

# [ Act No. 3992, December 03, 1932 ]

## AN ACT TO AMEND AND COMPILE THE LAWS RELATIVE TO MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

### CHAPTER I.—PRELIMINARY PROVISIONS

#### ARTICLE I.—*Title and scope of Act*

SECTION 1. *Title of Act.*—This Act shall be known as the Revised Motor Vehicle Law.

SEC. 2. *Scope of Act.*—The provisions of this Act shall control, as far as they apply, the registration and operation of motor vehicles; the licensing of owners, dealers, and chauffeurs; the carrying of lights on all vehicles; and all similar matters.

#### ARTICLE II.—*Definitions*

SEC. 3. *Words and phrases defined.*—For the purposes of this Act:

- a. "Motor vehicles" are all vehicles using the public highways, if propelled by any power other than muscular power, but excepting road rollers, trolley cars, streets sweepers and sprinklers, lawn mowers or vehicles which run only on rails or tracks, tractors, traction engines of all kinds used exclusively for agricultural purposes.

Trailers, having any number of wheels, when propelled or intended to be propelled by attachment to a motor vehicle, shall be classified as separate motor vehicles with no power rating.

- b. "Passenger automobiles" include all pneumatic tired motor vehicles of types similar to those usually known under the following terms: touring car, speedster, roadster, cycle car (except motor wheel and similar small outfits which are classified with motorcycles), coupe, landaulet, closed car, limousine, cabriolet, sedan, etc.

Motor vehicles with changed or rebuilt bodies, using a chassis of the usual pneumatic tired passenger automobile also be classified as passenger automobiles, if their net allowable carrying capacity as determined by the Director of Public Works does not exceed eight passengers are not used primarily for carrying freight or merchandise.

The distinction between "passenger truck" and "passenger automobile" shall be that of common usage. Usually a motor vehicle registered for more than eight passengers would be termed a truck. In case of dispute, the Director of Public Works shall determine the classification to which any special type of motor vehicle belongs.

- c. "Chauffeur" includes every and any licensed operator of a motor vehicle.
- d. "Professional chauffeur" includes every and any chauffer, hired or paid for driving or operating a motor vehicle, whether for private use or for hire to the public.

An owner driving his own car for hire is also a professional chauffeur.

- e. "Operator" includes every person guiding or controlling a motor vehicle along a highway, whether he be or be not licensed to do so.
- f. "Owner" includes, when the context requires it, in addition to the actual legal owner of a motor vehicle, members of the owner's immediate family who are more than eighteen years of age, and also every other person for the time being in legal possession of such motor vehicle and lawfully entitled to give commands and directions with regard to the same, but not a person who has rented or hired such motor vehicle, with its professional chauffeur from a garage or street stand.

The "owner", of publicly owned motor vehicles, is the head of the office or the chief of the bureau to which the said motor vehicle belongs.

- g. "Dealer" includes every person, association, partnership or corporation making, manufacturing, constructing, assembling, or setting up motor vehicles in these Islands for sale; and every such entity acting as agent for the sale of one or more makes, styles, or kinds of motor vehicles, dealing in motor vehicles, keeping the same, in stock, or selling same or handling with a view of trading in same.
- h. "Garage" is any building in which two or more motor vehicles, either with or without chauffeurs, are kept ready for hire to the public, with the exception of street stands, public service stations, or other public places designated by proper authority as parking spaces for motor vehicles for hire, while awaiting or soliciting business.
- i. "Gross weight" includes the measured weight of a motor vehicle in running condition, plus the maximum allowable carrying capacity in merchandise, freight or passengers, as determined by the Director of Public Works or his deputies.

For the determination of carrying capacity, the weight of a passenger shall be assumed arbitrarily as fifty kilos exclusive of personal or other baggage.

- j. "Highways" includes every public thoroughfare, every public boulevard, driveway, avenue, park, parkway, plaza, square, place, street, road, alley, and *callejon*. The term "highway" shall not be deemed to include roadway or driveway upon grounds owned by private persons, colleges, universities or other institutions.
- k. The Director of Public Works or his deputies" is defined as the actual or acting chief of the Bureau of Public Works or such representatives, deputies, agents, or assistants, as he may, with the approval of the Secretary of Commerce and

Communications, authorize or detail in writing for the purposes contemplated by this Act.

- l. "Parking or parked", for the purpose of this Act, a motor vehicle is "parked" if it has been brought to a stop on or at the edge of a highway or public place, and if it remains inactive in that place or close thereto, for an appreciable period. A motor vehicle which stops merely to discharge or to take in a waiting passenger, or to load or unload a small quantity of freight with reasonable dispatch, shall not be considered as "parked", if the motor vehicle again moves away without delay.
- m. "Tourist" includes one who travels from place to place for pleasure or culture, or a person who is sojourning in the Philippine Islands for a short period of time.

### ARTICLE III.—*Administration of Act*

SEC. 4. *Power and duties of the Director of Public Works.*—The Director of Public Works shall be in charge of the administration of this Act and shall have in connection therewith the following powers and duties, in addition to those mentioned elsewhere in this Act:

- a. Within the approval of the Secretary of Commerce and Communications, to establish rules and regulations not in conflict with the provisions of this Act, prescribing the procedure of licensing and bonding chauffeurs, registration and re-registration of motor vehicles, transfer of ownership, change of status, replacement of lost certificates, licenses, badges, permits or number plates, allowable gross weight and passenger capacity, allowable length, width and height of motor vehicles, distribution of loads, allowable loads on tires, change of tire size, body design, or carrying capacity subsequent to registration, and all other special cases which may arise, for which no specific provision is otherwise made in this Act. Provided, That all motor vehicles now registered in accordance with the provisions of Act Numbered Three thousand and forty-five having a width greater than permitted by the rules and regulations to be issued shall be ordered changed and rebuilt by the Director of Public Works to conform with said rules and regulations within a period of three months from the date the owner of said vehicle or vehicles receives notice to make such change from the Director of Public Works.
- b. To the end that all the applications, certificates, permits, licenses, transfers, convictions, notifications, suspensions, revocations, and other documents or records herein contemplated, shall be arranged, noted, compiled, entered or recorded as the Director of Public Works shall prescribe with a view of making and keeping the same and each and all of them as accessible as possible to and for persons and officers properly interested in the same, to prescribe and provide from funds appropriated for the administration of this Act such index, files and other systems as will best accomplish the desired results, and to issue such reasonable regulations governing the search and examination of the documents and records above mentioned as will be consistent with their availability to the public and their safe and secure preservation.

