who is at least eighteen (18) years of age or any juridical person who is not disqualified by any existing law or regulation to engage in vehicle emission testing activity is qualified to apply for authorization provided that all the other requirements in this DO are complied with.

6.2.2 No DOTC/LTO personnel, his/her spouse, or relative by consanguinity or affinity within the third civil degree shall have ownership of or any beneficial and/or financial interest in any PETC IT Provider.

6.2.3 PETC IT Service Providers or any of its personnel shall take no interest, directly or indirectly, over ownership, control, or management of any PETC, nor shall they have any financial or material interest in any transaction relative to the operation of a PETC which tends to conflict with their functions to the prejudice of the public interest.

6.2.4 The LTO IT System Provider or equivalent, being the main proponent for the interconnectivity between LTO and PETC IT

Service Providers shall not have ownership of or any beneficial and/or financial interest in any PETC IT Service Provider.

6.3 DOCUMENTARY REQUIREMENTS

6.3.1 New Applications

6.3.1.1 Duly accomplished application form, under oath (PETC Form 02 [Annex "C"]).

6.3.1.2 Certified true copy/ies of the following:

6.3.1.2.1 For sole proprietorships, Certificate of Business Name Registration (DTI);

6.3.1.2.2 For corporations/partnerships, Securities and Exchange Commission Certificate of Registration, Articles of Incorporation/Partnership and By-Laws, and Board Resolution issued by the Corporate Secretary, specifying the name of authorized representative who must be an officer of the corporation/ partnership;

6.3.1.2.3 For cooperatives, Cooperative Development Authority Certificate of Registration, Articles of Cooperation and By-Laws, and Board Resolution, issued by the Corporate Secretary, specifying the name of authorized representative who must be an officer of the cooperative;

6.3.1.2.4 Certified true copy of Mayor's Permit;

6.3.1.2.5 BIR Registration and Tax Identification Number;

6.3.1.2.6 SSS Membership Certificate;

6.3.1.2.7 Audited Financial Statement for the last two (2) years or a Pre-operating Financial Statement, whichever is applicable, showing that the owner-applicant shall be in such financial condition to reasonably expect it to operate for at least one (1) year;

6.3.1.2.8 Organizational structure showing the relationship between the provider and other operations of the firm, when applicable, and the structure of the center showing its personnel and their functions;

- 6.3.1.2.9 List of personnel involved in the operations with their job descriptions, responsibilities and qualifications;
- 6.3.1.2.10 List of all equipment, including manuals and reference materials;
- 6.3.1.2.11 Procedure for handling complaints; and
- 6.3.1.2.12 Picture of Establishment.

6.3.2 Renewal

- 6.3.2.1 Duly accomplished application form, under oath;
- 6.2.3.2 Certified true copy of Mayor's Permit;
- 6.2.3.3 Income Tax Return for the current year, duly stamped received by the BIR;
- 6.3.2.4 Affidavit attesting to its continuing compliance with all the requirements unless there are changes thereto in which case the applicants shall submit the applicable documents;
- 6.3.2.5 List of PETC clients; and
- 6.3.2.6 Picture of Establishment.

6.4 PETC IT SERVICE PROVIDER SOFTWARE AND HARDWARE REQUIREMENTS

6.4.1 All PETC IT Service Providers must submit the following:

- 6.4.1.1 Client Application Users Manual;
- 6.4.1.2 System set-up and network layout;
- 6.4.1.3 System Documentation:
 - a. Complete description of executable file of the Client Program;
 - b. System security policy;
 - c. Declaration and list of main application, sub-programs or other files associated with the submitted Client Application; and
 - d. Screen shots of folder location, file(s) location and size for each and every system file;
- 6.4.1.4 List of PETC clients with the following description for each:
 - a. System set-up and network layout;
 - b. Network of stations utilized, date of initial installation, and Last System update done;

