

DEPARTMENT ADMINISTRATIVE ORDER NO. 19 - 15
Series of 2019

**SUBJECT: GUIDELINES FOR REGISTRATION OF INSTALLATION FACILITIES OF
SPEED LIMITER**

**ARTICLE I
GENERAL PROVISIONS**

WHEREAS, it is the policy of the State to maintain at all times the safety and protection of the public;

WHEREAS, the State shall pursue a more proactive and preventive approach to secure the safety of passengers and public in general on roads and highways;

WHEREAS, the State shall implement measures to safeguard the public from any speed-related road accidents, which result to fatalities, injuries or damage to properties;

WHEREAS, pursuant to Section 4 of Republic Act (RA) 10916 or the "Road Speed Limiter Act of 2016," no covered vehicle shall be allowed to run in any road, street, or highway in the Philippines without a standard speed limiter in accordance with the prescribed standards and specifications approved by the Department of Transportation (DOTr);

WHEREAS, Section 10 (a) Rule III of the Implementing Rules and Regulations (IRR) of RA 10916 in relation to Section 7 of RA 10916 states that the Department of Trade and Industry (DTI) shall accredit persons, establishments, or institutions producing, manufacturing, or distributing speed limiters in accordance with the specifications and standards as may be determined by the DOTr and for such purpose, the DTI shall issue the necessary certification attesting compliance with such specifications and standards as a prerequisite for registration;

WHEREAS, Section 10 (b), Rule III of the IRR of RA 10916 provides that the DOTr, through the DTI, shall accredit persons, establishments, or institutions permitted to install and calibrate speed limiters;

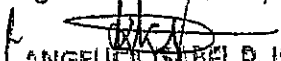
WHEREAS, Section 10 (c), Rule III of the IRR of RA 10916 provides that the DOTr, through the DTI, shall accredit persons, establishments, or institutions authorized to operate speed limiter testing facilities and issue certificates of conformity;

WHEREAS, the speed limiters installed on covered vehicles by the registered speed limiter installers shall thereafter, under the IRR of RA 10916, be inspected by DTI-accredited inspection bodies;

WHEREAS, Section 1 of EO 802, issued on 18 May 2009 states that the Philippine Accreditation Bureau (PAB) is the central body to accredit inspection, testing, and certifying bodies, and other bodies offering conformity assessment services needed by the country;

WHEREAS, pursuant to Section 3, Book IV, Title X, Chapter 1 of Executive Order (EO) 292, Series of 1987, the DTI is empowered to formulate and implement policies, plans, and programs, relative to the development, expansion, promotion and regulation of trade;

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industry, and investments. Further, it is mandated to protect consumers from trade malpractice;

NOW, THEREFORE, this Order is hereby issued for the information, guidance, and compliance of all concerned.

Section 1. Objectives. This Order shall have the following objectives:

- 1.1 To evolve and implement a registration scheme for installation facilities of speed limiters that is transparent, competent, responsive, efficient, and effective;
- 1.2 To promote, develop, and professionalize the speed limiter device business with the end in view that consumers are assured of reliable, ethical, and competent services conformable with the standards set forth herein;
- 1.3 To lay down minimum requirements and standards under which installation facilities of speed limiters may legally engage in business.

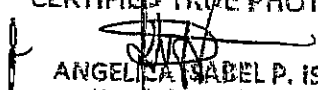
Section 2. Scope and Coverage. The following Guidelines shall apply to installation facilities of speed limiter device within the Philippines.

