

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

THIRTEENTH CONGRESS  
1<sup>st</sup> Regular Session

House Bill No. 246



Introduced by **RODRIGUEZ D. DADIVAS**

***Explanatory Note***

The need to conduct a compulsory registration of heavy equipment all over the country is imperative in order to: 1) monitor the availability of construction equipment vis-à-vis the infrastructure needs of the country 2) generate substantial income for the government 3) prevent misrepresentation by unscrupulous contractors as to the ownership of heavy equipment thereby helping the government's PBAC in the determination and compliance of pre-qualification requirements, among others.

It is surprising to note that while Republic Act No. 4136, as amended, requires the compulsory registration of motor vehicles, there is no law that provides otherwise for heavy equipment.

As a result, the government is at lost whether there is enough heavy equipment available to sustain its infrastructure needs. This is so because the practice of leasing the same heavy equipment to two or more different contractors working on different projects on the same dates but at different sites is being done by unscrupulous contractors. Naturally, undue delay in government infrastructure and public works projects is but a normal consequence.

It is for this reason that this bill is filed to provide the compulsory registration of heavy equipment throughout the country. Aside from generating substantial income for the government, it would also prevent misrepresentation by contractors as to the ownership of heavy equipment thereby helping the government's PBAC in the determination and compliance of pre-qualification requirements. With the compulsory registration of heavy equipment, owners/lessors and lessees of heavy equipment will be properly identified and these unscrupulous contractors will be blacklisted for good.

This bill was also filed in the Senate during the last Congress but due to time constraint, its approval was not realized. In view of the foregoing, immediate approval of this bill is earnestly sought.

**RODRIGUEZ D. DADIVAS**

Representative

1<sup>st</sup> District, Capiz

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**AN ACT**  
**PROVIDING FOR THE COMPULSORY REGISTRATION OF HEAVY EQUIPMENT**  
**AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

**SECTION 1. Short Title.** — This Act shall be known as the ***"Heavy Equipment Registration Act of 2004."***

**SEC. 2. Declaration of Policy.** — It is hereby declared the policy of the State to ensure the proper registration of heavy equipment all over the country in order to monitor the availability of construction equipment to ensure the sustainability of the infrastructure needs of the country.

**SEC. 3. Compulsory Registration of Heavy Equipment.** — The provision of any existing law to the contrary notwithstanding, all heavy equipment with five (5) tonnage or more or with thirty (30) horsepower engine, such as but not limited to, earthmoving equipment, compaction equipment, lifting equipment, excavating equipment operated on or upon any part of the Philippines shall be registered with the Construction Industry Authority of the Philippines (CIAP).

**SEC. 4. Application for Registration.** — Any person, firm or entity who owns or has a right over an equipment shall apply for registration to the Construction Industry Authority of the Philippines, upon payment of the registration fee.

Each registrant-owner shall be issued a one-time certificate of equipment registration on a particular equipment registered in his/her name, together with the corresponding plate number.

**SEC. 5. Validity of Registration.** — The registration shall remain valid throughout the lifetime of the equipment, subject to the annual updating, unless there is a change of ownership or transfer of rights over the equipment to another person, entity, or firm. In which case, the new owner shall apply for registration within thirty (30) days after the transaction, after which the new owner shall be issued a certificate of equipment registration, together with the corresponding plate number.

**SEC. 6. Scheduling of Fees.** — The Construction Industry Authority of the Philippines (CIAP) is hereby empowered to prepare and issue the corresponding schedule of registration fees, registration requirements and plate numbers, subject to

the approval of the Secretary of the Department of Trade and Industry (DTI), in consultation with the Secretaries of the Department of Finance (DOF), the Department of Public Works and Highways (DPWH) and the Department of Transportation and Communications (DOTC). The scheduling of said fees shall be determined on the basis of model, body configuration, weight, cubic displacements or number of cylinders of heavy equipment and other pertinent factors. Said schedule shall not be changed more often than once every three (3) years and only upon due notice given to the public at least ninety (90) calendar days before the effectivity of such schedule.

**SEC. 7. Disposition of Monies Collected.** – All monies collected under this Act shall be earmarked solely and used exclusively for road maintenance and the improve of road drainage to form part of the special fund created under Republic Act No. 8794.

**SEC. 8. Prohibition Against the Imposition of Similar Charges on Heavy Equipment Registration.** – No other tax, fee or any other charges of similar nature, as the Heavy Equipment Registration Charge, shall be imposed by any political subdivision or unit in the country.

**SEC. 9. Implementing Rules and Regulations (IRR).** – The Construction Industry Authority of the Philippines (CIAP), in consultation with the DPWH, DOTC, DBM and DOF, and subject to the approval of the DTI Secretary, shall, within ninety (90) days after the approval of this Act, promulgate the necessary rules and regulations to implement and carry out the intent, objectives, purposes and provisions of this measure.

**SEC. 10. Applicability.** – The provisions of Republic Act No. 4136, as amended, pertaining to the compulsory registration of motor vehicles shall apply to the compulsory registration of heavy equipment when not in conflict with this Act.

**SEC. 11. Separability Clause.** – If, for any reason, any section or provision of this Act shall be held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain valid.

**SEC. 12. Repealing Clause.** – All laws, presidential decrees, executive orders, proclamations, rules and regulations, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

**SEC. 13. Effectivity Clause.** – This Act shall take effect fifteen (15) days from its publication in the Official Gazzette or in at least two (2) newspapers of general circulation.

*Approved,*