- 6.4.1.5** Certificate of installation of Client Application per PETC;
and
- 6.4.1.6** Screen shots of any third (3rd) party emission test software being used by the Client Program [application location, file(s) and size(s)].
- 6.4.2** PETCs shall not be provided with access codes in cases where the internet or DSL connection fails.
- 6.4.3** LTO shall be provided with incident reports within twenty-four (24) hours from the time the PETC IT Provider fails to upload data in real time.
- 6.4.4** The PETC Service Provider Client Application Program shall have an automatic synchronization of time and date with the PETC System and the DOTC/LTO-IT System;
- 6.4.5** In the event that a Client Application is reconfigured so as to adjust to the third (3rd) party software being used by the PETC, a screen shot must be submitted to the LTO for eventual re-evaluation with the corresponding test equipment.
- 6.4.6** All PETC IT Service Provider Client Application Programs (the "Client Program") shall adhere to the following specifications:
- a. The Client Program shall automatically detect the interfaced test machine. No Client Program shall be operated without a test machine being interfaced.
 - b. The Client Program shall automatically capture test machine reading. Time allowed is not more than five (5) seconds. If this time allocation is exceeded, the test result should be dumped or purged to be unusable or declared invalid and therefore subject for vehicle re-test.
 - c. No test result shall be delayed or existing in the location of the third (3rd) party software for more than two (2) minutes. The Client Program should have an automatic deletion or purging of these unused results if found residing for more than the specified time.
 - d. No Client Program shall accept entries corrupted or generated using different applications other than the format generated by the third (3rd) party software.
 - e. The Client Program shall be able to filter same value data of test result that had been earlier uploaded. No previous test result shall be refreshed or re-uploaded.

- f. The Client Program shall make automatic time and dated synchronization procedures with the PETC IT Service Provider main server upon user log-in.
- g. The Client Program shall have an automatic time lock of one (1) hour for failed vehicle before it can be re-tested in the same center.
- h. No Client Program shall be able to print CEC without any test machine being interfaced.
- i. Client Application Program should not capture or accept zero (0) or negative value in the test result for gas or diesel.
- j. No Client Program must have a reprint module capable of allowing modifications of any information other than CEC number and shall follow the same expiration date as the original CEC printout.
- k. No re-print request shall be authorized if the present date is later than two (2) months from the date and time the vehicle was tested.
- l. Client Program should not accept record with blank entries on mandatory fields.
- m. Client Program must have the PETC IT Service Provider's corporate, partnership or business name with logo or any coded identification uniquely identified with it.
- n. Client Program shall comply with the ruling "upload first before printing of CEC."
- o. Report generated by the Client Program shall conform to the prescribed format.
- p. All Client Programs must follow set data requirements for uploaded into DOTC/LTO IT System.
- q. The PETC IT Service Provider must strictly validate the authorization status of the PETC, and enable the automatic rejection of uploads (image and data) from PETCs with expired, suspended and revoked authorization status.

6.4.7 All uploads shall adhere to the twenty-four (24) hours grace period. Time computation for delayed/batched upload shall not be more than twenty-four (24) hours from the date/time the vehicles was tested.

6.4.8 No demo shall be uploaded to the DOTC/LTO IT System.

6.4.9 No PETC IT Service Provider shall edit the date and time of emission test upon upload to the DOTC/LTO IT System interface database to make it appear that the test was made within the day and uploaded in real time is required.

6.5 PETC IT CODE

6.5.1 A unique PETC IT Code shall be provided to each authorized PETC.

6.6 CAPPING OF EMISSION TEST UPLOADS

6.6.1 PETCs shall strictly follow the maximum number of tests conducted per day vis-à-vis the number of lanes using the ratios:

- a. Thirty-two (32) tests per day for diesel vehicles based on fifteen (15)-minute test duration
- b. Forty-eight (48) tests per day for gasoline vehicles based on ten (10)-minute test duration

Test duration includes motor vehicle identifications, encoding motor vehicle details, actual testing of motor vehicle, payments and issuance of CEC form.

6.6.2 The PETC IT Service Provider shall automatically set the Client Application Program to thirty-two (32) uploads per day for diesel and forty-eight (48) uploads per day for gas.

6.7 CONDUCT/UPLOADING OF TEST RESULTS

6.7.1 A PETC shall not upload faked, altered or manipulated webcam pictures of motor vehicles and technicians to the LTO-Image Repository Database Server and make it appear that the subject motor vehicle for inspection/registration underwent actual emission tests, and thereafter, reflected on the printed CEC Forms.

