



HOUSE OF REPRESENTATIVES

H. No. 6909

BY REPRESENTATIVES RODRIGUEZ (R.), RODRIGUEZ (M.), BAGASINA, BANAL, HERRERA-DY, LAPUS, TIENG GATCHALIAN, FORTUNO, LACSON-NOEL, CARI, NOGRALES, CASTELO, CERAFICA, CLIMACO, CALIMBAS-VILLAROSA, SARMIENTO (C.), SYJUCO, EVARDONE, AVANCE-FUENTES, PALMONES, VELARDE, TUPAS, CRUZ-GONZALES, CASTRO, JAAFAR, AGLIPAY, MATUGAS, UNGAB, KHO, GOLEZ (R.), GARCIA (P.), COSALAN, MADRONA, FUA, FARIÑAS, MARCOLETA, GONZALES (A.), BATOCABE, FERNANDEZ, QUIMBO, GARCIA-ALBANO, ONG, GULLAS, LOYOLA, SAMBAR, BAGUILAT, DEL ROSARIO, FERRER, ANGARA, MENDOZA (M.), DEFENSOR AND PRIMICIAS-AGABAS, PER COMMITTEE REPORT NO. 2695

AN ACT PROVIDING FOR A REVISED CARNAPPING ACT, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6539, OTHERWISE KNOWN AS THE "ANTI-CARNAPPING ACT OF 1972"

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

1 SECTION 1. *Short Title.* — This Act shall be known as the "Revised
2 Carnapping Act".

3 SEC. 2. *Definition of Terms* — As used in this Act the following terms
4 shall mean:

5 (a) *Body building* is a job undertaken on a motor vehicle in order to
6 replace its entire body with a new body.

1 (b) *Carnapping* is the taking, with intent to gain, of a motor vehicle
2 belonging to another without the latter's consent, or by means of violence
3 against or intimidation of persons, or by using force upon things.

4 (c) *Defacing or tampering with a serial number* is the erasing,
5 scratching, altering or changing of the original factory-inscribed serial number
6 on the motor vehicle engine, engine block or chassis of any motor vehicle.
7 Whenever any motor vehicle is found to have a serial number on its motor
8 engine, engine block or chassis which is different from that which is listed in
9 the records of the Bureau of Customs for motor vehicles imported into the
10 Philippines, that motor vehicle shall be considered to have a defaced or
11 tampered with serial number.

12 (d) *Dismantling* is the tearing apart, piece by piece or part by part, of a
13 motor vehicle.

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

21 (f) *Motor vehicle* is any vehicle propelled by any power other than
22 muscular power using the public highways, but excepting road rollers, trolley
23 cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, forklifts,
24 amphibian trucks and cranes if not used on public highways, vehicles which
25 run only on rails or tracks, and tractors, trailers and traction engines of all
26 kinds used exclusively for agriculture purposes. Trailers having any number of
27 wheels, when propelled or intended to be propelled by attachment to a motor
28 vehicle, shall be classified as separate motor vehicle with no power rating.

1 (g) *Overhauling* is the cleaning or repairing of the whole engine of a
2 motor vehicle by separating the motor engine and its parts from the body of the
3 motor vehicle.

4 (h) *Repainting* is changing the color of a motor vehicle by means of
5 painting. There is repainting whenever the new color of a motor vehicle is
6 different from its color as registered in the Land Transportation (LTO).

7 (i) *Remodeling* is the introduction of some changes in the shape or
8 form of the body of the motor vehicle.

9 (j) *Second hand spare parts* are the parts taken from a carnapped
10 vehicle used in assembling another vehicle.

11 (k) *Total wreck* is the state or status of a motor vehicle after a vehicular
12 accident or other incident, so that it is rendered inoperational and beyond
13 economic repair, due to the extent of damage in its body chassis and engine.

14 (l) *Unlawful transfer or use of vehicle plates* is the use or transfer of a
15 vehicle plate issued by the LTO to a certain vehicle to another vehicle. It is
16 presumed illegally transferred when the motor vehicle plate does not
17 correspond with that as appearing in the certificate or registration of the motor
18 vehicle to which it was issued.

19 SEC. 3. *Registration of Motor Vehicle Engine, Engine Block and*
20 *Chassis.* – Within one (1) year after the approval of this Act, every owner or
21 possessor of unregistered motor vehicle or parts thereof in knock condition
22 shall register with the LTO the motor vehicle engine, engine block and chassis
23 in his name or in the name of the real owner who shall be readily available to
24 answer any claim over the registered motor vehicle engine, engine block and
25 chassis. Thereafter, all motor vehicle engines, engine block and chassis not
26 registered with the LTO shall be considered an untaxed importation or coming
27 from an illegal source of carnapped, and shall be confiscated in favor of the
28 government.