ARTICLE II DEFINITION OF TERMS


Section 3. Definition of Terms. For purposes of this Order, the following terms shall be defined as follows:

- 3.1 **Act** refers to RA No. 10916;
- 3.2 **Bureau of Philippine Standards (BPS)** is the national agency responsible for certifying products or safety and quality in accordance with the Philippine National Standards (PNS) and other conformity assessment schemes, as necessary;
- 3.3 **Closed Van** refers to a large motor vehicle, usually with an enclosed cargo space, designed to carry goods for commercial purposes, or engaged in services of transporting personal effects;
- 3.4 **Covered Vehicle** refers to any closed van, hauler or cargo truck, PUV, shuttle service, or tanker truck as defined under this section and such other vehicles as may hereinafter be determined and included by the Department of Transportation (DOTr) excluding taxicabs, and public utility jeepneys, without prejudice to the review by the DOTr on the necessity of their inclusion in the coverage;
- 3.5 **DTI** refers to the Department of Trade and Industry;
- 3.6 **DTI-Provincial Office (DTI-PO)** refers to the implementing arm of the DTI in the provinces;
- 3.7 **DTI-Regional Office (DTI-RO)** refers to the implementing arm of the DTI in the regions;
- 3.8 **FTEB** refers to the DTI Fair Trade Enforcement Bureau;
- 3.9 **Hauler or Cargo Truck** refers to a motor vehicle designed for transporting heavy or oversized loads or cargoes;

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- 3.10 **Inspection Body** is an entity or facility, accredited by the DTI through the PAB, based on ISO/IEC 17020, permitted to inspect the speed limiter installed in the covered vehicle. The inspection report, issued by the inspection body will be presented to LTO during registration/monitoring/enforcement;
- 3.11 **Installer** refers to a natural person who is certified as competent to install and calibrate speed limiters on covered vehicles pursuant to RA 10916 and its IRR. Also referred to as technicians in these Guidelines;
- 3.12 **Installation Facilities** refer to an entity or facility registered by the DTI, through the DTI-FTEB or the ROs/POs, after complying with the requirements set forth in these Guidelines;
- 3.13 **Motor Vehicle** refers to any vehicle propelled by any power other than muscular power using the public highways or roads, but excepting road rollers, trolley cars, street sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways and vehicles run only on rails or tracks, and tractors trailers and traction engines of all kind used exclusively for agricultural purposes as defined under RA No. 4136 Article II Section 3.a.;
- 3.14 **Philippine Accreditation Bureau (PAB)** is the national accreditation body of the Philippines mandated to accredit inspection, testing, calibration and certifying bodies and other bodies offering conformity assessment services;
- 3.15 **Public Utility Vehicles (PUV)** refers to a motor vehicle considered as a public transport conveyance or common carrier duly registered with the Land Transportation Office (LTO) and granted a franchise by the Land Transportation Franchising and Regulatory Board (LTFRB);
- 3.16 **Registration** refers to the determination made by DTI that an installation facility comply with the requirements set in these Guidelines, as expressly stated in a corresponding attestation or certification to that effect;
- 3.17 **Shuttle Service** refers to any motor vehicle provided by government or private company or establishment whether owned or leased from another entity, to transport its employees to and from the work premises or clients between designated origin and destination and carrying not less than four (4) passengers;
- 3.18 **Speed Limiter** refers to a device used to limit the top speed of a vehicle through the employment of mechanical, electronic or communications system or the combination of these systems or similar devices capable of performing the same function and issued a Certificate of Conformity by DOTr through DTI;
- 3.19 **Tampering** refers to an act of recalibrating, reprogramming, resetting or reconfiguring a speed limiter installed in any covered vehicle and already sealed by the LTO after inspection in such a way as to circumvent its functions or the purposes for which it is intended. The act of recalibrating, reprogramming, resetting or reconfiguring a speed limiter installed in any covered vehicle without the supervision of the LTO or its accredited facility as required under Section 5 of the Act shall be considered tampering. A speed limiter is presumed to have been tampered if (i) the seal of inspection and calibration attached by the LTO or its accredited facility is found to be broken or altered; (ii) a covered vehicle with an installed speed limiter exceeds the speed limit indicated on its Certificate of Conformity; (or iii) a covered vehicle fails the testing using a system testing unit;

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- 3.20 **Tanker Truck** refers to a motor vehicle designated for transporting or carrying gas, oil or liquid, flammable, combustible, corrosive or hazardous materials, or substances in bulk such as molasses or water;
- 3.21 **Technical Education and Skills Development Authority (TESDA)** refers to the national agency authorized to approve trade skills standards and trade tests and to establish and administer a system of accreditation of both public and private institutions.

