



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

TO : **The Directors**
Environmental Management Bureau
Legal Affairs Service
Policy and Planning Service

FROM : **The Assistant Secretary**
Field Operations- Mindanao and Legislative Affairs

SUBJECT : **INVITATION FROM THE COMMITTEE ON ENERGY
JOINTLY WITH THE COMMITTEE ON ECOLOGY AND
TRANSPORTATION**

DATE : 05 May 2021

This pertains to the letter dated 5 May 2021, from Representative **JOSE ENRIQUE S. GARCIA III**, TWG Chairperson, Committee on Energy, inviting DENR to a JOINT Meeting with the Committee on Ecology and Transportation on **07 May 2021 (Friday) at 9:30am**, with **Meeting ID: 847 8733 2836 Passcode: 422705**, for the 4th deliberation on the **Draft Substitute Bill** in substitution of **HOUSE BILLS NO. 444, 738, 1432, 2020, 4075, 4179, 4356, 4366, 4391, 4962, 6604, 7298, 7299, 7317 and 7607**, *On the Electric, Hybrid and Alternative Fuel Vehicles*, authored by Representatives Strike Revilla, Rozzano Rufino Biazon, Luis Campos, Jr., Alfred Vargas, Joseph Bernos, Manuel Cabochan III, Vilma Santos-Recto, Ed Christopher Go, Jose Enrique S. Garcia III, Loren Legarda, Michael Romero, Enrico Pineda, Sharon Garin and Weslie T. Gatchalian. See attached.

Kindly inform this Office of your attendance before the scheduled date of the meeting and submit presentation, comments and/or position paper in hard and soft at the Legislative Liaison Office at telephone number 8920-1761 and e-mail address denrlegislative@yahoo.com, for consolidation.


JOAN A. LAGUNDA, D.M., D.P.A.

Encls: As stated.

/juo055

Invitation/4th Deliberation on 7 May 2021 at 9:30AM via Zoom re EVehicles

From: legis lative (denrlegislative@yahoo.com)

To: od@emb.gov.ph; oad.emb@gmail.com; recordsco@emb.gov.ph; fatima_millan@emb.gov.ph;
las.denr@gmail.com; odpps@yahoo.com; odpps@denr.gov.ph

Date: Thursday, May 6, 2021, 08:29 AM GMT+8

Dear Sir/Mam,

Good Day!

Please find the attached letter invitation from the Committee on Energy for your perusal. Kindly acknowledge receipt of this email. Thank you.

Department of Environment and Natural Resources
Legislative Liaison Office

Visayas Avenue, Diliman, 1100 Quezon City, Philippines

denr.gov.ph

Tel: 9201761



Memo Invite Energy on EVs.docx
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Republic of the Philippines
House of Representatives
Quezon City
18th Congress

COMMITTEE ON ENERGY
jointly with the
COMMITTEES ON ECOLOGY
and the
COMMITTEE ON TRANSPORTATION

INVITATION TO THE TECHNICAL WORKING GROUP (TWG) ZOOM MEETING

May 05, 2021

To the TWG Participants (Government and Private Sectors)

Sir/Madam:

Please be informed that the Committee on Energy jointly with the Committee on Ecology and the Committee on Transportation will hold a virtual TWG meeting on the date and time indicated hereunder:

DATE/TIME	May 07, 2021 (Friday) 9:30 A.M.	ZOOM LOG-IN DETAILS: Meeting ID: 847 8733 2836 Password: 422705
AGENDA	➤ 4 th Deliberation on the Draft Substitute Bill in substitution of HOUSE BILLS NO. 444, 738, 1432, 2020, 4075, 4179, 4356, 4366, 4391, 4962, 6604, 7298, 7299, 7317 and 7607, <i>On the Electric, Hybrid and Alternative Fuel Vehicles</i> , authored by Representatives Strike Revilla, Rozzano Rufino Biazon, Luis Campos, Jr., Alfred Vargas, Joseph Bernos, Manuel Cabochan III, Vilma Santos-Recto, Ed Christopher Go, Jose Enrique S. Garcia III, Loren Legarda, Michael Romero, Enrico Pineda, Sharon Garin and Weslie T. Gatchalian	

Attached are the copies of the Agenda, draft substitute bill and TWG Highlights on April 29, 2021, for your reference.

Please confirm your participation to the Committee Secretariat through our e-mail: committee.energy@house.gov.ph.

If you have additional comments on the draft substitute bill, please submit it to the Committee not later than May 06, 2021.

Your active participation is greatly appreciated.

Thank you.

Very truly yours,

JOSE ENRIQUE S. GARCIA III
TWG Chairman

COMMITTEE ON ENERGY
jointly with the
COMMITTEE ON ECOLOGY AND
COMMITTEE ON TRANSPORTATION

TECHNICAL WORKING GROUP (TWG) VIRTUAL MEETING

May 07, 2021 (Friday), 9:30 A.M.

Meeting ID: **847 8733 2836**

Password: **422705**

A G E N D A

- I. Call to Order
- II. Remarks of TWG Chairperson Jose Enrique S. Garcia III
- III. Remarks of C/Ecology Chairperson Glona G. Labadlabad
- IV. Remarks of C/Transportation Chairperson Edgar Mary S. Sarmiento
- V. Acknowledgement of TWG Participants
- VI. 4th Deliberation on the **Draft Substitute Bill on the “Electric, Hybrid and Alternative Fuel Vehicles”**, in substitution of **HOUSE BILLS NO. 444, 738, 1432, 2020, 4075, 4179, 4356, 4366, 4391, 4962, 6604, 7298, 7299, 7317 and 7607**, authored by Representatives Strike Revilla, Rozzano Rufino Biazon, Luis Campos, Jr., Alfred Vargas, Joseph Bernos, Manuel Cabochan III, Vilma Santos-Recto, Ed Christopher Go, Jose Enrique S. Garcia III, Loren Legarda, Michael Romero, Enrico Pineda, Sharon Garin and Weslie T. Gatchalian
- VII. Other Matters
- VIII. Adjournment

TWG Participants:

1. Department of Energy (DOE)
2. Energy Regulatory Commission (ERC)
3. Department of Budget and Management (DBM)
4. Department of Finance (DOF)
5. Department of Trade and Industry (DTI)
6. DTI-Board of Investments (DTI-BOI)
7. Department of Interior and Local Government (DILG)
8. Department of Transportation (DOTr)
9. Department of Environment and Natural Resources (DENR)
10. Department of Public Works and Highways (DPWH)
11. Land Transportation Office (LTO)
12. Land Transportation Franchising and Regulatory Board (LTFRB)
13. Metro Manila Development Authority (MMDA)
14. League of Provinces of the Philippines (LPP)

15. League of Cities of the Philippines (LCP)
16. League of Municipalities of the Philippines (LMP)
17. Manila Electric Company (Meralco)
18. Electric Vehicle Association of the Philippines (EVAP)
19. E-Sakay
20. Philippine Institute of Petroleum (PIP)
21. IPP Companies Association (IPPCA)
22. Philippine Electric Private Owners Association (PEPOA)
23. Philippine Rural Electric Cooperatives Association (PHILRECA)
24. Philippine Federation of Electric Cooperatives (PHILFECO)
25. Association of Mindanao Rural Electric Cooperatives (AMRECO)
26. Pagkakaisa ng mga Samahan ng Tsuper at Operator (PISTON)
27. Malayang Alyansa ng Bus Employees at Laborers (MANIBELA)
28. Federation of Philippine Industries, Inc. (FPI)
29. Chamber of Automotive Manufacturers of the Philippines Inc (CAMPI)