1 All owners of motor vehicles in all cities and municipalities are required
2 to register their cars with the local police without paying charges.

3 SEC. 4. *Permanent Registry of Motor Vehicle Engines, Engine Block*
4 *and Chassis.* – The LTO shall keep a permanent registry of motor vehicle
5 engines, engine blocks and chassis of all motor vehicles, specifying therein
6 their type, make and serial numbers and stating therein the names and
7 addresses of their present and previous owners. Copies of the registry and of
8 all entries made thereon shall be furnished the Philippine National Police
9 (PNP) and all LTO regional, provincial and city branch offices: *Provided,*
10 That all LTO regional, provincial and city branch offices are likewise obliged
11 to furnish copies of all registrations of motor vehicles to the main office and to
12 the PNP.

13 SEC. 5. *Registration of Sale, Transfer, Conveyance, Substitution or*
14 *Replacement of a Motor Vehicle Engine, Engine Block or Chassis.* – Every
15 sale, transfer, conveyance, substitution or replacement of a motor vehicle
16 engine, engine block or chassis of a motor vehicle shall be registered with the
17 LTO. Motor vehicles assembled and rebuilt or repaired by replacement with
18 motor vehicle engines, engine blocks and chassis not registered with the LTO
19 shall not be issued certificates of registration and shall be considered as
20 untaxed imported motor vehicles or motor vehicles carnapped or proceeding
21 from illegal sources.

22 SEC. 6. *Original Registration of Motor Vehicles.* – Any person
23 seeking the original registration of a motor vehicle whether that motor vehicle
24 is newly assembled or rebuilt or acquired from a registered owner, shall within
25 one (1) week after the completion of the assembly or rebuilding job or the
26 acquisition thereof from the registered owner, apply to the Philippine National
27 for clearance of the motor vehicle for registration with the LTO. The PNP
28 shall, upon receipt of the application, verify if the motor vehicle or its

1 numbered parts are in the list of carnapped motor vehicles or stolen motor
2 vehicle parts. If the motor vehicle or any of its numbered part is not in that list,
3 the PNP shall forthwith issue a certificate of clearance. Upon presentation of
4 the certificate of clearance from the PNP and after verification of the
5 registration of the motor vehicle engine, block and chassis in the permanent
6 registry of motor vehicle engine, engine blocks and chassis, the LTO shall
7 register the motor vehicle in accordance with existing laws, rules and
8 regulations.

9 SEC. 7. *Duty of Collector of Customs to Report.* – The Collector of
10 Customs of a principal port of entry where and imported motor vehicle, motor
11 vehicle engine, engine block, chassis or body is unloaded, shall, within seven
12 (7) days after the arrival of the imported motor vehicle or any of its parts
13 enumerated herein, make a report of the shipment to the LTO, specifying the
14 make, type and serial numbers, if any, of the motor vehicle engine, engine
15 block and chassis or body, and stating the names and addresses of the owner or
16 consignee thereof. If the motor vehicle engine, engine block, chassis or body
17 does not bear any serial number, the Collector of Customs concerned shall hold
18 the motor vehicle engine, engine block, chassis or body until it is numbered by
19 the LTO.

20 SEC. 8. *Duty of Importers, Distributors and Sellers of Motor Vehicles*
21 *to Keep Record of Stocks.* – Any person engaged in the importation,
22 distribution and buying and selling of motor vehicles, motor vehicle engines,
23 engine blocks, chassis or body shall keep a permanent record of his stock,
24 stating therein their type, make and serial numbers, and the names and
25 addresses of the persons from whom they were acquired and the names and
26 addresses of the persons to whom they were sold, and shall render an accurate
27 monthly report of his transactions in motor vehicles to the LTO.

1 SEC. 9. *Duty of Manufacturers of Engine Blocks, Chassis or Body to*
2 *Cause Numbering of Engine Blocks, Chassis or Body Manufactured.* – Any
3 person engaged in the manufacture of engine blocks, chassis or body
4 manufactured in a convenient and conspicuous part thereof which the may
5 direct for the purpose of uniformity and identification of the factory and shall
6 submit to the LTO a monthly report of the manufacture and sale of engine
7 blocks, chassis or body.

8 SEC. 10. *Clearance and Permit Required for Assembly or Rebuilding*
9 *of Motor Vehicles.* – Any person who shall undertake to assemble or rebuild
10 or cause the assembly rebuilding of a motor vehicle shall first secure a
11 certificate clearance from the PNP *Provided,* That no such permit shall be
12 issued unless the applicant shall present a statement under oath containing the
13 type, make and serial numbers of the engine, chassis and body. If any and the
14 complete list of the spare parts of the motor vehicle to be assembled or rebuilt
15 together with the names and addresses of the sources thereof.

