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## IMPLEMENTING RULES AND REGULATIONS

Republic Act No. 11235

### AN ACT PREVENTING AND PENALIZING THE USE OF MOTORCYCLES IN THE COMMISSION OF CRIMES BY REQUIRING BIGGER, READABLE AND COLOR-CODED NUMBER PLATES AND IDENTIFICATION MARKS, AND FOR OTHER PURPOSES

Pursuant to Section 17 of Republic Act No. 11235 and to ensure the effective implementation thereof, the following Implementing Rules and Regulations are hereby promulgated:

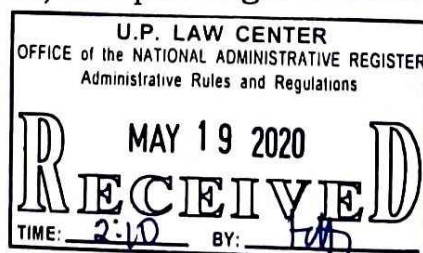
#### RULE I – PRELIMINARY PROVISIONS

**SECTION 1. Short Title.** - These implementing rules and regulations shall be known and cited as the Implementing Rules and Regulations (IRR) of the Motorcycle Crime Prevention Act (R.A. 11235).

**SECTION 2. Declaration of Policy.** - Article II, Section 5 of the 1987 Philippine Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. It is hereby declared the policy of the State to secure and safeguard its citizenry from crimes committed with the use of motorcycles through bigger, readable, and color-coded number plates and identification marks.

**SECTION 3. Definitions.** - As used in this Implementing Rules and Regulations, the following terms are defined:

- a. **“Backrider”** refers to any person or persons seated at the back of a motorcycle, or a passenger of a motorcycle.



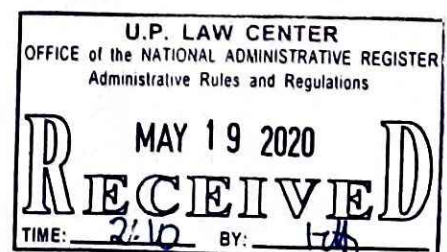
- b. **"Driver"** refers to any person driving or controlling a motorcycle.
- c. **"Motorcycle"** refers to a powered two or three-wheeled motor vehicle, including, but not limited to, scooters, mopeds, and motorcycles with appendages such as sidecars, tricycles, or trikes. This shall include government-owned vehicles.
- d. **"Owner"** refers to any person who owns or is the registered owner of a motorcycle or is in the process of registration thereof. Under this IRR, it also refers to any person who has actual control and possession of a motorcycle, whether it is registered or not.
- e. **"Number plate"** refers to the regular motor vehicle license plate issued by the Land Transportation Office (LTO) for a motorcycle, bearing the standard alphanumeric characters in accordance with Republic Act No. 4136, as amended, otherwise known as the "Land Transportation and Traffic Code." As used in this IRR, it also refers to the LTO-issued sticker or decal bearing the standard alphanumeric characters that is applied to the front portion of the motorcycle.

**"Damaged plate"** shall refer to a number plate in which any of the alphanumeric characters is no longer readable from a distance of at least fifteen (15) meters due to fading, cracking, chipping, delamination, or as a result of a road crash or vandalism. This shall also pertain to any number plates which are mutilated, defaced or deformed in a manner materially affecting its color, reflectivity, readability, security features and the like. This definition does not, however, cover number plates that were deliberately erased, tampered, or altered as contemplated and penalized under Section 12 hereof.

## **RULE II - MOTORCYCLE REGISTRATION, NUMBER PLATES AND REGISTRY**

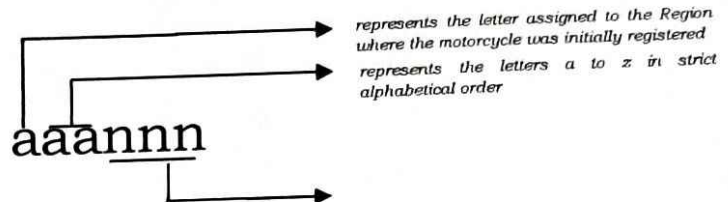
**SECTION 4. Registration by the Owner.** – Initial registration of a motorcycle shall be made with the LTO by the owner or the dealer, if authorized by the former, within five (5) days from the date of the sales invoice for brand new locally purchased motorcycles, or from the Certificate of Stock Reported (CSR) report date for new or used imported motorcycles.