6.7.2 A PETC shall not operate on Saturdays, Sundays and Holidays (National or Local). Consequently, all PETC IT Providers shall not upload emission tests on these days. All LTO Officials and employees are directed to refuse emission test results conducted on the aforesaid days.

6.7.3 Only CECs supported by the clear pictures of motor vehicles taken during testing with the following image details shall be accepted:

pas

- a. Visible plate number from the rear side of the motor vehicle. If the motor vehicle carries an improvised plate number, a photocopy of the certification/authorization from LTO to use said plate number must be attached before conducting the emission test;
- b. Visible Test probe inserted at tailpipe;
- c. Technician who conducted the test;
- d. LTO logo in the upper right side of the CEC form; and
- e. If the color of the motor vehicle in the picture differs from the Certificate of Registration, the pertinent documents to justify the color change must be attached before conducting the emission test.

6.8 CLIENT APPLICATION PROGRAM FOR PETC

6.8.1 PETC shall utilize a webcam with the following minimum specifications:

- a. Image Size: 320 x 240 pixels
- b. Outdoor and indoor capability

6.8.2 Picture of motor vehicles must be saved on the database format rather than directory format. No picture of motor vehicles shall be saved on a USB or any external drive or discs.

6.8.3 Only one (1) computer shall be used for a dual type of emission test machine (combination of gas and diesel) or two (2) computers for test machines, which are being used separately. No back up computers shall be allowed.

6.8.4 Interface cable must be one (1) per equipment and the client application program shall be capable of detecting a defective cable.

6.8.5 No laptop computer and extra webcam shall be allowed inside PETC premises.

6.8.6 No other application program (software) shall be installed in the computer which maybe contributory to the editing or tampering of information, such as but not limited to:

- a. Bitmap/Vector Editing Software – Photoshop (Macromedia or Adobe Versions), CorelDraw, Fireworks and likes.

- b. Virtual Camera Applications – Anycam, Vsoft, VirtualCam and likes.
- c. Emission Results Editing Software – usually disguised as a game, media player or mp3, which are mostly installed in USB or any external drive or discs.

6.8.7 Upon start-up of the computer, only the following Application Program Icons shall be available on screen:

- a. IT Service Provider Client Application Program (Software)
- b. Interfacing Software

6.8.8 On the Start-up Menu of the computer, only the following icons or programs shall be available for access by the PETCs:

- a. IT Service Provider Client Application Program (software)
- b. Calculator
- c. Word
- d. Excel
- e. Adobe Reader
- f. Yahoo Messenger

6.8.9 The subsequent Windows Applications Program and Menu Items to be disabled, removed and terminated are the following:

- a. Task Manager
- b. Desktop Right Click key
- c. Windows Key
- d. Computer
- e. Control Panel
- f. Device Printer
- g. Default Programs (e.g. for web browsing, e-mail, playing music, and other activities)
- h. Explorer Items (e.g. pictures, documents and etc)
- i. Run Command
- j. Notepad
- k. Paint
- l. Image Viewer

6.8.10 PETCs are allowed to use only the series number of CECs, which are officially allocated or issued to them.

6.8.11 The Client Application Program shall be set up to a specific computer of the PETC and cannot be installed or copied to any laptop or other related device/s.

6.8.12 The Client Application Program shall automatically detect and lock the authorized emission test equipment through its declared serial number, brand name of test machine and PETC Authorization Number. All test results coming from sources other than that of the declared serial numbers and brand name of emission testing equipment should not be allowed and shall be marked as invalid.

6.8.13 The Client Application Program shall have the following features when taking or capturing the image of motor vehicles and technicians:

- a. Initial capture of image to be printed at the CEC Form.
- b. An interval of 1500 millisecond in capturing the 2nd, 3rd, and 4th image follow through.
- c. The 2nd, 3rd and 4th image shall be widened compared to the 1st, image follow through.
- d. The Client Application Program shall send the images to the Image Repository Database Server as one (1) image file.