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. _____

(As prepared by the Committees on Energy, Ecology, Transportation, Ways and Means and Appropriations in substitution of House Bills Numbered 444, 738, 1432, 2020, 4075, 4179, 4356, 4366, 4391, 4962, 6604, 7298, 7299, 7317 and 7607)

Introduced by Representatives Revilla, Biazon, Campos, Vargas, Bernos, Cabochan, Santos-Recto, EC Go, Garcia, Legarda, Romero, Pineda, Garin, Gatchalian, Singson-Meehan, A.S. Tan

AN ACT
PROVIDING THE NATIONAL ENERGY POLICY AND REGULATORY
FRAMEWORK FOR THE USE AND DEVELOPMENT OF ELECTRIC
VEHICLES INDUSTRY, APPROPRIATING FUNDS THEREFOR

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. **Short Title.** – This Act shall be referred to as the
2 "*Electric Vehicles Act.*"

3 SEC. 2. **Declaration of Policy.** – It is hereby declared the policy
4 of the State to:

5 (a) Generate employment opportunities to our local skilled
6 workforce to sustain their livelihood;

7 (b) Ensure the country's energy security and independence by
8 reducing reliance on imported fuel for the transportation sector;

9 (c) Promote and support innovations in clean, sustainable, and
10 efficient energy to accelerate social progress and human development
11 by encouraging public and private use of alternative energies and low
12 emission technologies;

13 (d) Protect the health and well-being of its people from the
14 hazards of pollution and greenhouse effect;

1 (e) Safeguard and improve the integrity, reliability, and stability
2 of the country's electric power grid by optimizing the location of energy
3 sources relative to demand;

4 (f) Promote inclusive and sustainable industrialization while
5 recognizing the role of the private sector, in order to support the
6 transition to new technologies, spur small and medium enterprise
7 growth, attract investments, grow globally competitive and innovative
8 industries, and upgrade the country's participation in regional and
9 global value chains;

10 (g) Recognize the role of the Local Government Units (LGUs) as
11 competent partners of the national government in the smooth
12 transition to this innovation by providing them financial and capacity
13 building support; and

14 (h) Strengthen the performance-based mechanisms for the
15 LGUs in the form of incentives for good governance standards in order
16 to further empower them as more effective partners in the attainment
17 of national goals.

18 **SEC. 3. Scope and Application.** – This Act shall apply to the
19 industry development, regulation, manufacture, assembly,
20 installation, maintenance, trade and utilization of electric and plug-in
21 hybrid vehicles, parts and components, charging stations, the related
22 support infrastructures and supplies;

23 **SEC. 4. Definition of Terms.** – As used in this Act:

24 (a) *Battery electric vehicle (BEV)* refers to an electric vehicle
25 which is propelled exclusively by energy stored in an on-board battery
26 pack that can be recharged in a charging station;

27 (b) *Certificate of Conformity* refers to the certificate issued by
28 the DENR to a vehicle manufacturer/assembler or importer certifying
29 that a particular new vehicle or vehicle type meets the requirements
30 provided under Republic Act No. 8749, "Philippine Clean Air Act of
31 1999" and its implementing rules and regulations;

32 (c) *Certificate of Inspection* refers to a document issued by the
33 building official of a local government unit (LGU) to the owner or
34 applicant as a requirement for the installation of power lines to a
35 building or structure to certify the completeness of the installation of
36 all electrical wirings, pursuant to Republic Act No. 6541 as revised by

1 Presidential Decree No. 1096, otherwise known as the “National
2 Building Code of the Philippines”;

3 (d) *Certificate of Non-Coverage for Emission Standards* refers to a
4 certificate issued in lieu of a Certificate of Conformity by the DENR to
5 a vehicle manufacturer, assembler or importer certifying that a
6 particular new vehicle or vehicle type does not have any exhaust
7 emission;

8 (e) *Charging fee* refers to the amount imposed on users in
9 exchange for the use of charging station/equipment;

10 (f) *Charging station/equipment* refers to an equipment that
11 delivers electrical energy to a rechargeable battery pack, or similar
12 storage device or system of an EV and may be located off the vehicle;

13 (g) *Charging station service provider* refers to a natural or
14 juridical person, duly accredited by the Department of Energy (DOE),
15 who is engaged in the business of selling, installing, operating or
16 maintenance of charging stations;

17 DELETED THE DEFINITION OF CREV, ADDED A NEW
18 SECTION ON CREV.

19 (h) *Distribution system* refers to the system of wires and
20 associated facilities belonging to a franchised distribution utility,
21 extending between the delivery points on the transmission, sub-
22 transmission system, or generating plant connection and the point of
23 connection to the premises of the end-user;

24 (i) *Distribution utility (DU)* refers to any electric cooperative,
25 private corporation, or government-owned utility which has a
26 franchise or authority to operate a distribution system including those
27 whose franchise or authority covers economic zones;

28 (j) *Electric vehicle (EV)* refers to a land vehicle which has a
29 traction motor component that uses electricity stored in an on-board
30 battery or similar energy storage device or system for propulsion
31 instead of a traditional combustion engine. The term EV includes
32 BEVs and plug-in hybrid electric vehicles (PHEVs);

33 (k) *Green routes* refer to public transportation routes created
34 or identified by the provinces, cities and municipalities and approved
35 by the Department of Transportation (DOTr) to be exclusively
36 traversed by public utility vehicles (PUVs) classified as EVs;

1 (l) *Hybrid-electric vehicle (HEV)* refers to an electric vehicle
2 which has both a traditional internal combustion engine and a
3 traction motor and can be propelled using petroleum-based fossil
4 fuels or electricity, or both. The term HEV includes a plug-in hybrid
5 electric vehicle;

6 (m) *Importer* refers to any individual, partnership,
7 corporation, or other entity, incorporated, organized, and existing
8 under Philippine laws, engaged in the importation of completely built
9 units of EV, charging stations, parts and components, and batteries;

10 (n) *Manufacturer or assembler* refers to any individual,
11 partnership, corporation, or entity, incorporated, organized and
12 existing under Philippine laws and registered with the BOI, engaged in
13 the manufacture and assembly of EVs using local and/or imported
14 parts and components that would include an unfinished and/or
15 unpainted body shell;

16 (o) *Private charging stations* refer to charging stations
17 installed for private use;

18 (p) *Plug-In Hybrid Electric Vehicle (PHEV)* refers to an HEV
19 which battery can be recharged through both regenerative braking or
20 by plugging-in to an external electrical power source; and

21 (q) *Public charging stations* refer to charging stations which
22 are available for use by the public for a fee.

23 **SEC. 5. Electric Vehicles Board (EVB).** – The EVB is hereby
24 created and shall be composed of the following:

25 (a) Secretary of the Department of Energy (DOE) as
26 Chairperson;

27 (b) Secretary of the Department of Transportation (DOTr) as
28 Member;

29 (c) Secretary of the Department of Trade and Industry (DTI) as
30 Member;

31 (d) Secretary of the Department of Finance (DOF)

32 (e) Secretary of the Department of the Interior and Local
33 Government (DILG) as Member;

34 (f) Secretary of the Department of Science and Technology
35 (DOST) as Member;

36 (g) Secretary of the Department of Environment and Natural
37 Resources (DENR);

1 (h) Secretary of the Department of Public Works and Highways
2 (DPWH) as member; and

3 (i) Secretary of the Department of Budget and Management
4 (DBM) as member.

