

[Act No. 2159, February 06, 1912]

AN ACT TO REGULATE MOTOR VEHICLE TRAFFIC IN THE PHILIPPINE ISLANDS, TO PROVIDE FOR THE REGISTRATION OF MOTOR VEHICLES AND THE LICENSING OF OPERATORS, AND TO REQUIRE ALL VEHICLES ON HIGHWAYS TO CARRY LIGHTS, AND FOR OTHER PURPOSES.

By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. For the purposes of this Act:

- (a) "Motor vehicles" are all vehicles propelled by any power other than muscular power, except, traction engines, road rollers, street sweepers and sprinklers, lawn mowers, and vehicles which ran only on rails or tracks.
- (b) "Highways" includes every highway open to public thoroughfare, every public boulevard, driveway, avenue, park, parkway, plaza, square, place, street, road, alley, and "callejon."
- (c) "Chauffeur" includes every person operating a motor vehicle for amusement or as a mechanic or employee for hire.
- (d) "Operating" and the other inflections 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, also every person for the time being in legal possession of such 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 from a garage. In as far as concerns publicly owned motor vehicles the "owner," in the contemplation of this Act, is the head of the office or the chief of the bureau to which the motor vehicle belongs except when the context of the language requires a different interpretation.
- (g) "Dealer" includes every person making, manufacturing, constructing, assembling, or setting up motor vehicles in these Islands for sale; every person acting as agent for the sale of one or more makes, styles, or kinds of motor vehicles, and every person dealing in motor vehicles, keeping the same in stock, or displaying or handling the same with a view of trading in or selling the same, and every person having, owning, controlling, or keeping motor vehicles to let or for hire to the public.
- (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.
- (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.

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

(I) "Horn" shall include every other signaling device by sound.

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

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.

SEC. 3. Every person who owns or possesses a motor vehicle shall within sixty days after the date on which this Act becomes effective 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 address, a brief description of each such motor vehicle including the name, style, or type thereof, the name or title of the makers, the number, if any, stamped upon or affixed by the makers to the same, the number of wheels, the character of the motive power, and the amount thereof stated in figures of horsepower. and such other information including the number and date of his cedula and the place where the same was issued, as the Director of Public Works may require. Such statement shall be regarded as an application for the official registration of such motor vehicle.

Every person acquiring a motor vehicle not registered under the provisions of this Act after the same is effective shall file a like statement within thirty-six hours after he has acquired such motor vehicle.

SEC. 4. Each such application shall be accompanied by a fee of ten pesos for each motor vehicle having more than three wheels, or by a fee of five pesos for every other such vehicle.

SEC. 5. Upon the receipt of such application and fee the Director of Public Works shall cause the same to be registered or recorded in a book 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 vehicle and the owner thereof to be identified. The Director of Public Works shall issue to the applicant a numbered certificate of registration, in duplicate, for each separate vehicle and shall enter the number of such certificate in the "Motor Vehicle Register."

SEC. 6. Each such certificate of registration shall contain, in of addition to its number, the date of registration and all the information required to be set forth in the application and shall follow the motor vehicle of the registration of which it is evidence into the hands of subsequent owners while the registration of such motor vehicle is in force.

SEC. 7. The Director of Public Works shall further issue for each motor vehicle

having more than three wheels duplicate number plates bearing a distinctive number so that the same will serve to identify the vehicle, and for every other motor vehicle one such number plate.

SEC. 8. All number plates shall be of such color, size, and design as may be selected and determined by the Director' 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 number assigned by the Director of Public Works.

SEC. 9. Every motor vehicle of more than three wheels shall at all times when in use bear in a conspicuous place on the front of such vehicle one of the number plates issued for such vehicle, and in a conspicuous place in the rear thereof the other such number plate. And every other motor vehicle shall bear the number plate issued for it in a conspicuous place in the rear thereof. Such number plates shall be firmly affixed so that the same will not swing and shall be kept clean and cared for so that the number thereon may at all times be visible and legible whether the motor vehicle is in motion or not.

SEC. 10. Whenever any motor vehicle is sold or any change in ownership thereof takes place it is hereby made the duty of the former owner thereof to notify the Director of Public Works in writing of such change, giving the name, residence, and address of such purchaser or new owner, the number of the certificate of registration issued to cover the vehicle, and the number borne on the number plate or plates issued for such vehicle. Such notification shall be accompanied by a fee of fifty centavos, and the Director of Public Works shall cause the name, residence, and address of such purchaser or new owner to be recorded in the Motor Vehicle Register in such a manner that the owner of any motor vehicle may at any Evidence of trans-time readiry be ascertained therefrom. Any statement indorsed on the back of a certificate of registration issued under this Act shall be sufficient evidence, for the purposes of this Act, of the ownership of the purchaser or transferee named in such statement, if the same be signed by the person in whose name the certificate was issued and complies substantially with the following form:

"Date.....
"I have this day transferred my ownership of the motor vehicle described
on the face hereof to.....
of.....
"
(Signature.)

If the person selling or disposing of his motor vehicle desires to retain number issued for the same he shall so notify the Director of Public Works and the person purchasing the same or acquiring ownership therein shall obtain from the Director of Public Works new number plates upon payment of the fee fixed in the next succeeding section.

SEC. 11. Upon proof satisfactory to the Director of Public Works that any certificate of registration or number plate issued under the provisions of this Act has been lost or destroyed he shall issue a duplicate to the owner of such motor vehicle after

payment of one peso for each certificate and each number plate issued.

