

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 5931



Introduced by the Hon. Jeci A. Lapus

EXPLANATORY NOTE

This bill proposes to amend Section 2, of Republic Act No. 6539, by including the terms "identity-transfer" and "total wreck" in its definition of terms, and to also amend Section 12 of the same law, otherwise known as Anti-Carnapping Act of 1972, by including "identity-transfer" as prohibited and punishable act.

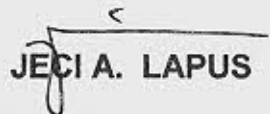
Statistics shows that carnapping does not only result to lost of property among hapless victims, but also lost of life in some instances. Alarming still is the ingenuity of carnappers in reviving, reconstructing, and re-registering a motor vehicle classified by car insurance companies and law enforcement agencies as "total wreck", after a vehicular accident, by completely transferring the identity of said motor vehicle into another factory made body of vehicle of the same make, model, classification, plate number, chassis number and engine number, and sell the same to the detriment of innocent victims and unsuspecting buyers.

There is no law prohibiting the use, transfer, revival, and re-registration of the chassis number, engine number, and plate number of a motor vehicle, legally declared a "total wreck" by insurance companies and law enforcement agencies, into another body or unit of vehicle of the same class, model or classification, usually a carnapped unit, making it convenient for carnappers to circumvent the law.

It is for these reasons that this bill seeks to include "identity-transfer" as one of the punishable acts defined and penalized under R.A. 6539. It is felt that under the present law, carnappers conveniently utilizes this loophole in the law to further carry out their criminal activities, thus, the proliferation of carnapping and carnapped vehicle in the market.

It is also a fact that law enforcement agencies lose their determination and dedication in their pursuit against carnappers because of the difficulty of proving the act of carnapping in these instances.

In view of the foregoing, the immediate passage of this bill is earnestly recommended.


JECI A. LAPUS

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AN ACT
AMENDING CERTAIN SECTIONS OF RA 6539, OTHERWISE KNOWN AS THE
ANTI-CARNAPPING ACT OF 1972, AND FOR OTHER PURPOSES

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

Section 1. Section 2, of Republic Act No. 6539, entitled "Anti-Carnapping Act of 1972," is hereby amended to read as follows:

"Section 2. – Definition of Terms. The terms "carnapping", "motor vehicle", "defacing or tampering with", "repainting", "body building", "remodeling", "dismantling", "overhauling", "identity-transfer", and "total wreck", as used in this Act, shall be understood respectively to mean:

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"Identity-transfer" is the act of transferring the engine number, chassis number, body tag number, plate number, and any other identifying marks of a motor vehicle declared as "total wreck" or is beyond economic repair by concerned car insurance companies and or law enforcement agencies, after its involvement in a vehicular accident or other incident, and register the same into another factory made body of vehicle or unit, of the same classification, type, make or model.

"Total wreck" is the state or status of a motor vehicle after a vehicular accident or other incident, so that it is rendered inoperational and beyond economic repair, due to the extent of damage on its body, chassis, and engine.

X X X

Section 2. Section 12 of the same Act is hereby amended to read as follows:

"Section 12-A. Identity-transfer. It shall be unlawful for any person, office or entity, to cause and or allow the sale, registration, and or transfer into another name, the chassis number, engine number and plate number of a motor vehicle declared as "total wreck" or beyond economic repair by concerned car insurance company, and or law enforcement agencies, due to its involvement in a vehicular accident or for some other causes."

Section 3. Section 14 of the same Act is hereby amended to read as follows:

"Section 14. Penalty for Carnapping. Any person who is found guilty of carnapping, as this term is defined in Section two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than seventeen years and four months and not more than thirty years, when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping. The offense for both cases shall be non bailable."

Section 4. *Repealing Clause.* - All laws, executive orders, and executive issuances or letter of instructions, or part thereof, inconsistent with or contrary to the provisions of this Act, are hereby deemed, amended or modified accordingly."

Section 5. *Separability Clause.* - If for any reason, any section or provision of this Act shall be declared unconstitutional or invalid, the other parts thereof not affected thereby shall remain valid.

Section 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,