5 The EVB shall have as resource persons, representatives from
6 the industry sector and other government agencies.

7 The DOE Secretary, in his capacity as Chairperson, shall, within
8 one (1) month from the effectivity of this Act, convene the EVB.

9 The EVB shall be assisted by a technical secretariat from the
10 Energy Utilization Management Bureau of the DOE. The number of
11 staff of the technical secretariat and the creation of corresponding
12 positions necessary to complement and/or augment the existing
13 plantilla of the EUMB shall be determined by the Board, subject to
14 approval by the Department of Budget and Management (DBM) and to
15 existing Civil Service rules and regulations.

16 **SEC. 6. Powers and Duties of the EVB.** - The EVB shall have
17 the following powers and duties:

18 (a) Provide a general direction in the formulation of policies and
19 regulatory framework in developing and updating the components of
20 CREV;

21 (b) Promulgate the implementing rules and regulations;

22 (c) Review the CREV before its publication by the DOE;

23 (d) Review and recommend policies to increase public transport
24 applications of EVs, the related support infrastructures, supplies,
25 parts and components nationwide including their use for fleet
26 operations in national government agencies and LGUs;

27 (e) Monitor resolution of issues affecting the EV industry; and

28 (f) Review and recommend policies to increase public transport
29 applications and overall adoption of EVs nationwide including their
30 use for fleet operations in national government agencies and LGUs.

31 **SEC. 7. Comprehensive Roadmap on Electric Vehicles.** -
32 Within one (1) year following the effectivity of this Act, the
33 Comprehensive Roadmap on Electric Vehicles (CREV) shall be
34 formulated to serve as the national implementation plan to achieve
35 the policies of the Act. The CREV shall be comprised of the following
36 components:

1 (a) Standards and specifications of EVs and charging
2 stations;

3 (b) Designation of dedicated parking slots for electric
4 vehicles in private and public buildings and establishments: *Provided,*
5 That buildings and establishments with twenty (20) or more common
6 parking slots shall have at least five percent (5%) of which reserved to
7 EVs; (Inserted the word “common” to address the issue of parking
8 slots in condos. In case where all the parking slots in a condominium
9 are owned exclusively by unit owners, which is a usual practice, this
10 provision shall not apply.)

11 (c) Installation of charging stations in dedicated parking
12 slots;

13 (d) Installation and operation of charging station in gasoline
14 stations by the owner thereof, or by a third party;

15 (e) Use, operation and collection of fees private and public
16 charging stations;

17 (f) Manufacture, promotion, trade and investment of EVs,
18 including its industry development

19 (g) Research and development; and

20 (h) Human resource development;

21 (i) Identification of priority routes/roads/areas for EV charging
22 stations so that the DU can plan for the resources necessary
23 to install the required transformers to be able to supply the
24 higher electricity power requirement necessary to power-up
25 the EV fast charging stations according to the defined
26 roadmap timelines. (THIS SUBPARAGRAPH (I) WAS
27 PROPOSED BY IPPCA ON THE DEFINITION OF CREV. WE
28 ADDED THE SUBPARA (I) HERE IN THE NEW SECTION ON
29 CREV BECAUSE THE DEFINITION WAS ALREADY
30 DELETED)

31 The CREV shall be incorporated in the Philippine Energy Plan
32 and the National Transport Policy. (THIS IS A NEW SECTION FOR
33 CREV. THE DEFINITION WAS DELETED.)

34 **SEC. 8. Government Regulations.** – All regulations related to
35 the use of EVs and the establishment of charging stations and related
36 facilities shall be structured to facilitate the creation of an enabling
37 environment for equitable and non-discriminatory private sector

1 participation, with preference for indigenous technologies, to attain
2 the long-term goal of stable energy prices and energy sufficiency.

3 **SEC. 9. Role of the Department of Energy (DOE).** – The DOE
4 shall be the primary agency tasked with the promotion of the adoption
5 of EVs and the development of charging infrastructures of EVs.
6 Towards this end, the DOE shall:

7 (a) Harmonize existing policies and promulgate uniform and
8 streamlined rules, regulations, and standards on the classification,
9 use, operation, and maintenance of EVs consistent with the CREV;

10 (b) Harmonize existing guidelines and issuances related to the
11 promotion of the use of EVs, adopt the corresponding plans and
12 programs and implement the same in coordination with the DOTr and
13 DTI through information, education, communication and
14 demonstration campaigns;

15 (c) Develop and update the standards and specifications
16 component of the CREV in coordination with the Department of
17 Transportation (DOTr), Department of Trade and Industry (DTI),
18 Department of Environment and Natural Resources (DENR),
19 Department of Public Works and Highways (DPWH), LGUs and other
20 relevant national government agencies (NGAs). The component shall
21 be updated not later than the 30th day of May of every year;

22 (d) Prepare and update the CREV by compiling all its
23 components. The CREV shall be released to the public not later than
24 30th day of September of every year;

25 (e) Regularly accredit charging station service providers, and
26 publish on its website an annual inventory of all accredited charging
27 station service providers and a list of all public charging stations in
28 the country;

29 (f) Require DUs to submit their respective charging
30 infrastructure development plans as part of their Distribution
31 Development Plans not later than 30th of August of every year;

32 (g) Enforce compliance with mandatory open access installation
33 of charging stations as required under Sections 20 and 21 of this Act;

34 (h) Enforce compliance of the provisions of the Philippine
35 Electrical Code (PEC) and other relevant standards in the
36 establishment of charging stations;

1 (i) Conduct regular inspections to ensure that charging stations
2 are compliant with the PEC, Philippine Distribution Code (PDC), and
3 other relevant laws, rules, regulations and standards;

4 (j) Aggregate and centralize data from the ERC, DTI, DOTr,
5 DENR, Land Transportation Office (LTO), Land Transportation
6 Franchising and Regulatory Board (LTFRB), Metro Manila
7 Development Authority (MMDA), Philippine Competition Commission
8 (PCC), Bureau of Customs (BOC), LGUs, and other relevant NGAs
9 insofar as EVs and charging stations are concerned;

10 (k) Develop, impose, and review the Minimum Energy
11 Performance (MEP) for EVs in consultation with the DTI, DOTr, and
12 DENR, and in accordance with Republic Act No. 11285, otherwise
13 known as the “Energy Efficiency and Conservation Act”; and

14 (l) Perform all other acts that are analogous to the foregoing,
15 which are necessary and incidental to accomplish the policy objectives
16 of this Act.

17 **SEC. 10. Role of the Energy Regulatory Commission (ERC).** –
18 In addition to its functions under Republic Act No. 9136, otherwise
19 known as the “*Electric Power Industry Reform Act of 2001*,” the ERC
20 shall:

21 a) Regulate the rates charged by the Distribution Utilities (DUs)
22 on all charging stations, taking into account, among others, the
23 utilization of the charging station, the promotion of efficiency, the
24 unique requirements of charging stations, economic sustainability of
25 the EV support infrastructures and its effect on the DU’s demand
26 profile and distribution system except when DUs are themselves
27 operators in which case said DUs are to comply with the unbundling
28 policy set forth in this Act;

29 ~~(b) Enforce compliance of the provisions of the PDC and~~
30 ~~Philippine Grid Code (PGC) in the establishment of charging stations~~
31 ~~within DUs;~~

32 “(b) Mandate the unbundling of charging fees charged by the DU
33 to the respective EV charging stations;” (PROPOSED BY IPPCA)

34 ~~(c) Exercise jurisdiction over all matters that pertain to rate~~
35 ~~setting in this Act in coordination with the DOE; and~~

36 “(c) Exercise exclusive jurisdiction over all matters pertaining to
37 rate setting under this Act by the DU to EV charging stations (except

1 for the EV charging stations whose price to the public shall be
2 deregulated); (PROPOSED BY IPPCA)

3 (d) Promulgate uniform and streamlined rules and requirement
4 for self-generating charging stations and centralized vehicle-to-grid
5 facilities.

