

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7275



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

The bill proposes the amendment of Section 21 (b) and (d), Article IV of Republic Act No. 8749 or the "Philippine Clean Air Act of 1999" which originally excludes the government- its agencies, departments, and local government units- from the list of entities allowed to conduct emission testing on vehicles, including its own.

The pertinent provision currently reads as:

Article IV
Pollution from Motor Vehicles

Section 21. Pollution from Motor Vehicles. –

b) The Department, in collaboration with the DOTC, DTI and LGUs, shall develop an action plan for the control and management of air pollution from motor vehicles consistent with the Integrated Air Quality Framework. The DOTC shall enforce compliance with the emission standards for motor vehicles set by the Department. The DOTC may deputize other law enforcement agencies and LGUs for this purpose. To this end, the DOTC shall have the power to:

- (1) Inspect and monitor the emissions of motor vehicles;
- (2) Prohibit or enjoin the use of motor vehicles or a class of motor vehicles in any area or street at specified times; and
- (3) *Authorize private testing emission testing centers duly accredited by the DTI.*

d) In order to ensure the substantial reduction of emissions from motor vehicles, the Department of Trade and Industry (DTI), together with the DOTC and the Department shall formulate and implement a national motor vehicle inspection and maintenance program that will promote efficient and safe operation of all motor vehicles. *In this regard, the DTI shall develop and implement standards and procedures for the certification of training institutions, instructors and facilities and the licensing of qualified private service centers and their technicians as prerequisite for performing the testing, servicing, repair and the required adjustment to the vehicle emission system.* The DTI shall likewise prescribe regulations requiring the disclosure of odometer readings and the use of tamper-resistant odometers for all motor vehicles including tamper-resistant

fuel management systems for the effective implementation of the inspection and maintenance program.

It appears from the aforecited Section that the only private parties may be certified by the Department of Transportation and Communications (DOTC), now Department of Transportation (DOT), to conduct emission testing on vehicles plying public roads. Consequently, even the government has to pay third-party service providers to have its service vehicles assessed, costing the government significant but unnecessary expense as the government is sufficiently equipped with the mechanism and personnel to test its own vehicles.

In consideration of the foregoing, as well as the pressing need of the State to sustain its long-term infrastructure projects, this Representation believes that amending the provision shall help the government save reduce its expenditures. The amount saved is urged to be utilized instead to bolster the economy and serve the welfare of the people. The passage of this bill is humbly sought.

A handwritten signature in black ink, appearing to read 'Luis Raymund F. Villafuerte, Jr.', with a large, stylized initial 'L'.

LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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HOUSE BILL NO. 7275

Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

AN ACT
AMENDING SECTION 21 OF REPUBLIC ACT NO. 8749, OTHERWISE KNOWN
AS THE CLEAN AIR ACT, AND FOR OTHER PURPOSES

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

SECTION 1. Section 21 of Republic Act No. 8749 is hereby amended to read as follows:

"b) The Department, in coordination with the DOTC, DTI, and LGU shall develop an action plan for the control and management of air pollution from motor vehicles consistent with the Integrated Air Quality Framework. The DOTC shall enforce compliance with the emission standards for motor vehicles set by the Department. The DOTC may deputize other law enforcement agencies and LGUs for this purpose. To this end, the DOTC shall have power to:

- 1) Inspect and monitor motor emissions of motor vehicles;
- 2) Prohibit or enjoin the use of motor vehicles or a class of motor vehicles in any area or street at specified times; and
- 3) Authorize private emission testing centers, **LGUs and other government departments or agencies** duly accredited by the DTI.

c) The DOTC, together with the DTI and the Department, shall 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 of pollutants discharged by said sources.

d) In order to ensure the substantial reduction of emission from motor vehicles, the Department of Trade and Industry (DTI), together with the DOTC and the Department, shall formulate and implement a national motor vehicle inspection and maintenance program that will formulate and implement a national motor vehicle inspection and maintenance program that will promote efficient and safe operation of all motor vehicles. In this regard, the DTI shall develop and implement standards and procedures for the certification of training institutions, instructors and facilities and the licensing of qualified private centers, **LGUs and other government departments or agencies**, and their technicians as prerequisite for performing the testing, servicing, repair and the required adjustment to the vehicle emission system. The DTI shall likewise prescribe regulations requiring the disclosure of odometer readings and the use of tamper resistant fuel management systems for the effective implementation of the inspection and maintenance program."

SECTION 2. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SECTION 3. Separability Clause. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected and thereby remain in full force and effect.

SECTION 4. Effectivity Clause. – This Act shall take effect (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,