

DEPARTMENT ADMINISTRATIVE ORDER NO. _____
Series of 2018

SUBJECT: MANDATORY PHILIPPINE NATIONAL STANDARD (PNS) FOR SPEED LIMITATION DEVICES (SLD) AND ADJUSTABLE SPEED LIMITATION DEVICES (ASLD)

1. Pursuant to Republic Act 10916 or the “Road Speed Limiter Act of 2016”, Republic Act 4109, Republic Act 7394, Executive Order No. 913 Series of 1983, Executive Order No. 133 Series of 1987, Executive Order No. 101 Series of 1967, Department Administrative Order No. 4 Series of 2008, Department Administrative Order No. 5 Series of 2008, Department Administrative Order No. 2 Series of 2007, and Sec. 10 (4), Title X Book IV of the Administrative Code of 1987, the following Philippine National Standard is hereby adopted for mandatory implementation:

PNS UNR 89:2016 – Part III: Uniform provisions concerning the approval of speed limitation devices (SLD) and adjustable speed limitation devices (ASLD)

2. All manufacturers, distributors, importers, and retailers of said product shall comply with the requirements of this standard.
3. A third party certification, known as the Product Certification Scheme of the DTI – Bureau of Philippine Standards (BPS), requires all manufacturers and importers of said product to secure a Philippine Standard (PS) License and an Import Commodity Clearance (ICC), respectively, prior to its distribution and sale.
4. **Terms and Definitions**

In addition to the definitions provided in the standard, the following shall apply:

4.1 Adjustable Speed Limitation Device (ASLD) – a device which limits the speed of vehicles of categories M and N to a speed voluntary set by the driver when it is activated

4.2 BPS – Bureau of Philippine Standards

4.3 DTI – Department of Trade and Industry

4.4 FTEB – Fair Trade Enforcement Bureau

4.5 Import Commodity Clearance (ICC) – document issued by BPS to an importer authorizing the use of the ICC sticker on the imported products in accordance with the rules of the certification Scheme

4.6 Importer – an entity engaged in the importation of the product

4.7 Licensee – manufacturer issued a PS Certification Mark License/Import Commodity Clearance

4.8 Manufacturer – an entity engaged in the manufacture or assembly of the product

4.9 PS Quality and/or Safety Certification Mark License – document issued by BPS to a company authorizing its use of the PS Quality and/or Safety Certification Mark on the products in accordance with the rules of the certification scheme

4.10 **Speed Limitation Device (SLD)** – a device which controls the fuel feed to the engine in order to limit the vehicle speed to the specified value

4.11 **Test Samples** – the product picked out at random from a lot or batch

4.12 **Type of SLD/ASLD** – means SLDs/ASLDs which do not differ with respect to the essential characteristics such as the make and type of the device, the range of speed values at which they may be set, and the method used to control the fuel feed to the engine

4.13 **Vehicle Categories**

Category M: Motor vehicles with at least four wheels designed and constructed for the carriage of passengers.

M1: Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat.

M2: Vehicles designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tons.

M3: Vehicles designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tons.

Category N: Motor vehicles with at least four wheels designed and constructed for the carriage of goods.

N1: Vehicles designed and constructed for the carriage of goods and having a maximum mass not exceeding 3.5 tons.

N2: Vehicles designed and constructed for the carriage of goods and having a maximum mass exceeding 3.5 tons but not exceeding 12 tons.

N3: Vehicles designed and constructed for the carriage of goods and having a maximum mass exceeding 12 tons.

5. **Implementing Guidelines**

The Implementing Guidelines for the Mandatory Certification of the said product shall be as follows:

5.1 **Scope**

The scope of implementation shall cover **Speed Limitation Devices (SLD)** which are intended to be fitted to vehicles of categories M₂, M₃, N₂, and N₃ and **Adjustable Speed Limitation Devices (ASLD)** which are intended to vehicles of categories M and N as prescribed in Part III of PNS UNR 89:2016.

5.2 **Authorities and Responsibilities of DTI/BPS**

Duties and responsibilities of DTI/BPS prescribed in DAO 4:2008, DAO 5:2008, and their future amendments shall apply.

5.3 **Application for PS or ICC Certification**

5.3.1 Manufacturers shall apply for the Philippine Standard (PS) Quality and/or Safety Certification Mark License according to the requirements of DAO 4:2008, its implementing rules and regulations, and their future amendments.

5.3.2 Importers shall apply for the Import Commodity Clearance (ICC) according to the requirements of DAO 5:2008, its implementing rules and regulations, and their future amendments.

5.3.3 In addition to the said requirements, the manufacturers/importers shall submit the following:

5.3.3.1 Technical characteristics of the SLD/ASLD;

5.3.3.2 Method of SLD/ASLD's installation on each make; and

5.3.3.3 Type/s of vehicle for which the SLD/ASLD is intended to be installed.

5.3.4 In the absence of BPS recognized testing laboratory, the importers shall warrant that the SLD/ASLD they import into the country conform to the standard specifications stipulated in PNS UNR 89:2016 through the following:

5.3.4.1 Importers shall submit supplier's/manufacturer's declaration of conformity on a per shipment per bill of lading basis; and

5.3.4.2 Copy/ies of Type Approval Certificate/s for each type of imported SLD/ASLD

It is understood that the aforementioned requirements shall cease to be implemented once BPS recognized testing laboratory is available.