6 **SEC. 11. Role of the Department of Transportation (DOTr). –**
7 The DOTr shall be the primary agency tasked with the demand
8 generation, operation, registration, and franchising EVs. Towards this
9 end, the DOTr shall:

10 (a) In coordination with the DOE and the DENR, shall be
11 responsible for ensuring compliance of vehicle owners, manufacturers,
12 and importers with the MEP for EVs and to display the energy
13 consumption label/rating(?) in coordination with the vehicle
14 manufacturers, transport industry associations, public transport
15 groups, and non-government organization;

16 (b) Coordinate with the DOE and other relevant agencies in the
17 preparation of standards and specifications component of the CREV;

18 (c) Promulgate uniform and streamlined, policies, rules and
19 requirements for the registration and franchising of EVs; (DOTr WILL
20 SUBMIT AMENDMENT AS WELL AS IN LETTER D AND F)

21 (d) Incorporate EVs in the PUV Modernization Program;

22 (e) Conduct information, education, communication, and
23 demonstration campaigns, including capacity building activities for
24 affected PUV operators and drivers in coordination with the DOE and
25 DTI; (FOR REWORDING)

26 (f) Promote and mandate the inclusion of green routes in the
27 respective Local Public Transport Route Plans (LPTRP) of the LGUs in
28 collaboration with the DILG. The DOTr shall formulate the criteria in
29 the establishment of green routes;

30 (g) Establish and maintain an online monitoring platform in
31 coordination with the DOE, DTI, DENR and DOST to monitor the
32 conditions of the EVs; and (FOR REWORDING)

33 (h) Perform all other acts that are analogous to the foregoing,
34 which are necessary and incidental to accomplish the policy objectives
35 of this Act.

36 **SEC. 12. Role of the Department of Trade and Industry**
37 **(DTI). –** The DTI shall be the primary agency tasked with the

1 promotion, trade and investment component of the CREV. Towards
2 this end, the DTI shall: (FOR REWORDING)

3 (a) Develop relevant Philippine National Standards through the
4 Bureau of Philippine Standards (PNS) for the manufacture,
5 fabrication, assembly, distribution, sale and importation of EVs,
6 related support facilities infrastructures, parts and components,
7 equipment and accessories to ensure consumer protection and trade
8 facilitation, and conduct a regular review of such PNS for necessary
9 revision or updating to align with developments in trade and latest
10 technology particularly, but not limited to, the safety, quality,
11 technical and environmental requirements of EVs;

12 (b) Issue and implement the necessary technical regulations
13 relative to conformity assessment activities based on relevant PNS and
14 specification to ensure the quality and safety of parts and components
15 of EVs being manufactured, produced, distributed and imported for
16 the protection of the consumers;

17 (c) Develop and update the promotion, trade investment and
18 manufacturing components of the CREV, in coordination with the
19 DOE, DOTr, Board of Investments (BOI), and other relevant NGAs
20 focusing on EV, charging stations, parts and components, and battery
21 manufacturing. These components shall be submitted to the DOE not
22 later than the 30th of May of every year; (FOR REWORDING)

23 (d) Develop and update the human resource development
24 component of the CREV, in coordination with the Department of Labor
25 and Employment, Technical Education and Skills Development
26 Authority, Commission on Higher Education, and other relevant
27 NGAs. The human resource development component shall be
28 submitted to the DOE not later than the 30th of May of every year;

29 (e) Coordinate with the DOE and other relevant NGAs in the
30 preparation of the standards and specification component of the
31 CREV;

32 (f) Develop, in coordination with the BOI and other relevant
33 NGAs, the EVs incentive strategy pursuant to Section 27 (a) of this
34 Act;

35 (g) Develop a program for the battery systems and
36 infrastructures for EVs that include the manufacturing and recycling
37 facilities for EV batteries, in coordination with the DENR;

1 (h) In consultation with the DOE, shall require manufacturers,
2 importers, and dealers to comply with the MEP for EVs, and to display
3 the energy label and the energy efficiency label showing the energy
4 requirement and consumption efficiency of such products in the
5 packaging and on the products themselves; and

6 (i) Perform all other acts that are analogous to the foregoing,
7 which are necessary and incidental to accomplish the policy objectives
8 of this Act. (DTI-BOI WILL SUBMIT AMENDMENTS)

9 **SEC. 13. Role of Local Government Units (LGUs).** – In
10 addition to its functions under existing laws, the provinces, cities or
11 municipalities, as the case may be, shall:

12 (a) Identify green routes in their respective LPTRP as approved
13 by the DOTr consistent with the National Transport Policy; (FOR
14 REWORDING BASED ON THE AGREEMENT WITH THE DOTR)

15 (b) Include the migration of PUVs to EVs in their respective
16 development plans; (TO BE CONSISTENT WITH THE DEFINITION OF
17 TERM “GREEN ROUTES”)

18 (c) Issue Certificates of Inspection to charging stations; (CITIES
19 AND MUNICIPALITIES)

20 (d) Issue permits for the construction, renovation or
21 improvement of buildings or establishments pursuant to Section 19 of
22 this Act; (CITIES AND MUNICIPALITIES)

23 (e) Submit to the DOE, not later than the 30th of January of
24 every year, the list of all charging stations in their respective localities;
25 and (CITIES AND MUNICIPALITIES)

26 (f) Ensure compliance of public and private buildings and
27 establishments with Section 19 of this Act.

28 **SEC. 14. Role of the Department of Environment and**
29 **Natural Resources (DENR).** – In addition to its functions under
30 existing laws, the DENR shall:

31 (a) In consultation with the DOE, DOTr, DTI, and other public
32 and private stakeholders, promulgate rules and guidelines on the
33 recycling and disposal of EVs and charging stations, including
34 batteries, parts and other components of EVs consistent with the
35 provisions of Republic Act No. 6969 or the *Toxic Substance Hazardous*
36 *and Nuclear Waste Control Act of 1990* and related issuances;

1 (b) In coordination with the DOTr, include EVs in the
2 comprehensive air pollution management and control program in
3 accordance with Republic Act No. 8749, otherwise known as the
4 “Clean Air Act of 1999;”

5 (c) In coordination with the DOE, establish guidelines for the
6 accurate characterization of wastes arising from EV, equipment and
7 other relevant items, including the disposal and handling of end-of-life
8 vehicles and its components and parts; and

9 (d) Issue a Certificate of Conformity and Certificate of Non-
10 Coverage from Emission Standards to motor vehicles upon
11 presentation of pertinent documents and inspection.