ARTICLE III APPLICATION REQUIREMENTS

Section 4. Documentary Requirements

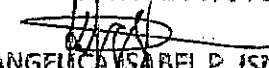
- 4.1 Duly notarized application form signed by the authorized signatory.
- 4.1.1 For single proprietorship, the application form shall be accomplished and signed by the Installation Facility owner. If the applicant is not the owner of the Installation Facility, he/she must execute and submit an undertaking indicating the name of the authorized representative and the grant of authority to said representative to sign the application form and all the documentary requirements and to act on behalf of the proprietor on matters relating to the application for registration;
- 4.1.2 For corporations, partnerships, or cooperatives, the application form shall be accomplished and signed by its authorized representative. The said representative must be authorized by a Board or Partners Resolution or Secretary's Certificate, as the case may be, to apply for registration. The authorized representative must be an Officer and the grant of its authority to sign the application form and all the documentary requirements and to act on behalf of the corporation, partnership, or cooperative on matters relating to the application for registration must be explicitly indicated.
- 4.2 Certified true copy of the following:
- 4.2.1 Valid DTI Certificate of Business Name Registration for sole proprietorship;
- 4.2.2 Securities and Exchange Commission (SEC) Certificate of Registration and Articles of incorporation/Partnership, for corporation/partnership; or
- 4.2.3 Cooperative Development Authority (CDA) Certificate of Registration and Articles of Cooperation, for cooperatives.

For purposes of verification of the submissions, the originals of the foregoing must also be presented.

- 4.3 Valid Business Permit where the facility is located. The nature of business indicated in the permit shall be installation of speed limiter;
- 4.4 BIR Registration Certificate and TIN. The nature of business shall be installation of speed limiter;
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- 4.5 Paid-up capital of at least Five Million Pesos (Php5,000,000) for Corporations, Partnerships, and Cooperatives. Every branch office shall have proof of tangible assets worth at least Three Million Pesos (Php3,000,000). Proof of tangible assets of at least Five Million Pesos (Php5,000,000.00) for main office and Three Million Pesos (Php3,000,000.00) for branch office of single proprietors.

- 4.6 Location map, photo, and lay-out of the facility;

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- 4.7 List of all personnel indicating their positions and their job descriptions/responsibilities together with their:
- 4.7.1 Bio-data (in prescribed form);
 - 4.7.2 Valid Certificate of Competency from TESDA as installer of speed limiter;
 - 4.7.3 Authorization from the installation facility for its specific personnel to install speed limiter, operate the necessary equipment.
- 4.8 Proof of availability of all required tools and equipment used for the installation of speed limiter device (e.g. certified list signed by the authorized representative, proof of purchase, sales invoice);
- 4.9 Copy of Complaints Handling Procedure and copy of complaint form;
- 4.10 Copy of Operations Manual and other supporting documentation relation to speed limiter installation:
- 4.10.1 Manual and reference materials required for installation of speed limiter from the manufacturer or distributor;
 - 4.10.2 Manual of test procedures and authorized personnel.
- 4.11 Liability Insurance or Proof of Bond valid for three (3) years from registration with official receipt in the amount of Ten Million Pesos (Php10,000,000.00) in favor of the DTI to be submitted before the release of the Certificate of Registration;
- 4.12 Service Warranty (at least one year) and Guarantee of Workmanship (at least 90 days);
- 4.13 Copy of the Official Receipt as proof of payment of Application Fee.

Section 5. Where to File. Applications for registration as installation facilities of speed limiter must be filed with the following offices:

- 5.1 DTI-FTEB: For applicants based in the National Capital Region;
- 5.2 DTI-PO: For applicants based in the provinces.

ARTICLE IV GENERAL REQUIREMENTS

Section 6. Standards and Specifications. All speed limiters to be installed in the covered vehicles shall conform to the standard specifications of PNS UNR 89:2016. Only speed limiters certified by the BPS shall be installed in the covered vehicles.