Any sale or disposition thereafter shall be reported by the owner to the LTO within three (3) days upon such sale/disposition, by presenting an original copy and furnishing a machine copy of the



notarized Deed of Sale or similar document evidencing the disposition of the motorcycle, to the LTO office where the latest Certificate of Registration was issued.

**SECTION 5. Bigger, Readable and Color-Coded Number Plates.** – The LTO shall issue a set of bigger, readable, and color-coded number plate for every motorcycle, which shall consist of a. a metal number plate to be installed at the rear of the motorcycle, and b. a decal number plate to be displayed in its front. It shall bear a unique combination of alpha numeric characters using the following format.



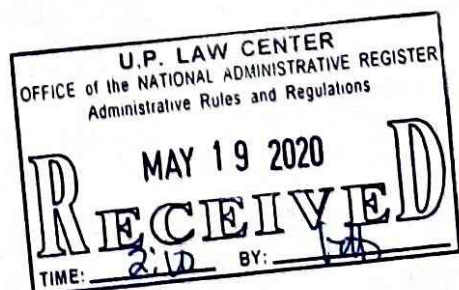
The metal plate shall be 235mm in width and 135mm in height, and made of suitable and durable aluminum substrate material with reflectorized background and security features. The font size for all alpha numeric characters is 60 mm tall.

The decal plate shall be 135mm in width and 85mm in height, and made of suitable and durable sticker material with reflectorized alphanumeric characters and security features. The font size for all alphanumeric characters is 40mm tall. (Specifications may subject to change).

The contents of the number plates shall be readable from the front and the back of the motorcycle from a distance of at least fifteen (15) meters from the motorcycle. For this purpose, all motorcycles shall have a rear plate light.

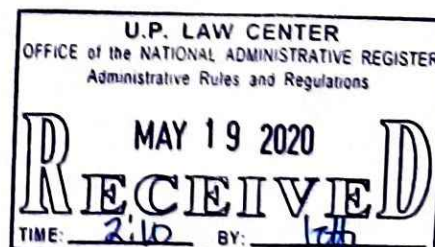
For quick and easy identification, the following color scheme is hereby adopted:

- a.) **Private Motorcycle** – white background with color stripe and black alphanumeric characters.



Regions	Color Strip Placement	
	Top	Bottom
NCR	White	
CAR	Pink	
1	Green	
2	Red	
3	Blue	
4A	Purple	
4B	Orange	
5	Gray	
6		Purple
7		Orange
8		Green
9		Red
10		Gray
11		Blue
12		Brown
CARAGA		Pink

- b.) **Public Utility Motorcycle** – with yellow background and black alphanumeric characters.
- c.) **Government Motorcycle** – with white background and red alphanumeric characters.



d.) **Diplomatic Motorcycle** – with white background and blue alphanumeric characters.

The number plates shall be kept clean and cared for, and shall be firmly affixed to the motorcycle in such a manner as will make it entirely visible and always legible.

The utilization of voluntary and paid labor from prisoners shall be among the requirements to bid for the procurement of the number plates.

**SECTION 6. Registry of Motorcycles.** – The LTO shall maintain a Registry of Motorcycles in a database to facilitate the information retrieval necessary for the official investigation and law enforcement purposes.