12 **SEC. 15. Role of the Department of Public Works and**
13 **Highways (DPWH).** – In addition to its functions under existing laws,
14 the DPWH shall establish guidelines and requirements for the
15 construction of charging stations and other EV support infrastructure
16 in buildings and other establishments to be implemented by the
17 building officials in the issuance of building permits. The DPWH shall
18 also develop and implement a design, maintenance and safety
19 program, together with usage policies for the transport infrastructures
20 including roads and bridges to accommodate the widespread
21 utilization of EVs. (FOR CONSIDERATION OF THE PROPOSAL OF
22 DPWH)

23 **SEC. 16. Role of the Department of Budget and Management**
24 **(DBM).** – In addition to its functions under existing law, the DBM shall
25 issue guidelines, rules and regulations to implement the centralized
26 procurement of electric vehicles and ensure compliance with Section
27 18 on Mandatory Electric Vehicles Share in Corporate and
28 Government Fleets.

29 **SEC. 17. Role of the Department of Science and Technology**
30 **(DOST).** – In addition to its functions under existing laws, the DOST
31 shall: (a) develop and update the research and development
32 component of the CREV, in consultation with the DTI and other
33 relevant NGAs. The research and development component shall be
34 submitted to the DOE not later than the 30th of May of every year; and
35 (b) provide technical and financial support for the conduct of localized
36 transport studies by accredited state universities and colleges at the
37 local government level.

1 **SEC. 18. Mandatory Electric Vehicle Share in Corporate and**
2 **Government Fleets.** – The following entities, which maintains and
3 operates twenty or more motor vehicles in the conduct of their
4 business or operation, shall ensure that at least ten percent (10%) of
5 their fleet shall be EVs within the timeframe indicated in the CREV:
6 *Provided*, That the CREV shall provide a timeline for the gradual
7 increase of such percentage until the entire fleet of the covered entities
8 is one hundred percent (100%) EVs: *Provided, further*, That in the
9 implementation of this provision, the availability and sufficiency of
10 energy supply and fuel infrastructure, as well as other conditions
11 affecting the optimal utilization of EVs, shall be considered:

12 (a) Industrial and commercial companies such as cargo logistics
13 companies, food delivery companies, tour agencies, hotels, power
14 utilities, and water utilities;

15 (b) Public transport operators of buses, jeepneys, tricycles,
16 taxis, and transport network vehicle services; and

17 (c) LGUs, NGAs, and government-owned and controlled
18 corporations: *Provided*, That the electrification of government fleets
19 shall be considered in compliance with Republic Act No. 11285,
20 otherwise known as the “*Energy Efficiency and Conservation Act.*”

21 **SEC. 19. Dedicated Parking Slots for Electric Vehicles in**
22 **Private and Public Buildings and Establishments.** – Private and
23 public buildings and establishments, designed with twenty (20) or
24 more COMMON parking slots, that are constructed after the effectivity
25 of this Act and pursuant to Presidential Decree No. 1096 or the
26 “*National Building Code of the Philippines*” shall designate parking
27 slots for the exclusive use of EVs: *Provided*, That the number of
28 dedicated parking slots for EVs shall be at least five percent (5%) of
29 the total number of parking slots within the building or
30 establishment: *Provided, further*, That no private or public building or
31 establishment, covered by this provision, shall be allowed to operate
32 without at least one (1) parking slot dedicated for EVs: *Provided*,
33 *finally*, That existing private and public buildings and establishments
34 shall comply with the foregoing requirements within the timeframe
35 indicated in the CREV. No permit shall be issued for the construction
36 or renovation of a building or establishment unless this section has
37 been complied with.

1 The use of dedicated parking slots by vehicles other than EVs
2 shall be punishable under Section 31 of this Act. (RETAINED AS
3 SUGGESTED BY THE IPPCA)

4 **SEC. 20. Open Access Installation of Charging Stations in**
5 **Dedicated Parking Slots.** – ~~Dedicated parking slots built in~~
6 ~~accordance with the immediately preceding section shall be installed~~
7 ~~with a charging station: *Provided*, That the owner of the establishment~~
8 ~~shall be given the prior right to provide and operate the charging~~
9 ~~station facilities, which intention shall be communicated to the LGU~~
10 ~~upon application for building permit: *Provided, further*, That if the~~
11 ~~owner of the private or public building or establishment did not~~
12 ~~communicate such intention, the LGU shall inform the DOE who, in~~
13 ~~turn, shall allow an accredited third party charging station service~~
14 ~~provider to enter into a contract with the owner to install, operate, or~~
15 ~~maintain the charging station, under a fair, reasonable, and~~
16 ~~nondiscriminatory terms: *Provided, finally*, That if a DU engages in the~~
17 ~~business of a charging station service provider, it shall do so in~~
18 ~~accordance with Section 26 of Republic Act No. 9136 as implemented~~
19 ~~by the ERC through its applicable rules and guidelines on business~~
20 ~~separation and unbundling.~~ (PROPOSED TO BE DELETED BY TWG
21 CO-CHAIR SARMIENTO)

22 “Establishment owners are encouraged to put up an EV Fast
23 Charging station on dedicated parking slots and/or allow the sublease
24 or enter into any other contractual arrangement with any such third
25 party who wishes to become an EV charging station service provider in
26 a fair, reasonable and nondiscriminatory terms (if the gas station
27 owner or operator is not interested to become an EV charging station
28 service provider him/herself). *Provided*, that the EV Fast Charging
29 Station equipment shall be in compliance to the minimum EV power
30 output rating, safety distance and PNS standards set by the
31 Implementing Rules and Regulations (IRR). *Provided, finally*, that if a
32 DU wishes to engage in the business of a charging station service
33 provider, it shall do so in accordance with Section 27 of Republic Act
34 No. 9136 as implemented by the ERC through its applicable rules and
35 guidelines on business separation and unbundling.”

36 by filing and submitting a formal request to DOE of its intent to
37 do so. *Provided*, that the DU shall comply with its obligation to provide

1 the requesting establishment or gasoline station with sufficient power
2 supply within a maximum distance of 10 meters to the designated EV
3 parking slots), to be able to successfully power up the EV charging
4 equipment specified and approved by the PNS that meet the standard
5 charging service time to the public (Eg. EV charger type that can
6 deliver a minimum 50-100KW power output to EV vehicles to be able
7 to charge within 1-2hours). Provided, finally, that if a DU wishes to
8 engage in the business of a charging station service provider, it shall
9 do so in accordance with Section 27 of Republic Act No. 9136 as
10 implemented by the ERC through its applicable rules and guidelines
11 on business separation and unbundling.” (PROPOSED REVISION BY
12 IPPCA)

13 **SEC. 21. Open Access Installation of Charging Stations in**
14 **Gasoline Stations.** – ~~Gasoline stations shall designate dedicated~~
15 ~~spaces for the installation of charging stations: *Provided,* That the~~
16 ~~owner of the gasoline station shall be given the prior right to provide~~
17 ~~and operate the charging station facilities, which intention shall be~~
18 ~~communicated to the DOE not later than six (6) months from the~~
19 ~~effectivity of this Act or upon application for a building permit:~~
20 ~~*Provided, further,* That if the owner of the gasoline station did not~~
21 ~~communicate such intention, the DOE shall allow a third party~~
22 ~~charging station service provider to enter into a contract with the~~
23 ~~owner to install, operate, or maintain the charging station, under a~~
24 ~~fair, reasonable, and nondiscriminatory terms: *Provided, finally,* That~~
25 ~~a gasoline station shall not be issued a construction, operation, or~~
26 ~~compliance permit by the DOE unless the owner submits a sworn~~
27 ~~affidavit that there is ample space for the construction of charging~~
28 ~~stations within its premises and the gasoline station facility conforms~~
29 ~~with the minimum electric safety requirements under existing~~
30 ~~standards and applicable laws.~~

