



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 396, S-2008

AN ORDINANCE ENACTING THE CITY OF MANDALUYONG
VEHICLE EMISSION CONTROL CODE AND PROVIDING
PENALTY FOR VIOLATION THEREOF

BE IT ENACTED, as it is hereby ENACTED by the Sangguniang Panlungsod of Mandaluyong, by virtue of the powers vested in it by law, in session assembled, that:

ARTICLE I
GENERAL PROVISIONS

SECTION 1. This Ordinance shall be known as the "Mandaluyong City Vehicle Emission Control Code".

ARTICLE II
DEFINITION OF TERMS

SECTION 2. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall mean and defined as follows:

- a. AIR POLLUTANT – means any matter found in the atmosphere other than oxygen, nitrogen, water vapor, carbon dioxide and other inert gases in their natural or normal concentrations, that is detrimental to health or the environment, which includes but not limited to smoke, dust, soot, cinders, fly ash, solid particles of any kind, gases, fumes, chemical mist, steam and radio active substances.
- b. AIR POLLUTION – means any alteration of the physical, chemical and biological properties of the atmospheric air, or any discharge thereto of any liquid, gaseous or solid substances that will or is likely to create or to render the air resources of the country harmful, detrimental, or injuries to public health, safety or welfare or which will adversely affect their utilization for domestic, commercial, industrial, agricultural, recreational or other legitimate purposes.
- c. EMISSION – means any air contaminate, pollutant gas stream which passed into the atmosphere.
- d. MOTOR VEHICLE – means any vehicle propelled by or through combustion of carbon-based or other fuel, constructed and operated principally for conveyance of persons or the transportation of property or goods.
- e. MOTORCYCLE – refers to any two wheeled motor vehicle with at least one headlight, taillight and spotlight, and one or more saddle seats. For purposes of these rules, motorcycles shall include those with attached cars also known as "tricycles".

- f. SPARK-IGNITION ENGINE – means an internal combustion engine in which the air/fuel mixture is ignited by a spark plug, e.g. a gasoline engine.
- g. SMOKE OPACITY METER (or OPACIMETER) – means an instrument which determines the smoke opacity in exhaust gases emitted by the engine system.
- h. TYPE APPROVAL – refers to the official ratification of the compliance of a vehicle type with the applicable local or national regulations.
- i. POISONOUS AND TOXIC FUMES – means any emission and fumes which are beyond the internationally-accepted standards, including but not limited to World Health Organization (WHO) guideline value.
- j. POLLUTION CONTROL DEVICE – means any device or apparatus used to prevent, control or abate the pollution of air caused by emissions from identified pollution sources at levels within the air pollution control standards established by the City.
- k. POLLUTION CONTROL TECHNOLOGY – means the pollution control devices, production processes, fuel combustion processes or other means that effectively prevent or reduce emissions or effluent.
- l. VEHICLE TYPE – means a category of power-driven vehicles which do not differ in such essentials as reference mass or weight, engine type, number of cylinders, body configuration, manner of transmission, fuel used and similar characteristics.

ARTICLE III
EMISSION STANDARDS FOR MOTOR VEHICLES

SECTION 3. Any motor vehicle plying in Mandaluyong City, whether private or public, must conform with the following emission control standards:

- a. Vehicles with Spark-Ignition Engines (Gasoline) Except Motorcycles:

VEHICLE CATEGORY	CO (% by volume)	HC (ppm as Hexane)
Registered prior to January 1, 1997 at idle	4.5	800
Registered after January 1, 1997 but before January 1, 2003 at idle	3.5	600
Registered on or after January 1, 2003 at low idle at High Idle (rpm > 2,500)	0.5 0.3(2=1+/-0.03)*	100

*or in accordance with manufacturer's specification.

b. Vehicles with Compression-Ignition Engines:

VEHICLE CATEGORY	NATURALLY ASPIRATED	TURBO CHARGED	1,000 m INCREASE IN ELEVATION
Registered for the first time prior to December 31, 2002	2.5	3.5	4.5
Registered for the first time on or after January 1, 2003	1.2	2.2	3.2

*Using the free acceleration test.

SECTION 4. EMISSION LIMITS FOR MOTORCYCLES:

a. 4 Stroke Motorcycle

Reference Weight R(1) (kg)	CO	(g/km)	HC	(g/km)
	Type Approval	Conformity of Production	Type Approval	Conformity of Production
< 100	17.5	21	4.2	8
100-300	17.5 + 17.5 (R-100)/ 200	21+21 (R-100)/200	4.2+1.8 (R-100)	(8+2.4 (R-100)/200
> 300	35	42	8	9.4

b. 2 Stroke Motorcycle

Reference Weight R(1) (kg)	CO	(g/km)	HC	(g/km)
	Type Approval	Conformity of Production	Type Approval	Conformity of Production
< 100	12.8	16	8	10.4
100-300	12.8+19.2 (R-100)/200	16+24 (R-100)/200	8+4 (R-100)	10.4+6.4 (R-100)/200
> 300	32	40	12	18.8

c. Mopeds

Vehicle type	2 – Wheeled		3 – Wheeled	
Pollutant	CO g/km	HC g/km	Co g/km	HC g/km
Licensing	8	5	15	10
Production	9.6	6.5	18	13

For mopeds, CO emissions at idle shall not exceed 6% for all types.

SECTION 5. Fuel evaporative emission for spark-ignition engines shall not exceed 2.0 grams hydrocarbon per test. Likewise, it shall not allow any emission of gases from crankcase ventilation system into the atmosphere.