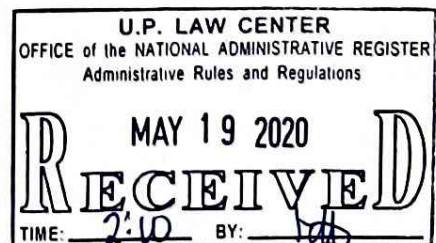
The said Registry of Motorcycles shall include, but not limited to, the following details of the motorcycle:

- a. Name of owner
- b. Owner's Driver's License number, if any
- c. Owner's address and contact details
- d. Identification numbers (engine/motor, chassis and VIN)
- e. MV File Number
- f. Plate number
- g. Brand/make
- h. Body color

The LTO shall observe the consistency of the registry of motorcycles with the provisions of Republic Act No. 10173 or the "Data Privacy Act of 2012".

### **RULE III – PROHIBITED ACTS AND PENALTIES**

**SECTION 7. Failure to register, or to report sale or disposition.** - Failure of the owner to register within five (5) days from acquisition of ownership, or to immediately report its sale or disposition in accordance with the period provided for under Section 4 hereof, shall subject the owner to a penalty of imprisonment of *arresto mayor* to *prision correccional*, as defined under the Revised Penal Code, or a fine of not less than Twenty thousand pesos



(P20,000.00) but not more than Fifty thousand pesos (P50,000.00), or both.

If a motorcycle that is not yet registered with the LTO is used in connection with an offense punishable under the Revised Penal Code or special penal laws, the maximum penalty of the relevant offense shall be imposed on the offenders.

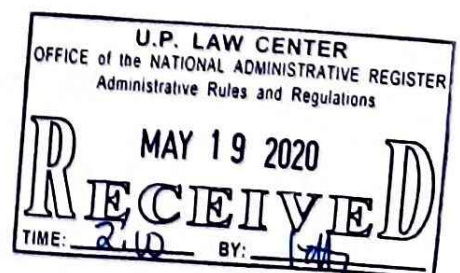
**SECTION 8. Driving without a Number Plate or Readable Number Plate. -**

Driving without a number plate or a readable number plate, as provided in this IRR, is prohibited. The driver of a motorcycle without a number plate or readable number plate shall be punished by *prision correccional* as provided in the Revised Penal Code, or a fine of not less than Fifty thousand pesos (P50,000.00) but not more than One hundred thousand pesos (P100,000.00), or both.

A motorcycle driven without a number plate or a readable number plate shall be stopped, and such motorcycle shall be seized by law enforcers and surrendered within twenty-four (24) hours to the Philippine National Police (PNP). Any apprehension must be reported immediately to the LTO, PNP and the Department of Information and Communications Technology (DICT) through the Joint LTO and PNP Operations and Control Center. The form and procedure for reporting shall be issued jointly by the LTO, PNP and DICT upon effectivity of this IRR.

The local impounding center shall be open 24 hours a day, seven days a week and manned by at least two impounding officers of the local government unit.

The impounding officer receiving the surrendered seized motorcycle shall in the presence of the apprehending officer and the driver and/or owner of the motorcycle thoroughly inspect the unit. After which, he shall completely fill-out the impounding receipt which shall among others, contain pertinent information such as the name of the driver and owner, the make and model of the unit, a checklist indicating the presence or absence of instruments and accessories and whether the same are operational, and a portion for remarks describing the general condition of the surrendered seized motorcycle.



The accomplished impounding receipt signed by the impounding officer, apprehending officer, and the driver and/or owner shall be prepared/written in triplicate. One copy shall be on file with the impounding center and the remaining two copies shall be given to the driver and the apprehending officer.

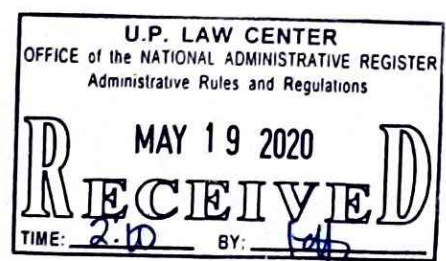
In cases wherein there is loss of, or damage to the motorcycle in the custody of the apprehending or impounding officer in violation of this Section, the officer in whose custody the loss or damage occurred shall also be held monetarily liable for the full worth of the motorcycle, parts or accessories lost, or the cost of repairs for the damage caused to the motorcycle in question.