7. HANDLING OF COMPLAINTS

PETCs and PETC IT Service Providers shall have a policy and procedure for the resolution of complaints received from clients or other parties. Records shall be maintained of all complaints and of the corresponding investigations and corrective actions undertaken by the center.

8. FEES AND CHARGES

Fees and charges for authorization shall depend on the PETC's size in terms of its assets and the number of hours and assessors for each assessment as indicated in DTI-DOTC JAO 01, Series of 2001.

Application Fee (non-transferable and non-refundable, payment upon filing of application)	₱300.00
---	---------

Legal Research Fund (LRF)	₱10.00
---------------------------	--------

PETC

Authorization Fee per lane

Small	₱3,000.00
Medium	₱4,000.00
Large	₱5,000.00
LRF	₱10.00

Renewal Authorization Fee per lane

Small	₱1,000.00
Medium	₱2,000.00
Large	₱3,000.00
LRF	₱10.00

- a. A Small PETC is one that has an asset of over One Million Pesos (₱1,000,000.00 up to Fifteen Million Pesos (₱15,000,000.00)
- b. A Medium PETC is one that has an asset of over Fifteen Million Pesos (₱15,000,000.00) up to One Hundred Million Pesos (₱100,000,000.00)
- c. A Large PETC is one that has an asset of over One Hundred Million Pesos (₱100,000,000.00)

PETC IT Service Provider

Authorization Fee

Small	₱3,000.00
Medium	₱4,000.00
Large	₱5,000.00
LRF	₱10.00

Renewal Fee

Small	₱1,000.00
Medium	₱2,000.00
Large	₱3,000.00
LRF	₱10.00

Other Fees

Authorization per MVECT	₱500.00
Certified copy of Certificate of Authorization	₱500.00
Any other certification	₱100.00
LRF	₱10.00

[Handwritten signature]

Collection of all fees and charges shall be paid at the Collection Unit, LTO Central Office.

9. AUTHORIZATION PROCESS

9.1 FILING OF APPLICATION

9.1.1 All applications for PETC and MVECT authorizations shall be filed with the concerned Regional Office through the RAC. Applications for PETC IT provider shall be filed at the LTO Central Office through the PETC Authorization Committee.

9.1.2 Upon receipt of the documents, the LTO CO Authorization Committee and/or RAC, as the case may be, shall check the documents submitted based on the Checklist of Requirements.

9.1.3 After all the required documents are submitted, the Secretariat shall indicate receipt thereof in space provided in the application form. Only those applications with complete documents shall be accepted/ processed.

9.2 The Secretariat shall record the following:

9.2.1 Name of applicant;

9.2.2 Service area and the number of lanes applied for;

9.2.3 Date of filing;

9.2.4 Name and signature of the person who submitted the application;

9.2.5 Signature of the DOTC/LTO personnel who received the application; and

9.2.6 O.R. No. showing payment of application fee.

10. INSPECTION PROCESS

10.1 Only applications with complete documents shall be scheduled for ocular inspection.

10.2 The basic objective of the ocular inspection is to confirm that the requirements of the authorization guidelines are followed to ensure that the applicant can competently perform the authorization applied for.

11. REVIEW AND EVALUATION PROCESS

- 11.1** All applications shall be evaluated to ensure the completeness of application based on the checklist of authorization requirements.
- 11.2** Applicants that are ready for an on-site inspection shall be informed of the schedule of the on-site inspection. Those not considered shall be notified accordingly.

12. CORRECTIVE ACTIONS

- 12.1** After the conduct of ocular inspection, the applicant shall be informed of any deficiency based on the evaluation done. The applicant shall then be given a maximum period of thirty (30) days to make corrective actions on the deficiencies found therein.

Within the thirty (30)-day period, the applicant shall submit and implement its corrective actions. Otherwise, the application fee shall be forfeited in favor of the government.


12.2 APPROVAL/DISAPPROVAL OF APPLICATION

12.2.1 Upon receipt of the evaluation result on the ocular inspection, the Inspection/Monitoring Team/RAC shall recommend the approval/disapproval of the application for authorization to the LTO CO Authorization Committee. The said Committee shall reevaluate the application and conduct the necessary inspection if warranted. Thereafter, the Committee shall recommend the approval/disapproval of the authorization to the Assistant Secretary.

