

**[LTO MEMORANDUM CIRCULAR NO. 572-2005,
February 21, 2005]**

**SUPPLEMENTAL PROVISIONS TO MC 544-2004, OTHERWISE
KNOWN AS GUIDELINES IN THE ADJUDICATION OF
APPREHENSION CASES IN ALL LTO OFFICES**

It has been observed that several violations of land transportation laws, rules and regulations which involve and entail criminal offenses remain unabated and prevalent because the offending parties are not properly prosecuted.

To address the situation, and in relation to Rule IX section 3(b) of Memorandum Circular 544-2004, hereunder are guidelines to supplement the implementing rules and regulations in the adjudication of violations of land transportation laws, rules and regulations.

SECTION 1. Scope

These rules shall include but NOT limited to the following violations:

- a. Defaced/tampered motor vehicles engines, engine blocks and chassis;
- b. Fake, tampered, spurious or misrepresentation of Certificate of Registration (CR), Official Receipt of Registration (OR), Certificate of Public Convenience of public utility motor vehicles (CPC) or any document relative to registration or franchise of motor vehicles;
- c. Pertinent provisions of RA No. 6539 otherwise known as "Anti-Carnapping Act of 1972" and its amendments; and
- d. Pertinent provisions of the Revised Penal Code and the Anti-Fencing Law.

SECTION 2. Procedure in Adjudication

- a. The guidelines provided under MC 544-2004 shall be strictly observed.
- b. The Traffic Adjudication Service (TAS), Central Office or the Regional Director of Regional Offices or their Authorized Representative shall resolve the administrative aspect of apprehension cases.
- c. All resolutions of apprehension cases which involve any of the violations mentioned in Section I hereof shall be immediately forwarded to the Office of the Assistant Secretary or to the concerned Regional Director for review and, if circumstances warrant, thereafter coordinating with the proper authorities for the prosecution of the criminal aspect of the case reviewed.
- d. A confiscated or impounded/object, relative to the above-mentioned covered apprehension cases, shall not be released without prior approval from