

[Act No. 3045, March 10, 1922]

AN ACT TO AMEND AND COMPILE THE LAWS REGULATING MOTOR VEHICLE TRAFFIC IN THE PHILIPPINE ISLANDS, THE LAWS PROVIDING FOR THE REGISTRATION OF MOTOR VEHICLES AND THE LICENSING OF MOTOR VEHICLE OPERATORS, THE LAWS REQUIRING LIGHTS OF ALL VEHICLES USING HIGHWAYS AT NIGHT, AND THE LAWS PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

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

SECTION 1. For the purposes of this Act:

(a) "Motor vehicles" are all vehicles propelled by any power other than muscular power, excepting road rollers, street sweepers and sprinklers, lawn mowers or vehicles which run only on rails or tracks. Trailers, having two or more 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. "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 type, shall also be classified as passenger automobiles, provided their net allowable carrying capacity as determined under sections twenty and twenty-one of this Act, does not exceed eight passengers and provided they are not used primarily for carrying freight or merchandise.

(b) "Highways" include every public thoroughfare, every public boulevard, driveway, avenue, park, parkway, plaza, square, place, street, road, alley, and *callejon*.

(c) "Chauffeur" includes every and any licensed operator of a motor vehicle, except an owner operating his own motor vehicle not for hire.

(d) "Operating" and the other inflection of that verb signify running, driving, guiding, controlling, or conducting a motor vehicle.

(e) "Operator" includes every person operating a motor vehicle 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 or trailer, also every 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 or trailer from a garage. In as far as concerns publicly owned motor vehicles or trailers, the "owner" in the contemplation of this Act, is the head of the office or the chief of the bureau to which the said motor vehicle or trailer belongs except when the context requires a different interpretation.

(g) "Dealer" includes every person, association, partnership or corporation making, manufacturing, constructing, assembling, or setting up motor vehicles or trailers in these Islands for sale; and every person, association, partnership or corporation, 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) "Dealer's certificate" means a certificate of registration issued to a dealer as defined in the last preceding subsection.

(i) "Garage" includes every place where motor vehicles belonging to persons other than the owner of such garage are housed, stored, kept or repaired for payment, and every place where motor vehicles are housed, stored, or kept to let or for hire to the public, with the exception of street stands or other public places designated by proper municipal authority as parking space for motor vehicles for hire, while awaiting or soliciting passengers or business.

(j) "Proprietor of a garage" includes every proprietor" and owner of a garage as defined in the last preceding subsection, and every person in control or charge of such garage in his own behalf or in behalf of the owner or proprietor.

(k) "Intersection" includes every part of a public highway which joins another at an angle, whether or not it crosses the other.

(l) "Horn" shall include every device for signaling by sound.

(m) "Gross weight" includes the measured weight of a motor vehicle in running condition, as determined by the Director of Public Works or his deputies, 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.

(n) "The Director of Public Works," except where expressly stated otherwise, is defined as the actual or acting chief of the Bureau of Public Works.

(o) "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.

SEC. 2 (a) No motor vehicle shall be used or operated in, along, or upon any public highway of the Philippine Islands unless the same is registered in accordance with the provisions of this Act, nor by any person who is not licensed to operate such motor vehicle under the provisions of this Act.

(b) Any person convicted of a violation of the provisions of this section shall be punished by a fine of not less than five nor more than two hundred pesos: *Provided, however,* That if the vehicle so operated is for let or hire to the public a further penalty of not more than six months imprisonment may be imposed.

(c) Motor vehicles belonging to the Government of the United States, the Government of the Philippine Islands or any of its subdivisions, or to any provincial, city or municipal government shall be regarded as registered under the provisions of

this Act if they bear signs or legends plainly indicating to what department, bureau, or political subdivision the same belong and the number plates required by section seven hereof, which number plates shall be issued free by the Director of Public Works upon request.

SEC. 3 (a) Every owner of a motor vehicle kept or used in the Philippine Islands, shall within seven days after taking actual possession, and thereafter, not later than the last working day of February of each year, file in the office of the Director of Public Works or in the office of the district engineer for each motor vehicle owned or possessed by him, a statement of his name; place of residence and business address; the number and date of his cedula and the place where same was issued; a brief description of each such motor vehicle including the name, style or type, and seating capacity or maximum allowable number of passengers; the number of kilos allowable gross weight, the name or title of the makers, the serial number, if any, stamped upon or affixed thereto by the makers; the number of wheels, the size, character, and material of all tires; the character of the motive power; and the amount thereof stated in figures of horsepower, such horsepower in case of internal combustion engines to be determined by the usual Association of Licensed Automobile Manufacturers or National Automobile Chamber of Commerce formula $D^2 N / 2.5$, D being the diameter of the cylinder in inches, and the number of cylinders, and in the case of steam and electric motor vehicles the amount of such horsepower to be taken as rated and advertised by the maker thereof; the name of the person or firm from whom the machine was acquired; and such other information as the Director of Public Works or his deputies may require. Such statement shall be regarded as an application for the official registration of such motor vehicle.

(b) Any registration of motor vehicle not renewed on or before the last working day of February of each calendar year shall become delinquent. The penalty for renewal of a delinquent registration shall be a fifty per cent addition to the fees mentioned in section four below: *Provided*, That a penalty of five pesos only shall be collected for renewal of a delinquent registration "for storage only," as described under section four (n) of this Act.

(c) Any person convicted of a violation of the provisions of this section shall be punished by a fine of not less than twenty-five nor more than two hundred pesos.