5.4 Sampling

5.4.1 For ICC application, ten (10) pieces of SLD/ASLD per type per brand shall be randomly drawn from the shipment at the importer's warehouse by a duly authorized DTI/BPS representative. The first five (5) pieces shall be sent to the BPS recognized testing laboratory for testing. The remaining units shall be kept by the importer as reserved samples.

5.4.2 For PS Certification Mark License application, fifteen (15) pieces of SLD/ASLD per type per brand shall be randomly drawn from the manufacturer's production line or warehouse by a duly authorized DTI/BPS representative. The first five (5) pieces shall be tested in-plant to be witnessed by the authorized DTI/BPS representative. The next five (5) pieces shall be sent to the BPS recognized testing laboratory for independent testing upon satisfactory result of the in-plant test. The remaining units shall be kept by the manufacturer as reserved samples.

5.4.3 Test samples for independent testing shall be packed/sealed and signed by the authorized DTI/BPS representative and shall be sent by the manufacturer or importer to BPS recognized testing laboratory within seven (7) working days upon drawing of samples. The authorized DTI/BPS representative shall ensure that the Request for Test form is properly filled-up, signed and issued to the manufacturer or importer.

5.4.4 Prior to testing, there shall be no special preparation, modification or adjustment, quality control, testing or assembly procedure conducted in any manner on a test sample or any parts and sub-assemblies thereof, which is not normally performed during production and assembly.

5.5 In-plant Test

5.5.1 The manufacturer shall have the capability to conduct the following tests and performance requirements of SLD and ASLD as prescribed in Annex 5 and 6 of PNS UNR 89:2016, respectively:

- 5.5.1.1 Tests of Speed Limitation shall be done on either:
- a. Test Track,
 - b. Chassis Dynamometer, or
 - c. Engine Test Bench

5.5.1.2 Test of Endurance

5.5.2 The manufacturer shall establish a system and procedure of ensuring the full compliance of its products to the requirements of PNS UNR 89:2016 as part of its quality control.

5.6 Independent Testing

- 5.6.1 Samples shall be tested by a BPS recognized testing laboratory as per requirements of PNS UNR 89:2016.
- 5.6.2 In the absence of BPS recognized testing laboratory, test samples shall be sent to laboratory/ies accredited by an accreditation body signatory to the International Laboratory Accreditation Cooperation (ILAC) or Asia Pacific Laboratory Accreditation Cooperation (APLAC) Multilateral Recognition Arrangement (MRA) for testing.
- 5.6.3 Two separate tests with two (2) failing results shall have been conducted by a BPS recognized testing laboratory before a declaration can be made that the product does not conform to the specific standard.
- 5.6.4 If in the determination of BPS the first set of sample failed, another set of sample from the same lot/batch shall be tested. If the retest passed, the lot/batch is declared as complying with the requirements of the standard.
- 5.6.5 Likewise, if in the determination of BPS the first and the retest failed to conform to the requirements of PNS UNR 89:2016, the PS/ICC applicant shall be advised by BPS that their application is denied.
- 5.6.6 All test results shall be held strictly confidential by the BPS designated testing laboratory. Copies of test report that maybe requested by the manufacturers/importers from BPS are for product certification purposes only and not to be used for commercial purposes.

5.7 Required Markings

Required markings shall be as follows:

- 5.7.1 Markings/labels prescribed by PNS UNR 89:2016
- 5.7.2 Markings/labels prescribed by DAO 04:2008/DAO 05:2008 and their future amendments
- 5.7.3 Markings/labels prescribed by the Consumer Act of the Philippines (Republic Act No. 7394)

5.8 Disposition of Samples

- 5.8.1 Tested samples shall be retrieved by the manufacturer/importer within 30 days upon receipt of the notice issued by the testing laboratory.
- 5.8.2 Samples which failed to comply with the requirements of PNS UNR 89:2016 may be stored at the concerned testing laboratory for reference purposes and in the event that the manufacturer/importer contests the result of tests. If the test results were not contested after two (2) months from the issuance, the test report is deemed final and the samples shall be returned to the manufacturer/importer or

disposed of in a manner deemed appropriate, under existing rules and regulations.

5.8.3 The BPS and the testing laboratory shall not be liable for whatever damage sustained by the test samples during transport and testing. The laboratory shall dispose the samples, in a manner deemed appropriate under existing rules and regulations. Disposal of tested samples with hazardous substances shall be the responsibility of the manufacturer/importer concerned.

5.9 Monitoring and Market Surveillance

The BPS/FTEB/DTI-RO/PO Offices shall at any time monitor and inspect products in the market for conformance to the requirements of DAO 2:2007, DAO 3: 2008, DAO 4:2008, DAO 5:2008, their future amendments, and the specified standard. If the products are found not in conformity, DTI/BPS shall make appropriate legal actions or impose necessary sanctions, in accordance with the relevant laws, rules and regulations.

6. Separability Clause

Should any provision of this Administrative Order or any part thereof be declared invalid, the other provisions, so far as they are separate from the invalid ones, shall remain in force and effect.

7. Effectivity

This Order shall take effect fifteen (15) days after its publication in a national newspaper of general circulation, a copy of which shall be submitted to the UP Office of National Administrative Register.

Done in the City of Makati this _____ day of _____ in the year 2018.

Recommended by:

ENGR. JAMES E. EMPEÑO
Director
Bureau of Philippine Standards

ATTY. RUTH B. CASTELO
Undersecretary
Consumer Protection Group

Approved:

RAMON M. LOPEZ
Secretary