31 “Gasoline station owners are encouraged to put up an EV Fast
32 Charging station on gas station premises and/or allow the sublease or
33 enter into any other contractual arrangement with any such third
34 party who wishes to become an EV charging station service provider in
35 a fair, reasonable and nondiscriminatory terms (if the gas station
36 owner or operator is not interested to become an EV charging station
37 service provider him/herself). Provided, that the EV Fast Charging

1 Station equipment to be installed shall be in compliance to the
2 minimum EV power output rating, comply with minimum fire safety
3 distance and PNS standards and other rules set by the ~~Inter-Agency~~
4 ~~Committee on Electric Vehicles (IACEV)~~ Electric Vehicle Board (EVB).
5 *Provided*, that the DU shall comply with its obligation to provide the
6 power supply to support the requesting establishment or gasoline
7 station with sufficient power supply within a maximum distance of 10
8 meters to the designated EV parking slots), to be able to successfully
9 power up the EV charging equipment specified and approved by the
10 PNS that meet the standard charging service time to the public (eg. EV
11 charger type that can deliver a minimum 50-100KW power output to
12 EV vehicles to be able to charge within 1-2hours). *Provided*, finally,
13 that if a DU wishes to engage in the business of a charging station
14 service provider, it shall do so in accordance with Section 27 of
15 Republic Act No. 9136 as implemented by the ERC through its
16 applicable rules and guidelines on business separation and
17 unbundling.” (PROPOSED REVISION BY IPPCA)

18 **SEC. 22. Use of Charging Stations.** – The operation of a
19 charging station, both private and public, shall be subject to
20 regulations issued pursuant to the provisions of this Act. As a rule,
21 only public charging stations shall be allowed to collect fees. (TWG
22 CO-CHAIR SARMIENTO SUGGESTED TO RETAIN THIS PROVISION)

23 **SEC. 23. Permits for the Installation of Charging Stations.** –
24 All government agencies, including LGUs, shall provide for a uniform
25 and streamlined permitting process for the installation, operation,
26 maintenance, replacement, and removal of charging stations:
27 *Provided*, That the process shall be covered by the provisions of
28 Republic Act No. 9485, otherwise known as the “*Anti-Red Tape Act of*
29 *2007*”, as amended by Republic Act No. 11032, otherwise known as
30 the “*Ease of Doing Business and Efficient Government Service Delivery*
31 *Act of 2018*,” and the applicable provisions of Republic Act No. 11234,
32 otherwise known as the “*Energy Virtual One-Stop Shop Act.*” (FOR
33 COMMENTS FROM THE RESOURCE PERSONS FOR SEC. 17-21)

34 **SEC. 24. Duties and Responsibilities of Local Manufacturers**
35 **and Importers of Electric Vehicles and Related Parts and**
36 **Components.** – In addition to the requirements imposed by the DTI
37 and other agencies concerned, the local manufacturers and importers

1 of EVs and related parts and components shall provide adequate
2 number of shops to provide the needed spare parts, services, and after
3 sales support for EVs.

4 SEC. 25. **Duties and Responsibilities of Charging Station**
5 **Service Providers.** – A charging station service provider shall have
6 the following duties and responsibilities:

7 (a) Comply with the rules, requirements, and standards of the
8 DOE and the ERC in accordance with Sections 9 and 10 of this Act,
9 and permits and licenses of government agencies and LGUs in
10 accordance with Section 23 of this Act; and

11 ~~(b) Regularly submit to the ERC an unbundled structure of the~~
12 ~~charging fees imposed on EV users, in the case of public charging~~
13 ~~stations owned or operated by the charging station service provider.~~
14 (SUBPAR. (B) PROPOSED TO BE DELETED BY IPPCA)

15 SEC. 26. **Responsibilities of All Electric Vehicle**
16 **Stakeholders.** – All manufacturers, assemblers, charging station
17 service providers, operators of testing facilities, and users of EVs,
18 support infrastructures and components shall comply with all
19 applicable and relevant health, safety, and environmental laws, rules,
20 and regulations.

21 SEC. 27. **Fiscal Incentives.** – (a) The following activities shall
22 be included in the annual Investment Priorities Plan (IPP) of the BOI
23 and shall be entitled to the incentives provided under Executive Order
24 No. 226 or the “*Omnibus Investment Code of 1987*,” and other
25 applicable laws for ten (10) years from the effectivity of this Act:
26 *Provided*, That after the aforementioned period, the inclusion of the
27 said activities in the annual IPP shall be reviewed and may be
28 extended by the BOI:

29 (1) The manufacture or assembly of EVs and EVs vehicle parts
30 and components; and

31 (2) The establishment and operation of charging stations. In
32 addition, the DTI shall, in coordination with BOI, craft and implement
33 an EV Incentive Strategy (EVIS), as part of the trade and investment
34 component of the CREV, similar to Executive Order No. 182, series of
35 2015, otherwise known as the “*Comprehensive Automotive Resurgence*
36 *Strategy Program*”. The incentive shall:

1 i. Narrow the cost gap between EVs and traditional motor
2 vehicles and enable the shift of the local traditional motor vehicle
3 industry to EVs;

4 ii. Provide time-bound, targeted, performance-based, and
5 transparent fiscal and non-fiscal support in order to attract EVs and
6 EVs parts manufacturing, particularly electronic part and other
7 strategic components, batteries, charging stations, and the
8 establishment of testing facilities; and

9 iii. Set local production targets to be achieved within ten
10 (10) years from the promulgation of the incentive strategy, subject to
11 extension as determined by the DTI.

12 The DTI shall, in coordination with the BOI, establish the
13 application and selection process for enrolment and qualification of
14 participants, imposing such terms and conditions as it may deem
15 necessary consistent with the objectives of the incentive strategy.

16 The DBM shall indicate in the annual National Expenditure
17 Program the annual estimated expenditure necessary to support the
18 EVIS program for each year until the amount appropriated is fully
19 utilized or financial obligations to the program participant are fully
20 paid, subject to the DBM policy and guidelines on budget preparation.

21 The fiscal support for the registered and eligible participants
22 shall be evidenced by a non-transferrable Tax Payment Certificate
23 (TPC) as provided by law. This shall be used to defray the tax and
24 duty obligations of the participants to the National Government,
25 specifically the excise tax, income tax, import duties, and VAT.

26 Registered participants shall not be allowed to register their
27 activity under any other program granting incentives.

28 (b) The importation of the following items shall be exempt from
29 the payment of excise taxes, duties and value-added tax (VAT) for five
30 (5) years from the effectivity of this Act: *Provided*, That, the
31 importation of the following items shall be exempt from the payment
32 of such taxes for five (5) years from the effectivity of this Act:

33 (1) Electric vehicles;

34 (2) Charging stations; and

35 (3) Capital equipment, spare parts, and components used in
36 the manufacture or assembly of EVs and construction of charging
37 stations: *Provided*, That in the case of imported jeepneys and electric

1 tricycles, the Department of Finance may, upon the recommendation
2 of the BOI, suspend the exemption in order to protect the local
3 manufacturers;

4 (c) EV owners and users shall enjoy the following incentives for
5 ten (10) years from the effectivity of this Act:

6 (1) Exemption from payment of VAT in the purchase of EVs;

7 (2) Exemption from payment of VAT on charging fees;

8 (3) Exemption from payment of VAT on purchase of
9 alternative fuels;

10 (4) Thirty percent (30%) discount on the payment of motor
11 vehicle user's charge imposed under Republic Act No. 8794, as well as
12 in vehicle registration and inspection fee; AND

13 (5) Thirty percent (30%) discount on toll fees.