Section 7. Personnel.

- 7.1 Personnel performing specific tasks in relation to the installation of speed limiter shall be qualified on the basis of a Certificate of Competency from the TESDA as installer of speed limiter.
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- 7.2 The management of the installation facility shall only authorize TESDA-certified technicians to install speed limiter.
- 7.3 The facility should have at least two (2) TESDA-certified competent technicians installing speed limiters.
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Section 8. Accommodation and Environmental Conditions.

- 8.1 The work area or premises must be within a permanent site and must be appropriate for the conduct of installation of Speed Limiter taking into consideration its compliance with environmental laws. It must have sufficient maneuvering area for all types of covered vehicles and must not obstruct the flow of traffic;
- 8.2 The energy sources, lighting and environmental conditions of the work area or premises shall be such as to facilitate proper installation;
- 8.3 Measures shall be undertaken to ensure good housekeeping in the facility. Special procedures shall be undertaken as necessary.

Section 9. Tools and Equipment. Tools and equipment required for the installation of Speed Limiter shall always be complete, safe, effective and appropriate to the standards set for speed limiters. These shall include but not limited to the list attached hereto as Annex A.

Section 10. Complaints Handling. The entity shall have a policy and procedure for the resolution of complaints pertaining to the installation of speed limiter received from clients or other aggrieved parties. Records shall be maintained of all complaints and of the investigations and actions taken by the installation facility.

ARTICLE V REGISTRATION PROCEDURE

Section. 11. Application for Registration. Applications, whether new or for renewal, shall only be considered filed upon submission of all documentary requirements and payment of filing fee.

Every branch office of a speed limiter installation facility shall apply for separate registration.

Section 12. Validation of Documentary Requirements. All applications and documentary requirements shall be reviewed, evaluated, and validated by the DTI-FTEB or the concerned DTI-PO.

Section 13. Processing. Applications for registration as installation facility of Speed Limiter shall be processed by DTI FTEB/PO within seven (7) working days from filing. Processing shall include evaluation and review of documentary requirements submitted, inspection of the work area/premises of the applicant, inspection of tools and equipment, interview of the management and the staff on the operations and work processes, examination of documentations and records maintained up to payment of processing fee and issuance of Certificate of Registration to approved applicants. It shall also include, as necessary, witnessing actual installation of speed limiters.

Section 14. Non-compliance.

14.1 Any non-compliance to the documentary as well as the general requirements provided in this Guidelines found during inspection shall be indicated in a Non-Compliance Report (NCR), which shall be issued to the applicant. There should be one (1) NCR for each non-compliance found. Should it become necessary, authorized officers from the DTI-FTEB or DTI-PO may conduct another verification visit;

14.2 Applicants shall be given three (3) months from the date of receipt of the NCR to undertake corrective actions. The aforementioned period shall toll the running of the seven (7)-day processing time;

14.3 All NCRs shall be resolved before registration can be effected;

14.4 Upon expiration of the three (3)-month period and after re-inspection it is found that any non-compliance subsists, the application shall be denied and the applicant shall be required to submit a new application.

Section 15. Action on the Application. The DTI FTEB/DTI PO Director shall notify the applicant in writing of the action taken on their application for registration. If the application has been disapproved, the notice shall state the ground/s for such decision.

Section 16. Issuance of Certificate of Registration. The Certificate shall be signed by the DTI FTEB/DTI RO Director.

16.1 The Certificate of Registration shall include the following information:

16.1.1 Name and address of the establishment;

16.1.2 Validity of registration;

16.1.3 Date and place of issue;

16.1.4 Registration number.

16.2 The Certificate of Registration shall be valid for three (3) years from issuance unless sooner cancelled, suspended or voluntarily withdrawn.

16.3 Application for renewal shall be made not later than three (3) months before the Certificate of Registration expires. Late filing of application for renewal shall be subject to surcharge.