12.2.2 In case of disapproval of Permit to Operate, the Assistant Secretary shall notify the applicant in writing stating the ground/s for the disapproval.

12.2.3 The decision of the Assistant Secretary approving or disapproving the application shall be final.

12.3 ACTION ON THE APPLICATION BY THE LTO ASSISTANT SECRETARY


25

12.3.1 The LTO Assistant Secretary may either approve or disapprove Authorization for PETC, PETC IT Service Provider and /or MVECT. A PETC, PETC IT Service Provider or MVECT with duly approved Certificate of Authorization shall be issued the corresponding Certificate to Operate as motor vehicle emission testing center only upon compliance with all the requirements.

12.3.2 The Certificate of Authorization shall include the following information:

12.3.2.1 PETC

- a. The name and address of the center
- b. The scope of authorization
- c. The effectivity of authorization
- d. The authorization number
- e. Service area and the number of authorized lanes
- f. Brand and Serial number of the equipment
- g. PETC IT Service Provider

12.3.2.2 PETC IT SERVICE PROVIDER

- a. The name and address of the PETC IT Service Provider
- b. Scope of authorization
- c. The effectivity of the authorization
- d. Name of the Client Application Program and its versions
- e. The authorization number

12.3.2.3 MVECT

The Certificate of Authorization shall be valid for one (1) year unless the same is sooner cancelled or withdrawn.

12.3.3 Any authorized PETC, PETC IT Service provider or MVECT that intends to renew its authorization shall file an application for renewal at least three (3) months before the expiration of the authorization. No PETC, PETC IT Service Provider or MVECT shall operate without a duly issued Certificate of Authorization.

12.3.4 In case the Certificate of Authorization is lost or destroyed, the applicant may request for a certified true copy based on the records and upon payment of the prescribe fee.

12.3.5 PETCs duly accredited by DTI may be authorized by the LTO provided it complies with requirements under Article 24 Section 21 of R.A. 8749.

12.3.6 An authorized PETC, PETC IT Service provider or MVECT shall continuously comply with all the requirements and shall notify the Authorization Committee at least five (5) days before effecting change of:

- 12.3.6.1** Name
- 12.3.6.2** MVECT and/or personnel
- 12.3.6.3** Location
- 12.3.6.4** Equipment
- 12.3.6.5** PETC IT Service Provider

13. MONITORING

13.1 The Inspection/Monitoring Team shall have the following functions:

13.1.1 Evaluate and validate the reports, findings and recommendations submitted by the RMC/RMT and/or complaints from third (3rd) parties; and

13.1.2 Inspect and recommend appropriate actions for erring PETCs, PETC IT Service Providers and/or MVECTs.

13.2 The Inspection/Monitoring Team shall have visitorial powers over PETCs, PETC IT Service providers and/or MVECTs to conduct inspection at any time during business hours to ensure whether or not the requirements for authorization are being complied with.

13.3 The Inspection/Monitoring Team shall thoroughly evaluate the PETC IT Service provider Client Application programs and other software components (source code) prior to the approval of any deployment/installation of enhancement.

13.4 The Inspection/Monitoring Team shall use the images/data stored from the Image Repository Database Server for monitoring/inspection and/or as evidence against erring PETCs, PETC IT Service providers and/or MVECTs.

13.5 The Inspection/Monitoring Team shall undertake regular monitoring and inspection activities of all authorized PETCs, PETC IT Service Providers

and/or MVECTs to check the consistent conformance with the authorization requirements.

14. GROUNDS FOR WITHDRAWAL/CANCELLATION OF AUTHORIZATION

- 14.1 Expiration of authorization without pending application for renewal shall be an automatic ground for cancellation of authorization;
- 14.2 Applications for renewal of PETCs, PETC IT Service Providers and MVECTs found to be operating or to have continued operations with expired/invalid Certificates of Authorization, or those with pending appeals shall be automatically denied;
- 14.3 Voluntary declaration of non-interest on the part of the PETC owner within the authorization period;
- 14.4 Operating a PETC or engaging in emission testing business without proper authorization;
- 14.5 Violation of conditions of authorization;
- 14.6 Misrepresentation for purposes of securing a license or renewal thereof, such as giving a material false statement in the application or submitting falsified documents;
- 14.7 Obstructing or attempting to obstruct inspection by the Inspection/Monitoring Team or visits by the authorized representative of the DOTC/LTO;
- 14.8 Engaging in activities outside of the scope of the authorization;
- 14.9 Tampering of test result or entering any false information about the vehicle being tested; and
- 14.10 Any act similar or analogous to the foregoing.