16 In the case of motor vehicle engines to be mounted on motor boats,
17 motor bancas and other light water vessels, the applicant shall secure a permit
18 from the Philippine Coast Guard, which office shall in turn furnish the LTO the
19 pertinent data concerning the motor vehicle engines including their types, make
20 and serial numbers.

21 SEC. 11. *Clearance Required for Shipment of Motor Vehicles, Motor*
22 *Vehicle Engines, Engine Block, Chassis or Body.* – Any person who owns or
23 operates inter-island shipping of any water transportation with launches, boats,
24 vessels or ships shall within seven (7) days submit a report to the Philippine
25 National Police on all motor vehicle, motor vehicles engines, engine block,
26 chassis or body transported by it for motor vehicle, motor vehicle engines,
27 engine block, chassis or body to be loaded on board the launch, boat, vessel or

1 ship. All inter-island and international shipping vessels shall not carry on
2 board vehicles without clearance from the PNP.

3 SEC. 12. *Defacing or Tampering with Serial Numbers of Motor*
4 *Vehicle Engines, Engine Blocks and Chassis.* – It shall be unlawful for any
5 person to deface or otherwise tamper with the original or registered serial
6 number of motor vehicle engines, engine blocks and chassis.

7 SEC. 13. *Identify-transfer.* – It shall be unlawful for any person, office
8 or entity, to cause and/or allow the sale, registration, and/or transfer into
9 another name, the engine number, chassis number and plate number of a
10 motor vehicle declared as “total wreck” or beyond economic repair by
11 concerned car insurance company, and/or law enforcement agencies, due to its
12 involvement in a vehicular accident or for some other causes.

13 SEC. 14. *Transfer of Vehicle Plate.* – It shall be unlawful for any
14 person, office or entity to transfer or use vehicle plate from one to another
15 without securing the proper authority from the LTO.

16 SEC. 15. *Sale of Secondhand Spare Parts.* – It shall be unlawful for
17 any person, office or entity to buy, sell any second hand spare parts taken from
18 a carnapped vehicle.

19 SEC. 16. *Penalty for Carnapping.* – The penalty of *reclusion*
20 *perpetua* shall be imposed to any person who is found guilty of carnapping, as
21 this term is defined in Section 2 of this Act and irrespective of the value of
22 motor vehicle taken. When the carnapping is committed by means of violence
23 against or intimidation of any person, or force upon things, the penalty of
24 *reclusion perpetua* without the benefit of parole shall be imposed when the
25 owner, driver or occupant of the carnapped motor vehicle is killed or raped in
26 the course of the commission of the carnapping.

27 SEC. 17. *Penal Provisions.* – Any person who violates any provision
28 of this Act shall be punished with imprisonment for not less than *prision mayor*

1 in its maximum period and a fine equal in amount to the acquisition cost of the
2 motor vehicle, motor vehicle engine or any other part involved in the violation:
3 *Provided*, That if the person violating any provision of this Act is a juridical
4 person, the penalty herein provided shall be imposed on its president or
5 secretary and/or members of the board of directors or any of its officers and
6 employees who may have directly participated in the violation.

7 Any government official or employee who directly commits the
8 unlawful acts defined in this Act or is guilty of gross negligence of duty or
9 connives with or permits the commission of any of the said unlawful acts shall,
10 in addition to the penalty prescribed in the preceding paragraph, be dismissed
11 from the service with prejudice to his reinstatement and with disqualification
12 from voting or being voted for in any election and from appointment to any
13 public office.

14 SEC. 18. *Aliens*. – Aliens convicted under the provisions of this Act
15 shall be deported immediately after service of sentence without further
16 proceedings by the Bureau of Immigration.

17 SEC. 19. *Reward*. – Any person who voluntarily gives information
18 leading to the recovery of carnapped vehicles and for the conviction of the
19 persons charged with carnapping shall be given monetary reward as the PNP
20 determine. The PNP shall include in its annual budget the amount necessary to
21 carry out the purposes of this section. Any information given by informers
22 shall be treated as confidential matter.

23 SEC. 20. *Separability Clause*. – If any provision of this Act is
24 declared invalid, the provision thereof not affected by such declaration shall
25 remain in force and effect.

26 SEC. 21. *Repealing Clause*. – Republic Act No. 6539 otherwise
27 known as the “Anti-carnapping Act of 1972” is hereby repealed. All laws,

1 executive orders, rules and regulations or parts thereof, inconsistent with the
2 provisions of this Act are hereby amended or repealed accordingly.

3 SEC. 22. *Effectiviy Clause.* – This Act shall take effect fifteen (15)
4 days from its publication in the *Official Gazette* or in at least two (2)
5 newspapers of general circulation.

Approved,

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