The owner of such motorcycle may redeem his or her seized motorcycle from the impounding area upon proof of ownership, payment of the costs of seizure, and compliance a number plate or readable number plate.

**SECTION 9. Failure to Surrender Seized Motorcycle.** – Any seized motorcycle must be reported immediately by the apprehending officer to the LTO and PNP through the Joint LTO and PNP Operations and Control Center and must be surrendered within twenty-four (24) hours to the local impounding center provided by the local government unit. Any law enforcer who shall fail to report or surrender a seized motorcycle, within twenty-four (24) hours from seizure, shall be punished by *prision correccional* as defined under the Revised Penal Code without prejudice to the filing of proper administrative charges against said officer.

In cases wherein there is loss of, or damage to the motorcycle in the custody of the apprehending officer, the latter shall also be held monetarily liable for the full worth of the motorcycle lost or the cost of repairs for the damage caused to the motorcycle in question.

The seized motorcycle may not be used by any person or for any purpose other than for its transport to the impounding center. The unauthorized use of an impounded vehicle may be reported to the Joint LTO and PNP Operations and Control Center by anyone who witnesses such unauthorized use.



**SECTION 10. Use of a Motorcycle in the Commission of a Crime.** – If a motorcycle is used in the commission of a crime constituting a grave felony under the Revised Penal Code, or in the escape from the scene of such crime, regardless of the stage of commission, whether attempted, frustrated, or consummated, the owner, driver, backrider or passenger who participated in the same shall be punished by *reclusion temporal* to *reclusion perpetua* as provided under the Revised Penal Code.

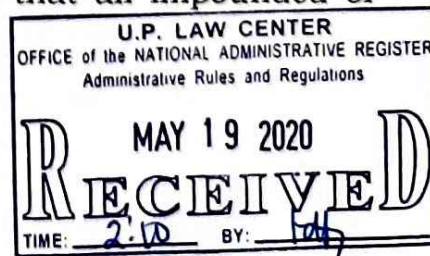
If a motorcycle is used in the commission of a crime constituting a less grave felony or light felony under the Revised Penal Code or any other crime, or in the escape from the scene of such crime, regardless of the stage of commission whether attempted, frustrated, or consummated, the owner, rider, backrider or passenger who participated in the same shall be punished by *prision correccional* to *prision mayor*, as provided under the Revised Penal Code.

If a seized motorcycle is used in the commission of a crime, the maximum penalty of the relevant crime or offense shall be imposed.

If death or serious physical injuries, as defined under the Revised Penal Code, results from the unlawful use of a motorcycle in the commission of a crime, the penalty of *reclusion perpetua* as provided under the Revised Penal Code shall be imposed.

**SECTION 11. Impoundment and Forfeiture of a Motorcycle.** – A motorcycle used in the commission of a crime or offense shall be impounded by the PNP as evidence in *custodia legis* in a secured impounding center provided by the local government unit until the termination of the case. Such motorcycle shall then be forfeited in favor of the government, unless the court finds that the defendant is not guilty of the offense charged or such motorcycle belongs to an innocent third party.

The Department of Interior and Local Government (DILG) shall ensure and enforce that all local government units set aside land and establish a secured impounding center that shall be under the control of the PNP to store the impounded motorcycles in accordance with this Act. They shall also have a computerized/digitized data to see to it that all impounded or





released motorcycles are duly recorded and such data shall be shared on a real-time basis to the Joint PNP and LTO Operations and Control Center.

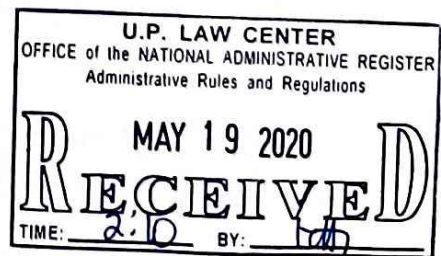
**SECTION 12. Loss of Number Plate** – If the number plate of a motorcycle is lost, damaged, or stolen, the owner of such motorcycle shall report the same within twenty-four (24) hours to the Joint LTO and PNP Operations and Control Center. The owner shall, within seventy-two (72) hours from the time the loss or damage was reported, submit a duly notarized Affidavit to the nearest LTO Office. The LTO shall issue a certification of application for replacement plate, and an authority to use improvised plates which shall be valid until the issuance of the replacement plate.