SEC. 12. Every dealer in motor vehicles may, instead of registering separately each such vehicle owned or controlled and used and operated in his business by him or by his employees or agents, make, before the first day of January of each year, application for a general certificate of registration and a general distinguishing number or mark. Such application shall contain whatever information may be required by the Director of Public Works. The Director of Public Works, if satisfied with the statements in such application, may grant to the applicant one general certificate of registration in quadruplicate, showing the name, residence, place of business, and address of the applicant, and that the same is a dealer in motor vehicles within the meaning of this Act. Such dealer's certificate shall further show the general distinguishing number or mark assigned, the kind, type, style, or make of motor vehicles manufactured, sold or kept, or handled for sale by him, and such other information as the Director of Public Works may deem expedient. The general distinguishing number or mark shall be issued in quadruplicate. All motor vehicles manufactured, owned, controlled, or kept or handled for sale by such applicant shall thereafter be regarded as registered under such general distinguishing number or mark, except those for his private use, each of which shall be separately registered under sections three, four, five, and six of this Act. The fee for registration of a dealer in motor vehicles shall be twenty pesos.

SEC. 13. Upon proof of loss of a certificate issued to a dealer, a duplicate certificate may be issued to him under like conditions and after payment of like fees as those set forth in section eleven of this Act. and upon the request of such dealer further duplicate distinguishing numbers or marks may be issued to him after the fee fixed in section eleven of this Act for each such duplicate has been paid.

SEC. 14. The Director of Public Works shall cause to be prepared a form, which shall be furnished free of charge upon request, license, and upon which every person who desires hereafter to operate any motor vehicle as a chauffeur shall answer under oath all questions asked and give all information required by the Director of Public Works, including his true name, address and age, the number, date, and place of issue of his cedula, and the names, kinds, types, or styles of motor vehicles which he is competent to operate, together with the form and amount of their motive power, and whether his senses of sight and hearing are normal.

The Director of Public Works is hereby authorized in his discretion to require an applicant for a license as chauffeur to answer such further questions or to submit to such an examination touching his qualifications as chauffeur, as in the Director of Public Works' judgment will best disclose the applicant's fitness and competency to operate motor vehicles.

If after such examination or without the same the Director of Public Works believes the applicant to possess the necessary qualifications and knowledge, he shall, upon the receipt of a fee of two pesos, issue to such applicant a license to operate as a chauffeur motor vehicles of the kind, style, type, or make and power described in the application until the first day of January next following or until such license is revoked. But, if the said Director does not believe the applicant to be a person qualified to operate motor vehicles he shall not issue a license as chauffeur to such applicant, in which event the applicant's fee shall be returned to him.

Every license issued to operate a motor vehicle shall have a line or signature of place for the signature of the licensee, and no license issued shall be effective as an authorization to the person to whom issued to operate a motor vehicle until after such person has written his usual signature in the place provided for that purpose.

SEC. 15. The Director of Public Works is further authorized to issue temporary permits to persons who are learning to operate motor vehicles upon the payment of a fee of fifty centavos. No such permit shall, however, be issued for a longer period than three months, and no such permit shall authorize the person to whom the same is issued to operate a motor vehicle on any public highway unless accompanied as instructor by some person under this Act licensed to operate such motor vehicle. For any violation of the provisions of this Act and for any injury or damage done by a motor vehicle, or on account, or as a result of the operation of a motor vehicle operated by a beginner who is accompanied by an instructor, the instructor shall be liable.

SEC. 16. Persons who have procured the registration of one or more motor vehicles owned by them shall, if they desire themselves to operate such vehicles, make like application as provided in section fifteen, and, under like conditions as those therein prescribed and upon the payment of a like fee, the Director of Public Works shall issue to such owners licenses to operate motor vehicles.

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SEC. 17. No license, whether to owners of motor vehicles or to chauffeurs, to operate motor vehicles or vehicles within the purview of section fourteen of this Act shall be issued to any person under eighteen years of age, and no person under eighteen years of age shall be permitted to operate a motor vehicle upon any highway of the Philippine Islands.

SEC. 18. The Director of Public Works shall cause to be prepared and kept in his office in Manila a register in which shall be recorded every license issued to an owner or to a chauffeur, with such information, including names, addresses, and ages of the licensees, and the dates on which their respective licenses were issued, as he may deem to be useful and expedient. He shall likewise carefully file away and preserve all applications for such licenses, in chronological, alphabetical, or numerical order so that any one of them may be promptly made accessible.

SEC. 19. No owner, dealer, proprietor of garage, chief of bureau, or head of office is permitted to engage, employ, or hire any person to operate a motor vehicle unless the person whose employment, engagement, or hire is contemplated is a licensed chauffeur. All persons violating this provision shall upon conviction be fined not less than five nor more than one hundred pesos: *Provided, however,* That if the person convicted of a violation of this provision is engaged in letting or renting motor vehicles to other persons or to the public for hire, such person may be further punished by imprisonment of not less than six months nor more than one year in addition to the fine aforesaid.

SEC. 20. The Director of Public Works or his representatives are hereby authorized at any time to examine and inspect any motor vehicle, in order to determine whether the same is unsafe, improperly equipped, or otherwise unfit to be operated because of possible danger to the chauffeur, to the passenger, or to the public. If the Director of Public Works finds any such vehicle to be unsafe as aforesaid, he may refuse to register the same, or if the same be registered he may revoke such