15. CONDUCT OF MOBILE EMISSION TEST

- 15.1 Mobile PETCs shall no longer be allowed to conduct emission test in the LTO DO/EO service areas where a PETC is located. Fleet services of PETCs shall be strictly prohibited.

15.2 Mobile operations by authorized PETCs may be allowed under the following conditions:

15.2.1 Outreach Program

When there is a request from any organization/entity or local government unit (LGU) for an outreach program in the far-flung areas.

15.2.2 Island Provinces

Island Provinces where there will be difficulty in bringing vehicles to the mainland for the conduct of emission test.

15.3 In cases where Mobile operations by authorized PETCs is allowed, the same shall be subject to the following conditions:

15.3.1 Official request from any organization/entity or local government unit to the LTO Regional Office.

15.3.2 Upon recommendation of the RAC, the Regional Director concerned shall assign an authorized PETC to service said area within their respective GAOR.

15.3.3 Mobile operations should be supervised by the LTO District Officer and a member from the Inspection/Monitoring Team and/or RAC and required to submit a report to the Assistant Secretary, through the LTO CO Authorization Committee, for proper recording and monitoring.

15.3.4 Mobile Operations shall not be allowed on Saturdays, Sundays and holidays.

16. OTHERS

16.1 Applications for split of lanes or additional lane/s shall be considered as new applications and shall be evaluated accordingly.

16.2 Transfer of location shall be allowed provided that the proposed location is within the same GAOR.



17. ADJUDICATION PROCESS

17.1 A PETC, PETC IT Service Provider or MVECT with alleged violations shall be issued a Show Cause Order by the LTO CO Authorization Committee, stating the violation committed and the applicable penalty, through any or all of the following modes:

- a. Personal Service
- b. Registered Mail/Courier

17.2 Upon receipt of the Show Cause Order, the concerned PETC, PETC IT Service Provider and/or MVECT shall be required to submit a verified Answer attaching therewith all evidence in support of its position within five (5) days from receipt thereof.

17.3 Thereafter, a hearing shall be conducted before the LTO CO Authorization Committee, during which the concerned PETC, PETC IT Service Provider or MVECT shall be given an opportunity to confront the evidence against them and/or present evidence in support of its position.

Failure to submit an answer or appear at the hearing shall be deemed a waiver of the opportunity granted and the LTO CO Authorization Committee shall decide the case based on the evidence on hand.

17.4 The LTO CO Authorization Committee shall submit its findings and recommendations to the Assistant Secretary who may reverse or affirm the same.

17.5 A copy of the decision and/or order of the Assistant Secretary shall be issued to the PETC, PETC IT Service Provider and/or MVECT for immediate implementation. Failure of the PETC IT Service Provider to comply with an order revoking a PETC authorization shall likewise subject the PETC IT Service Provider to a thirty (30)-day suspension for the first two (2) offenses or cancellation of authorization for the third offense.

17.6 BASIS FOR THE DECISION:

Every decision rendered by the LTO Assistant Secretary shall state clearly and distinctly the reasons on which it is based. The LTO Assistant

Secretary shall decide each case within thirty (30) days following its submission by the LTO Authorization Committee. The party(ies) shall be notified of the decision personally or by registered mail addressed to their counsel of record, if any or to them.

17.7 FINALITY OF DECISION:

The decision of the LTO Assistant Secretary revoking PETC authorization is immediately executory and any appeal taken thereon within fifteen (15) days from receipt of said decision shall not stay its execution.

18. APPEAL

18.1 A party may appeal the decision of the LTO Assistant Secretary to the DOTC Secretary within fifteen (15) days from receipt of such decision. However, the Secretary may *motu proprio* review any decision of the LTO Assistant Secretary.