Failure of the owner to report the same and apply for a replacement plate from the LTO within the periods prescribed herein shall subject the owner to a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Fifty thousand pesos (P50,000.00).

However, if the lost, damaged, or stolen number plate or readable number plate is used in connection with an offense penalized under the Revised Penal Code or special penal laws, the failure of the owner to report within three (3) days that the motorcycle is lost, damaged, or stolen, shall subject the owner to a penalty of imprisonment of *arresto mayor* to *prision correccional*.

**SECTION 13. Erasing, Tampering, Forging, Imitating, Covering or Concealing a Number Plate or Readable Number Plate and Intentional Use Thereof.** – Erasing, tampering, altering, forging, imitating, covering, concealing a number plate or readable number plate, or the intentional use of such erased, tampered, altered, forged, imitated, covered or concealed number plate or readable number plate, under this IRR shall be punished by *prision mayor* as provided under the Revised Penal Code, or a fine of not less than Fifty thousand pesos (P50,000.00) but not more than One hundred thousand pesos (P100,000.00), or both.

If a person knowingly sells or buys an erased, tampered, altered, forged or imitated number plate or readable number plate, both such buyer and seller shall be punished by *prision mayor* as provided under the Revised Penal Code. However, if the person



who sells or buys the number plate proves that he has no knowledge that it was erased, tampered, altered, forged or imitated, he shall be punished by *arresto mayor*.

**SECTION 14. Use of a Stolen Number Plate or Readable Number Plate** – The use of a stolen or the transfer of number plate or readable number plate in a motorcycle shall be punished by *prision mayor* as provided under the Revised Penal Code, or a fine of not less than Fifty thousand pesos (P50,000.00) but not more than One hundred thousand pesos (P100,000.00), or both at the discretion of the court.

**SECTION 15. Prohibition on Sale and Importation of Non-Compliant Motorcycles** – No person, natural or juridical, shall be allowed to sell motorcycles, as defined under Section 3(c) of this IRR, unless the same has the capability to bear and showcase a readable number plate required under Section 5 of this IRR.

Owners of existing motorcycle units which do not have space for front plate are required to provide a bracket or any other provision where the same shall be installed.

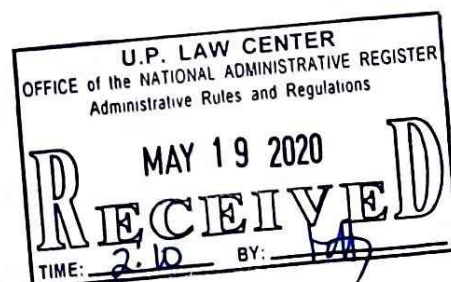
The Bureau of Customs (BOC) shall issue the appropriate guidelines in the importation of motorcycles in compliance with RA 11235 and this IRR. Upon the effectivity of such guidelines, the LTO shall not allow the registration of any motorcycle unit which does not have the capability to bear and showcase the required readable number plate.

#### **RULE IV – FUNDING, MONITORING AND OVERSIGHT**

**SECTION 16. Joint LTO and PNP Operations and Control Center.**<sup>1</sup> – A joint LTO and PNP Operations and Control Center under the supervision of the DICT shall be established to facilitate the implementation of this IRR. It shall be equipped with the latest available technology and adequate computers and software that shall be operational and accessible real-time, twenty-four (24) hours a day and seven (7) days a week to immediately address any emergency or inquiry. The LTO and PNP-Highway Patrol Group

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<sup>1</sup> Awaiting Comments from HPG



(HPG) shall establish a hotline to specifically address concerns related to crimes or offenses committed through the use of motorcycles. The administrative and operational guidelines for this purpose shall be issued jointly by the LTO, PNP and DICT upon effectivity of this IRR.