ARTICLE VI

SUSPENSION AND WITHDRAWAL OF CERTIFICATE OF REGISTRATION

Section 17. Suspension of Certificate of Registration. After due notice and hearing, the concerned DTI Director may suspend the Certificate of Registration for a period of six (6) months to one (1) year on any of the following grounds:

17.1 If any of the provisions of the Act, these Guidelines, or the conditions of registration as provided herein has been breached or violated by the registered installation facility;

17.2 Failure, refusal, or neglect of the registered installation facility to comply with its contractual obligations to its customers without just cause; and

17.3 In case a vehicle serviced by the registered installation facility has caused damage to persons or property the cause of which is attributed to the improper installation of the speed limiter.

Suspension may be lifted upon satisfactory showing that the causes for suspension has been addressed and/or resolved.

Section 18. Voluntary Withdrawal. If the registered entity has voluntarily requested for the withdrawal of the registration granted, the registered entity shall submit a Letter of Withdrawal (copy furnished SEC/CDA and the concerned Local Government Unit) and surrender its Certificate of Registration to DTI-FTEB or DTI-RO. Entities which opted for voluntary withdrawal may apply for registration after one (1) year.

Section 19. Appeal. An applicant aggrieved by the final decision of the DTI Director, may, within fifteen (15) days from receipt of such decision, file an appeal to the Office of the DTI Secretary. The decision of the Secretary shall be immediately executory.

The grounds for appeal shall be limited to grave abuse of discretion and serious errors in the findings of fact, which may cause grave or irreparable injury to the aggrieved applicant.

ARTICLE VII CONDITIONS OF REGISTRATION

Section 20. Obligations of the Registered Installation Facilities of Speed Limiter

20.1 Registered installation facilities must submit a report in writing to the DTI FTEB or DTI PO within five (5) days from occurrence of any of the following:

20.1.1 Any change in the list of installers of speed limiter. The report must be accompanied by requirements provided under Section 4.7. New installers cannot perform installation work prior to submission of required documents and DTI's verification of their qualifications.

20.1.2 Any change in the name, location, or contact details of the entity or change in the personnel of the entity. Proof of said change must likewise be submitted (e.g. SEC/CDA Certification, business permit, business name registration). Any change in location shall be considered new registration.

20.1.3 Cancellation of DTI, SEC, or CDA registration or business permit. Cancellation of any of the aforementioned registration shall also cancel the Certificate of Registration as Installation Facility.

20.2 Submit to the DTI, in prescribed form, within 10 days after the end of each quarter a report on all the installation services undertaken within the quarter.

Section 21. Maintenance of Tools and Equipment. All tools and equipment used for the installation must be safe and effective and be maintained in good working condition and calibrated regularly.

Section 22. Records. The registered installation facility shall maintain and make available for inspection and reproduction, on request of DTI, records of transactions for a period of not less than three (3) years after completion of transaction. It shall include the following:

22.1 Vehicles installed with speed limiter device;

22.2 Calibration records and copies of calibration certificates, including identities of personnel involved; and

22.3 Records of relevant qualifications, training, skills, and experience of personnel.

Section 23. Display. The Certificate of Registration of the Installation Facility, Certifications of the technicians, and list of fees shall be displayed in a conspicuous manner within the installation facility.

Compliance with the provisions under Article VII is a continuing requirement for registration as installation facility.

Section 24. Monitoring and Inspection. DTI shall undertake monitoring and inspection every six (6) months of the activities of all registered installation facilities of speed limiters to verify their consistent conformity with this Department Administrative Order (DAO).

Section 25. Schedule of Fees. Fees and charges shall be in accordance with those enumerated in Annex B.