Durability of pollution control equipment for spark ignition and compression engines shall conform to the deterioration factor prescribed in the test procedure.

The standard set forth in the above paragraphs of this section refer to the exhaust emitted over a driving schedule or engine speed, evaporative emission, crankcase ventilation emission and durability of pollution control equipment as set forth in the test procedures indicated in the succeeding section.

SECTION 6. The smoke emission limits under steady state conditions shall be as follows:

Nominal Flow (liters. second)	Light Absorption Coefficient* (m)
42	2.26
100	1.495
200	1.065

*For Compression ignition vehicles only.

Opacity under free acceleration should not exceed the approved level by more than 0.5m.

SECTION 7. The test procedures to determine exhaust emissions and other standards shall be as follows:

- a. For exhaust emissions, fuel evaporative emission, emission of crankcase gases and durability of pollution control equipment for cars and light duty motor vehicles.
 - i. ECE Regulation 83-01/02, series of amendment approval B and C: Uniform provision concerning the approval of vehicles as regards the emission of gaseous pollutants by the engine according to engine fuel standards.
 - ii. Approval B – Limitation of emission of gaseous pollutant by the engine, evaporative emission, crankcase emission and durability of motor vehicle fueled with unleaded petrol.
 - iii. Approval C – Limitation of emission of gaseous and particulate pollutants, crankcase emission and durability of pollution control devices of motor vehicles fueled with diesel fuel.
- b. For medium and heavy duty motor vehicles with compression-ignition engines.
 - i. ECE Regulation 49-01/102, series of amendment (49/02) Uniform provision concerning the approval of compression-ignition (C.I.) engines and motor vehicles equipped with C.I. engine as regards to the emission of pollutants by engine.
- c. For the determination of CO emission.
 - i. The test procedure for the determination of CO emission shall be at idling speed provided in the Emission Test Procedure for Vehicles equipped with Spark Ignition Engines and the Free Acceleration Test Procedure for Vehicles Equipped with Compression-Ignition Engines.

Other equivalent test procedures as approved by the City may be utilized.

**ARTICLE IV
FEES/CHARGE**

SECTION 8. The amount of Four Hundred Fifty Pesos (P450.00) shall be collected for the emission testing services if the same is rendered by the City.

The amount shall be paid upon presentation of the vehicle for testing to determine whether or not it has already complied with the emission standards set in this Ordinance. Passing the emission test shall be a requirement for the release of the confiscated driver's license and/or vehicle plate to its owner.

The Office of the Mayor may accredit private vehicle emission testing centers to conduct emission testing for the City. Only the certification/result of testing issued by the accredited centers will be honored by the City.

**ARTICLE V
PENALTY**

SECTION 9. Every violation of this Ordinance shall be penalized as follows:

First Offense	P1,000.00
Second Offense	2,000.00
Third and Succeeding Offenses	3,000.00

In all cases, the Driver's License and/or Vehicle License Plate will be confiscated and will only be released to the owner subject to the provisions of Sections 6 and 8 of this Ordinance.

**ARTICLE VI
ADMINISTRATION**

SECTION 10. The Anti-Smoke Belching Unit (ASBU) shall enforce the vehicle emission control standards fixed in this Ordinance. The Anti-Smoke Belching Unit (ASBU) and its authorized deputies may conduct mobile emission testing anywhere in the City of Mandaluyong.

Any vehicle within the jurisdiction of Mandaluyong City which, in the opinion of the authorized deputies of the Department, is not compliant with the emission standards set in this Ordinance may be apprehended and subjected to emission control tests.

In case the vehicle failed the test, the driver shall be issued an Ordinance Violation Receipt (OVR) and his/her driver's license and/or vehicle plates will be confiscated. The Driver's License/Vehicle Plates will only be released to the violator after the vehicle has passed the emission control test and upon payment of testing fee and fines provided under Sections 6 and 7 hereof.

SECTION 11. In the event the driver of the apprehended vehicle contests the apprehension and/or result of the emission standards, he may appeal the same with the City Adjudication Service where he will be given the opportunity to be heard and present his evidence.

Pending the creation of the City Adjudication Service, through a local Executive Order, the City Secretary's Office and/or City Legal Department shall function as such.

The City Adjudication Service may adopt its rules and procedures in the conduct of its hearing.

ARTICLE VII MISCELLANEOUS PROVISIONS

SECTION 12. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within six (6) hours from apprehension, otherwise, the case shall be prosecuted.

The City Treasurer, subject to Civil Service Laws, Rules and Regulation, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six-hour period within which to pay under this Ordinance.

SECTION 13. SEPARABILITY CLAUSE. If, for any reason, any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision thereof not so affected shall continue to be in full force and effect.

SECTION 14. REPEALING CLAUSE. All ordinances not consistent with the provisions of this Ordinance are hereby repealed.

SECTION 15. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days following its posting and publication in a newspaper of local circulation.

ENACTED on this 14th day of April, 2008 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE
WAS ENACTED AND APPROVED BY THE SANGGUNIANG
PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAL
Sanggunian Secretary

ATTESTED:


RENATO B. STA. MARIA
City Vice Mayor &
Presiding Officer

APPROVED:


BENJAMIN DC. ABALOS, JR.
City Mayor

Date: APR 25 2008

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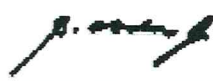
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