14 The DOTr shall, in coordination with DTI, provide a mechanism
15 to provide cash grants for the purchase of EVs from registered EVIS
16 participants. (FOR SUBMISSION BY THE DTI OF THE NEW
17 LANGUAGE RELATIVE TO THE PASSAGE OF CREATE AND THE DOF
18 WILL PROVIDE COMMENTS)

19 "(c) EV vehicle charging station owners/operators shall enjoy
20 the following incentives for ten (10) years from the date of effectivity of
21 this Act:

22 "(1) Exemption from payment of VAT in the purchase of EV
23 charging equipment, parts & accessories;

24 (2) Exemption from payment of VAT on charging fees;

25 (3) Income Tax Holiday for the first ten(10) years from the date
26 of effectivity of this law. Thereafter, new EV charging stations opened
27 after the first ten (10) years shall be subject to the fiscal incentives
28 provided under the DTI-BOI Industry Priority Plan in addition to
29 benefits identified under this law. (NEW SUB-SECTION (C)
30 PROPOSED BY IPPCA)

31 **SEC. 28. Non-Fiscal Incentives.** – The following shall be
32 granted the following non-fiscal incentives, which shall remain in force
33 for ten (10) years from the effectivity of this Act:

34 (a) EVs users:

35 (1) Priority in the registration and renewal of registration,
36 and issuance of a special type of vehicle plate by the LTO;

1 (2) Exemption from the mandatory unified vehicular volume
2 reduction program, number-coding scheme, or other similar schemes
3 implemented by the MMDA, other similar agencies, and LGUs;

4 (3) Expeditious processing by the LTFRB of applications for
5 franchise to operate, including its renewal, for PUV operators that are
6 exclusively utilizing EVs;

7 (4) Availment of TESDA Training Program on EVs; and

8 (5) Use of dedicated/ special lane on tollways.

9 (b) EVs manufacturers and importers shall enjoy the
10 expeditious processing by the BOC on the importation of parts and
11 components for the manufacture and assembly of EVs.

12 (c) The government shall allow the employment of expert foreign
13 nationals under the Transfer of Technology agreement.

14 SEC. 29. **Financial Assistance.** - Government financial
15 institutions and other financial institutions, in accordance with and to
16 the extent allowed by the enabling provisions of their respective
17 charters or provisions of applicable laws, are encouraged to provide
18 concessional financial packages with preferential interest rates and
19 favorable payment scheme for entities engaged in the activities
20 mentioned in Section 26 of this Act.

21 In furtherance of the objectives of this Act, the Bangko Sentral
22 ng Pilipinas shall encourage all banks to lend a certain percentage of
23 their portfolio to the activities herein mentioned.

24 SEC. 30. **Development and Promotion of Other Low-**
25 **Emission Vehicles.** - To promote and encourage the use of other
26 kinds of vehicle with low emission of air pollutants, the DOE shall, not
27 later than one (1) year from the effectivity of this Act, formulate a Low
28 Emission Vehicle Program to encourage the use of motor vehicles that
29 produce less greenhouse gas emissions and harmful impacts to the
30 environment. The program shall cover vehicles that can be powered by
31 alternative fuels and advanced vehicle technologies such as fuel cell,
32 photovoltaic cell, Compressed Natural Gas (CNG), Liquefied Natural
33 Gas (LNG), methane, ethanol fuels and Liquefied Petroleum Gas (LPG)
34 and other forms of cleaner energy sources as may hereinafter be
35 classified as such by the DOE: *Provided*, That prior to its
36 implementation, the Low-Emission Vehicle Program, shall be

1 submitted to the Joint Congressional Energy Commission (JCEC) for
2 approval.

3 The fiscal and non-fiscal incentives, as well as the financial
4 assistance granted to EV programs under this Act, as far as
5 applicable, shall be extended to all activities and projects relating to
6 the development and promotion of alternative fuel vehicles.
7 (PROPOSED TO BE DELETED BY TWG CO-CHAIR
8 SARMIENTO/COMMITTEE WILL COORDINATE WITH THE SENATE
9 COUNTERPART THEIR POSITION ON THIS PROVISION)

10 SEC. 31. **Penalties.** – A fine ranging from a minimum of Fifty
11 thousand pesos (P50,000.00) to a maximum of Five hundred
12 thousand pesos (P500,000.00) and/or suspension or revocation of
13 permit, when applicable, shall be imposed upon any person, both
14 natural and juridical, who acts in violation of Sections 18, 19, 20, 21,
15 22, 24, 25 and 26 of this Act: *Provided*, That the penalties herein
16 provided shall be without prejudice to such other penalties as may be
17 imposed upon the offenders under existing laws, rules AND
18 regulations for the same act or omission.

19 The IABEV shall issue appropriate rules and guidelines on the
20 imposition of these fines and penalties.

21 SEC. 32. **Congressional Oversight.** – The Joint Congressional
22 Energy Commission (JCEC) shall exercise oversight powers over the
23 implementation of this Act. The EVB shall submit the CREV to the
24 JCEC not later than one (1) year following the effectivity of this Act
25 and a report on the implementation of this Act not later than the 1st
26 day of December of every year.

27 SEC. 33. **Implementing Rules and Regulations.** – Within one
28 hundred twenty (120) days from the effectivity of this Act, the EVB, in
29 consultation with public and private stakeholders, shall issue the
30 implementing rules and regulations to carry out the provisions of this
31 Act.

32 SEC. 34. **Separability Clause.** – If any portion or provision of
33 this Act is declared unconstitutional or invalid, the other provisions
34 not affected thereby shall remain in force and effect.

35 SEC. 35. **Repealing Clause.** – Any law, presidential decree or
36 issuance, executive order, letter of instruction, rule or regulation

1 inconsistent with the provisions of this Act is hereby repealed or
2 modified accordingly.

3 SEC. 36. **Effectivity.** – This Act shall take effect fifteen (15)
4 days following its publication in the Official Gazette or in a newspaper
5 of general circulation.