- c. To give, in his discretion, public notice of the certificates, permits, licenses and badges issued, suspended or revoked of motor vehicles transferred and of chauffeurs bonded under the provisions of this Act.
- d. With the approval of the Secretary of Commerce and Communications, to designate as his agent and deputy any employee of the Bureau of Public Works, or such other persons as he may deem expedient to assist in carrying out the provisions of this Act.

And each and every deputy so designated is hereby vested with all the power and authority which is conferred by this Act upon deputies of the Director of Public Works.

And the Director is hereby authorized and empowered to formulate and issue with the approval of the Secretary of Commerce and Communications such administrative rules and regulations as may be found necessary to govern his agents and deputies and to give full effect to the provisions of this Act.

- e. To acquire from funds appropriated for the administration of this Act, and to designate and assign, with the approval of the Secretary of Commerce and Communications, such automobiles, motorcycles, equipment, or accessories, as may be deemed necessary to secure enforcement of the provisions of this Act.
- f. To appoint subject to the provisions of Act Numbered Twenty-eight hundred and three, section two, covering section seventy-nine (*d*) of the Administrative Code, and to employ from funds appropriated for the administration of this Act, such officers, clerks, and other employees as may be necessary to be included in the personnel of the bureau of Public Works to carry out the provisions and Purposes of this Act.
- g. The Director of Public Works and his deputies are hereby authorized to make arrest for violations of the provisions of this Act and of the Public Service Act (Numbered Thirty-one hundred and eight as amended) in so far as motor vehicles are concerned, and to use all reasonable means within their power to secure enforcement of the provisions of these Acts.
- h. *Inspection of motor vehicles.*—The Director of Public Works or his deputies are furthermore authorized at any time to examine and inspect any motor vehicle, in order to determine whether the same is unsightly, unsafe, overloaded, improperly marked or equipped, or otherwise unfit to be operated because of possible danger to the chauffeur, to the passengers, or the public; or because of possible excessive damage to the highways, bridges or culverts.
- i. The Director of Public Works may limit the gross weight and speed of any vehicle, whether motor or animal driven, when crossing a bridge or ferry, or operating on any designated section of a highway to a value consistent with the safety of the public and the preservation of such bridge or ferry or highway.
- j. Every Constabulary officer and every city or municipal police officer not lower than the rank of sergeant, is hereby given authority, and it is hereby made the

duty of all such officers to prevent violations of this Act, and to any out the police provisions hereof within their respective jurisdictions.

- k. Whenever any deputy of the Director of Public Works, or any police or Constabulary officer apprehends a motor vehicle being operated in violation of a minor provision of this Act, or of the Public Service Acts, such that, in his opinion, action in court would result in merely a nominal fine, he may instead of taking judicial action issue a warning to the owner or operator at fault, and in all such cases shall notify the Director of Public Works, of the circumstances. Similar notification shall also be made to the Public Service Commission in all such cases involving violation of the Public Service Acts.

Notation of all such warnings shall be entered in the records, and a copy shall be mailed to the owner and to the chauffeur at fault.

## CHAPTER II.—REGISTRATION OF MOTOR VEHICLES

### ARTICLE I.—*Duty to register; reports; applications; classification*

SEC. 5. (a) *Motor vehicles must be registered.*—No motor vehicle shall be used or operated on, or upon any public highway of the Philippine Islands unless the same is properly registered for the current year in accordance with the provisions of this Act.

(b) Any registration of motor vehicles not *renewed* on or before the last working day of February of each calendar year shall become delinquent and invalid.

(c) *Reports of motor vehicle sales.*—On the first day of each month, every dealer in motor vehicles shall furnish the Director of Public Works a true report showing the name and address of each purchaser of a motor vehicle during the previous month and the manufacturer's serial number and motor number; a brief description of the vehicle, and such other information as the Director of Public Works may require.

(d) *Reports of change of factory number.*—Whenever any owner, proprietor of a garage or repair shop, dealer, or other person or entity makes any repair or change in a motor vehicle including the exchanging, elimination, effacing or replacing of the manufacturer's serial number or the motor number, or the part or parts upon which such number is stamped, he shall *within seven days* after effecting such change or repair, notify the Director of Public Works in writing, of the character of the change or repair thus accomplished, the registration number and date, and. the new manufacturer's number or motor number of the motor vehicle thus repaired or changed.

(e) *Report of mortgages.*—Whenever any owner hypothecates or mortgages any motor vehicle as security for a debt or other obligation, the creditor or person in whose favor the mortgage is made, shall, within seven days, notify the Director of Public Works in writing to that effect, stating the registration number of the motor vehicle, date of mortgage, names and addresses of both parties, and such other information as the Director of Public Works may require. This notice shall be signed jointly by the parties to the mortgage.

On termination, cancellation or foreclosure of the mortgage, a similar written notice signed by both parties, shall be forwarded to the Director of Public Works by the