**ARTICLE X
ADMINISTRATIVE SANCTIONS AND GROUNDS**

Section 26. Prohibited Acts. The following acts are prohibited under this Order:

- 26.1 Material misrepresentation or falsehood in the documentary requirements submitted in the application for registration or renewal of Certificate of Registration as installation facility;
- 26.2 Commission or omission of any act by the facility and/or its installer which are inimical or prejudicial to the interest of their clients;
- 26.3 Installing speed limiter not licensed or does not bear the BPS product certification mark;
- 26.4 Installing speed limiter device without the required registration from DTI or with suspended registration;
- 26.5 Allowing unqualified personnel to install speed limiter;
- 26.6 Violation of and failure to comply with any of the conditions of registration;
- 26.7 Tampering;
- 26.8 Failure to settle financial obligations relative to its registration as installation facility of speed limiter;
- 26.9 Obstruction or attempting to obstruct inspection by DTI;
- 26.10 Falsification or using false Certificate of Registration;
- 26.11 Any act similar or analogous to the foregoing.


Section 27. Penalties and Sanctions. After due notice and hearing, DTI shall impose, when warranted, any of the following applicable penalties:

- 27.1 Fine of Thirty to Fifty Thousand Pesos (PhP30,000.00-PhP50,000), depending on the nature of the violation;
- 27.2 Recommend the cancellation of the Certificate of the technician to TESDA;
- 27.3 Cancellation of the Certificate of Registration.

A pending administrative case shall not bar the filing of appropriate civil and/or criminal case against the grantee.

**ARTICLE XI
MISCELLANEOUS PROVISIONS**

Section 28. Transitory Provision. Upon the effectivity of this Order, all speed limiter installer shall be required to submit Certificate of Competency issued by the speed limiter manufacturer or distributor as verified by the DTI and relevant Certificate of Competency (COE) or National Certificate (NC) from TESDA prior to the promulgation of TESDA training regulations on speed limiter installation and to the issuance of the corresponding TESDA Certificate of Competency.

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Installation facilities registered during the transitory period should have their existing installers certified by TESDA within six (6) months after the promulgation of training regulations.


Section 29. Separability Clause. In the event that any provision of this Order is declared unconstitutional, the validity of the other provisions shall not be affected by such declaration.

Section 30. Repealing Clause. All issuances, Orders, rules and regulations or parts thereof which are inconsistent with the provisions of this DAO are hereby repealed, amended or modified accordingly.

Section 31. Effectivity. This DAO shall take effect sixty (60) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes first, and after filing with the Office of the National Administrative Register at the UP Law Center, University of the Philippines, Diliman, Quezon City.

Issued this 2nd day of May 2019 in Makati City, Metro Manila.

Recommended by:



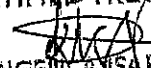
ATTY. RUTH B. CASTELO
Undersecretary, CPG

Approved by:



RAMON M. LOPEZ
Secretary


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TOOLS AND EQUIPMENT

Relief Valve A SSY 10mm	Teflon
Relief Valve A SSY 8mm	Autowire 16"
Relief Valve A SSY 6mm	Soldering LED
G/Box Sensor C/W 25'	Soldering Iron
Top Speed Governor Sensor	Soldering Paste
T-Fittings 10mm	Liquid Gasket
T-Fittings 8mm	Plier Cutter
T-Fittings 6mm	Combination Wrench 6mm, 8mm, 10mm, 12mm, 14mm
Test Socket Unit	3/4, 11/16, 5/8, 9/16, 1/2, 7/16, 3/8
TCU	Tester (OTC)
Test & Calibration Units TCU5	Seal Grip
TSL Sealing Pliers & Anvils	Ear Grip
5/16 Fuel Line Hose	Wire Strippers
1/4 Flexible Hose	Adjustable Wrench
3/8 Fuel Line Hose	Socket 3/8 Drive
15.3 Stainless Ear Clamp	Ratchet
18.5 Stainless Ear Clamp	T-Wrench 12, 14
12.8 Stainless Ear Clamp	Flower Wrench
Electrical Tape	Terminal Eye 8-6, 8-8
Speedometer roller	


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SCHEDULE OF FEES

Particular	Amount (Php)
Filing fee (New and Renewal)	300.00
Processing fee	5,000.00
Documentary Stamp Tax	30.00
Certified True Copy of Certificate of Registration (COR)	200.00
Surcharge for late filing of Renewal Application	
- 0 to 2 months after the expiration date	3,000.00
- More than 2 months after the expiration date	5,000.00

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