**SECTION 17. Appropriation.** – Republic Act No. 11235 appropriated an initial funding of One Hundred Fifty Million Pesos (P150,000,000.00) for its implementation which shall be included in the General Appropriations Act. Subsequent funding shall likewise be included in the General Appropriations Act.

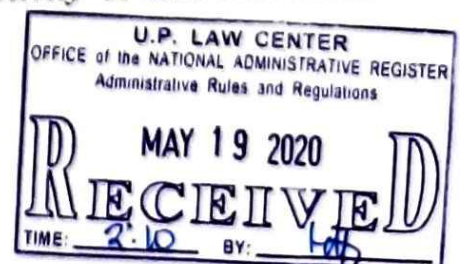
**SECTION 18. Congressional Oversight on the Motorcycle Crime Prevention Act.** – The law created a Congressional Oversight Committee on the Motorcycle Crime Prevention Act to review and assess, among others, the implementation of RA 11235. The Congressional Oversight Committee shall be composed of five (5) members from the Senate and five (5) members from the House of Representatives. It shall be co-chaired by the chairpersons of the Senate Committee on Justice and House Committee on Transportation. Such congressional review and oversight shall be undertaken yearly beginning one (1) year after the effectivity of RA 11235 and thereafter as may be determined by the Committee.

The Oversight Committee shall review the penalties herein imposed and shall adjust the same accordingly if deemed necessary.

#### **RULE V – TRANSITORY AND FINAL PROVISIONS**

**SECTION 19. Transitory Provision.** – All motorcycles shall bear the bigger, readable and color-coded number plates in conformity with the provisions of R.A. 11235.

- A. The renewal registration of motorcycles already registered prior to the effectivity of this IRR shall carry with it the application for such number plates.
- B. Registration of motorcycles which have already been renewed for the current year in accordance with the designated schedule of the LTO until the effectivity of this IRR shall be

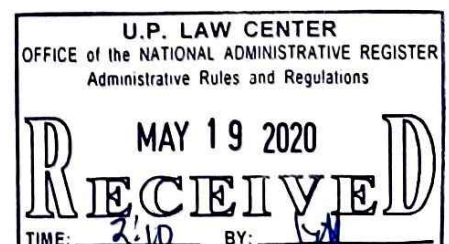


deemed to have applied for issuance of number plates in conformity with R.A. 11235.

For this purpose, the following scheme shall be applied:

<p><b>1. Motorcycles registered prior to the effectivity of this IRR</b></p>	<p>a. <i>Without issued number plate in conformity with R.A. 11235:</i></p> <p>The number plate color shall be based on the region of the New Registration Unit where the motorcycle was initially registered and the same shall be issued at the Regional Office concerned;</p> <p>b. <i>With number plate issued prior to R.A 11235:</i></p> <p>The number plate color shall be based on the owner's present/current residential address and shall be issued at the Regional Office concerned.</p>
<p><b>2. Unregistered motorcycles upon the effectivity of this IRR (new registration)</b></p>	<p>The number plate color shall be based on the region of the District Office where the motorcycle is to be registered and shall be released at the Regional Office concerned during the initial phase. However, upon the completion of the RFID distribution to all LTO Offices, the color-coded plates shall be issued at the District Office concerned.</p>


**SECTION 20. Repealing Clause.** – All laws, decrees, orders and rules and regulations or other issuances or parts thereof inconsistent with the provisions of this IRR are hereby repealed or modified accordingly.



**SECTION 21. Separability Clause.** – If any portion or provision of this IRR is declared unconstitutional, the remainder of this IRR or any provision not affected thereby shall remain in force and in effect.

**SECTION 22. Effectivity.** –This Implementing Rules and Regulations shall take effect upon its publication in the Official Gazette or in a newspaper of general circulation, and upon registration with the Office of the National Administrative Register at the University of the Philippines Law Center, U.P. Diliman, Quezon City.

Done this 11<sup>th</sup> of May 2020.

  
**EDGAR C. GALVANTE**  
Assistant Secretary  
Land Transportation Office