SEC. 4 (a) Each such application, if for one calendar year, shall be accompanied by an annual registration fee in accordance with the following tariff: All motor vehicles, the sum of fifty centavos per horsepower or fraction thereof, as determined under section three of this Act, in addition to the following:

(b) Private automobiles with pneumatic tires, the sum of one centavo per kilogram of gross weight, as defined under section one of this Act.

(c) Private traction engines used for hauling purposes on public highways, and motor trucks, with metallic tires in whole or in part, the sum of ten centavos per kilogram of gross weight.

(d) Private motor trucks with solid rubber tires or with part solid and part pneumatic rubber tires, the sum of two centavos per kilogram of gross weight.

(e) Private motor trucks with pneumatic rubber tires, the sum of one and one-half centavos per kilogram of gross weight.

(f) Private trailers with metallic tires, the sum of five centavos per kilogram of gross weight.

(g) Private trailers with solid rubber tires or with part solid and part pneumatic rubber tires, the sum of one and one-half centavos per kilogram of gross weight.

(h) Private trailers with pneumatic rubber tires, the sum of one centavo per kilogram of gross weight.

(i) Private motorcycles of two or three wheels, bicycles with motor attachments, and similar motor vehicles, the sum of one centavo per kilogram of gross weight.

(j) The fee for registration of automobiles operated for hire shall be two times the fees mentioned for private automobiles. Freight or passenger motor trucks for hire shall be subject to the same fees as private motor trucks.

(k) If an application for the first registration is made during the period of January first to March thirty-first, inclusive, the annual fee mentioned above in this section shall be paid. If the application is made during the period of April first to June thirtieth, inclusive, three-fourths of the annual fee shall be paid. If the application is made during the period of July first to September thirtieth, inclusive, one-half of the annual fee shall be paid. If the first registration is made during the period of October first to December thirty-first, inclusive, one-fourth of the annual fee shall be paid.

(l) The date of cancellation of the postage stamp of envelopes containing money orders, checks or cash shall be considered as the date of application in the appliance of the above tariff, except in the case of improperly prepared applications, when the date of cancellation of the postage stamp of the envelope containing the properly prepared application shall be considered as the date of the application.

(m) Tourists using or operating their own motor vehicles and sojourning in the Philippine Islands for a period of forty-five days or less shall be exempt from the payment of the above-stated fees of this section, but if they remain in the Islands for any period longer than forty-five days, they shall be required to pay one-tenth of the above-stated annual horsepower and gross weight fees, on or before each first day of the month subsequent to the expiration of the first forty-five-day period aforementioned, while they remain in the Islands. They shall, however, be required to register their motor vehicles, and shall pay the fees mentioned under section nine of this Act for each number plate or tag issued.

(n) Any owner of a motor vehicle which is in storage, undergoing repairs, or out of service for any other reason, may also be exempted from payment of the registration fees previously mentioned under this section for the period during which the said motor vehicle is out of service, but no refund or reimbursement of registration fees or parts thereof shall be made to any owner on account of a motor vehicle which is taken out of service subsequently to the payment of said registration fees. The owner desiring exemption under this subsection, shall make application for registration of the motor vehicle as provided under section three of this Act. The application shall also be accompanied by a properly accomplished affidavit substantially in the following form:

"Affidavit for Exemption from Payment of Fees for Registration of Motor Vehicle While in Storage.

"I,, residing at, and holding cedula number, issued at, dated, do hereby swear or affirm that I am the owner of the motor vehicle described in the attached application for registration, and that said motor vehicle has not been and will not be operated on any public highway in the Philippine Islands during the period beginning, and ending on or about"

Attested: Signed

Date

SEC. 5. Upon the receipt of such application and fee or affidavit, the Director of Public Works shall cause the same to be registered or recorded in a book or file to be kept by him for that purpose, which shall be known as the "Motor Vehicle Register," and in which such information shall be set forth as will enable the motor vehicle and the owner thereof to be readily identified. The Director of Public Works or his deputies shall issue to the applicant free of charge, a numbered certificate of registration for each separate motor vehicle and shall enter the number of such certificate in the "Motor Vehicle Register:" *Provided, however,* That in case of exemption under subsection (n) of section four of this Act, both the certificate and the "Motor Vehicle Register" shall be plainly marked or stamped substantially after the following form:

"REGISTERED FOR STORAGE ONLY. MOTOR VEHICLE NOT TO BE OPERATED ON PUBLIC HIGHWAYS UNDER THIS CERTIFICATE."

SEC. 6. Each such certificate of registration shall contain, in addition to its number, the date of registration and all the information required to be set forth in the application. The said certificate shall be preserved by the owner as evidence of the registration of the motor vehicle described therein, and shall be attached to and presented with subsequent applications for renewal or transfer of registration.

SEC. 7. At all times, while using the public highways, every motor vehicle of more than three wheels shall display in conspicuous places, one in the front and one in the rear thereof, the identification number plates described in sections eight and nine of this Act, and every motor vehicle of less than four wheels shall display one such number plate in a conspicuous place in the rear thereof. Such number plates shall be kept clean and cared for, and shall be firmly affixed so that the numbers thereon may at all times be visible and legible whether the motor vehicle is in motion or not: *Provided, however,* That in case no number plates are available, the Director of Public Works or his deputies may issue a written permit temporarily authorizing the operation of any motor vehicle without such number plates.

Any person convicted of a violation of the provisions of this section shall be punished by a fine of not less than ten nor more than two hundred pesos.

SEC. 8. All number plates shall be of such color, size, and design as may be selected and determined by the Directors' of Public Works, and shall contain in Arabic numerals of a length of not less than one decimeter and each stroke of which shall be not less than one centimeter in thickness, the registration number assigned by the Director of Public Works or his deputies under section five of this Act: *Provided,* That the Director of Public Works or his deputies may issue to motor vehicles having