18.2 The grounds for appeal shall be limited to grave abuse of discretion and serious errors in the findings of fact, which may cause grave or irreparable injury to the aggrieved applicant.

18.3 Procedure on appealed cases

An appeal from a decision of the LTO Assistant Secretary shall be perfected upon the filing with the DOTC Secretary of an Appeal Memorandum within a period of fifteen (15) days from receipt of such decision and payment with the LTO Central Office Cashier an appeal fee of Two Hundred Pesos (Php200.00). The Appeal Memorandum shall contain the following:

- a. Exact date of the appealed decision;
- b. Exact date when the appealed order, ruling or decision was received by the appellant;
- c. Information regarding compliance with the rules on appeal;
- d. Statement of facts and of the case;
- e. Grounds for appeal;
- f. Arguments in support of the appeal; and
- g. Relief sought.

Failure to pay the appeal fee shall be ground for the *motu proprio* dismissal of the Appeal.

The LTO Assistant Secretary shall forward the records of the case to the DOTC Secretary within fifteen (15) days from receipt of a copy of the Appellant's Appeal Memorandum.

- 18.4** The Secretary may require the filing of additional pleadings and/or documents providing for additional information.

The appealed case shall be considered submitted for resolution after receipt of the appellant's Appeal Memorandum or after the lapse of the ten (10) day period, if additional pleading or document(s) has been required.

18.5 Effects of a pending appeal

The appeal shall not stay the execution of the decision or resolution of the LTO Assistant Secretary, unless the Secretary shall order otherwise.

18.6 Appeal from the decision of the Secretary

Pursuant to Administrative Order No. 22 dated 11 October 2011, the decision of the Secretary shall be appealable to the Office of the President within fifteen (15) days from receipt of a copy thereof by the aggrieved party.

19. TRANSITORY PROVISION

All appeals pending before the PETC National Executive Committee upon the effectivity of this Order shall be immediately transmitted to the Office of the Secretary for final disposition.

20. PENALTIES

- 20.1** After due notice and hearing, the LTO shall impose, when warranted, any of the following applicable administrative penalties:

- a. A fine of not less than Thirty Thousand Pesos (₱30,000.00) or as prescribed in **Annex "1"** of the DENR-DTI-DOTC JAO No. 1 Series of 2007; or
- b. Cancellation of the authorization of the PETC, PETC IT Service Provider and/or the MVETC; or
- c. Both, as may be determined by Assistant Secretary upon recommendation by the Authorization Committee.


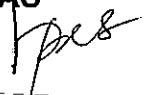
A pending administrative case shall not bar the filing of appropriate civil and/or criminal case against the grantee.

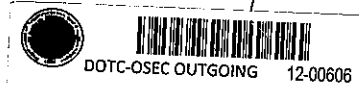
21. REPEALING CLAUSE

21.1 All prior orders, circulars and memoranda as well as any related issuances or part thereof inconsistent with these provisions are hereby repealed or amended accordingly.

22. EFFECTIVITY

22.1 This Order shall take effect fifteen (15) days after its publication in the Official Gazette and in two (2) newspapers of general circulation in the Philippines.


MAR A. ROXAS
Secretary 





LOTTEX EMISSION TESTING CENTER Co.

P. Oliveros St. Brgy. San Roque, Antipolo City
Tel. no.: (02) 368-4547

September 17, 2012

To whom it may concern:

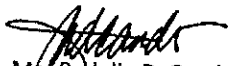
This is to authorized the bearer of this letter Mr. Jethro Visperas to receive the newly released Department Order regarding PETC rules and regulation.

Mr. Visperas is my Asst. Technician assigned in Lottex, Inc. Emission Testing Center located at Cainta, Rizal.

Thank you very much for your assistance.

God bless and more power!

Sincerely yours,


Ms. Rodelia D. Cando
President

Tel. Nos. (632) 477-2955; (632) 387-5834 Telefax No.: (632) 477-2955; E-mail lottexinc@yahoo.com

Approved by: **DENR**

Accredited by: **DTI**

Authorized by: **DOTC-LTO**