6 Approved,



COMMITTEE ON ENERGY

CTSS I, Committee Affairs Department, 3rd Fl., RVM Building, House of Representatives, Constitution Hills, Quezon City
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HIGHLIGHTS OF THE VIRTUAL JOINT TECHNICAL WORKING GROUP MEETING CONDUCTED BY THE COMMITTEES ON ENERGY, ECOLOGY AND TRANSPORTATION ON APRIL 29, 2021 10:00 AM VIA ZOOM WITH MEETING ID: 882 9720 8125

Members:

Hon. Rep. Jose Enrique "Joet" S. Garcia III	- TWG Chairperson
Hon. Edgar Mary S. Sarmiento	- Chairperson, Committee on Transportation
Hon. Rozzano Rufino B. Biazon	- Author, HBN 738
Hon. Manuel DG. Cabochan III	- Author, HBN 4179

Resource Persons:

Atty. Patrick T. Aquino	- Director, Energy Utilization and Management Bureau, Department of Energy (DOE)
Atty. Cynthia Laureano-Pulido	- Department of Interior and Local Government (DILG)
Atty. Maria Corazon C. Gines	- Director, Legal Service, Energy Regulatory Commission (ERC)
Engr. Mark Charles M. Tarroza	- Dredge Master II, Bureau of Equipment, Department of Public Works and Highways (DPWH)
Atty. Johnson V. Domingo	- Executive Director DPWH
Dir. Evariste Cagatan	- Board of Investments-Manufacturing Industries Service, Department of Trade and Industry (DTI)
Engr. Avelino Molina	- Bureau of Philippine Standards (BPS), DTI
Ms. Johanna Hortinela	- Director, Department of Finance (DOF)
Atty. Martin Manuel Escasura	- Air Quality Management Section (AQMS), Department of Environment and Natural Resources- Environment Management Bureau (DENR-EMB)
Mr. Joemier D. Pontawe	- Chief of Staff, Office of the Assistant Secretary for Road Transport and Infrastructure, Department of Transportation (DOTr)
Atty. Jer B. Samson	- Legal Division, DOTr
Mr. Mario U. Tercero, ENP	- Project Manager – UNDP/DOTr Project, DOTr
Atty. Crisanto C. Saruca, Jr.	- Director, Legal and Legislative Division, Metro Manila Development Authority (MMDA)
Dir. Neomie Recio	- Traffic Discipline Office, MMDA
Ms. Angelica Sanchez	- Director for Policy Development, League of Provinces of the Philippines (LPP)
Mr. Alvidon F. Asis	- Environment Unit Head, Department of Programs, Policies and Projects, League of Cities of the Phils. (LCP)
Mr. Anthony T. Agoncillo	- Manager, EV Program, Manila Electric Company (Meralco)
Mr. Rommel D. Felizardo	- Manager, Distribution Connection Services Asset Management (DCSAM), Meralco
Atty. Ranulfo C. Ocampo	- President, Philippine Electric Power Operators Association (PEPOA)
Atty. Goldelio Rivera	- Executive Director/ General Manager, Philippine Rural Electric Cooperatives Association (PhilRECA)
Prof. Manny Biona	- Executive Director, Electric Vehicle Association of the Phils (EVAP)
Mr. Raymond B. Ravelo	- President, E-Sakay
Mr. Raphael Capinpin	- Executive Director, Philippine Institute of Petroleum (PIP)

- | | | |
|-------------------------|---|--------------------------------------------------------------------------------|
| Mr. Noel Soriano | - | President, Independent Philippine Petroleum Companies Association (IPPCA) |
| Engr. Darwin T. Daymiel | - | AMRECO TWG, Association of Mindanao Rural Electric Cooperatives, Inc. (AMRECO) |

HIGHLIGHTS OF THE TWG MEETING

TWG Chairperson Jose Enrique S Garcia III informed the group that the draft substitute bill on the EVs, which is the subject of the TWG's deliberation, was drafted by the Committees, which incorporated all the comments/position of the concerned stakeholders. He stated that the Committees concur with the suggestion of Committee on Transportation Chairperson and TWG Co-Chairperson Edgar Mary S. Sarmiento to limit the focus of the bill on the EVs to align it with the Senate version. TWG Chairperson Garcia disclosed that Representatives Rozzano Rufino B. Biazon and Manuel DG. Cabochan also agreed with the suggestion of TWG Co-Chairperson Sarmiento. TWG Chairperson Garcia informed the TWG that the Committees included in the draft substitute bill a provision on Alternative Fuel Vehicles (AFVs) under Section 28 thereof.

Chairperson Sarmiento expressed hope that the TWG would be able to fast-track and finalize the proposed legislation considering the call of some business groups for the immediate passage of the same.

The TWG adopted the following amendments:

- (1) On the title of the bill:

To insert the word "INDUSTRY DEVELOPMENT AND" after the word "use" and before the phrase "of the electric vehicles", so that it now read as follows:

"AN ACT
PROVIDING THE NATIONAL ENERGY POLICY AND REGULATORY FRAMEWORK
FOR THE USE **AND INDUSTRY DEVELOPMENT** OF ELECTRIC VEHICLES,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES"

- (2) Section 1, Short Title:

To amend the Short Title to include charging stations. It will be tackled after all the provisions of the bill have been finalized.

- (3) On Section 3, Scope and Application:

To rephrase the section and insert the words, "INDUSTRY DEVELOPMENT", "PLUG-IN" and "AND", to read as follows:

"SEC. 3. Scope and Application. – This Act shall apply to the INDUSTRY DEVELOPMENT, regulation, manufacture, assembly, installation, trade, AND utilization of electric and PLUG-IN hybrid vehicles, parts and components, charging stations, the related support infrastructures AND supplies."

- (4) On Section 4, Definition of Terms, paragraphs (b), (l), (h) and (m):

On Section 4, paragraph (b) Certificate of Conformity (COC). To delete the acronym "COC" for the term "Certificate of Conformity" to avoid confusion in using the terminology in the implementation of the law. ERC Director Atty. Ma. Corazon Gines revealed that the acronym COC being used in the electric power industry refers to the Certificate of Compliance (COC) issued by the ERC to entities engaged in electric power generation. The acronym for the Certificate of Conformity may be addressed in the crafting of the Implementing Rules and Regulations of the law;

On Section 4, paragraph (l) Green routes. To replace the phrase "local government units (LGUs)" with the specific LGUs, "PROVINCES, CITIES AND MUNICIPALITIES", for clarity that the provision does not include the barangays;

The TWG also agreed to reword the same section to reflect that the Local Public Transport Route Plan (LPTRP) in the National Capital Region and its adjacent provinces of Cavite, Bulacan, Laguna and Rizal is being prepared by the DOTr with inputs from the concerned LGUs. In other areas, the LPTRP is prepared by provinces, cities, and municipalities and was approved by the DOTr;

On Section 4, paragraph (h) CREV. To redefine the Comprehensive Roadmap on Electric Vehicles (CREV) as suggested by DTI-BOI Director Evariste Cagatan to read as follows:

"Comprehensive Roadmap on Electric Vehicles (CREV) refers to a national plan with an annual work plan to accelerate the ELECTRIFICATION and improvement of transportation in the country with four components: (1) DEVELOPMENT OF standards and specifications of EVs and charging stations; (2) INDUSTRY promotion; AND DEVELOPMENT OF THE LOCAL MANUFACTURING INDUSTRY FOR EVs AND CHARGING STATIONS; (3) STRENGTHENING OF research and development; and (4) DEVELOPMENT OF human resources. The CREV shall be incorporated in the Philippine Energy Plan, PHILIPPINE DEVELOPMENT PLAN and the National Transport Policy"

On Section 4, paragraph (m) Hybrid-electric vehicle (HEV). To redefine the HEV that would only include the "Plug-In Hybrid Electric Vehicle (PHEV)" and the pure "Electric Vehicles (EVs) to align it with the Scope and Application of the bill.

- (5) On Section 5, Electric Vehicles Board (EVB), paragraphs (a) and (d);

To change the name of the Inter-Agency Committee to "ELECTRIC VEHICLES BOARD (EVB)" and to rephrase the section by adding provisions that mandates the EVB Chairman to convene the Board within one (1) month after effectivity of the Act and that the EVB to be supported by a technical staff.

The additional provisions as proposed by DOE-EUMB Director Patrick Aquino, to read as follows:

"THE DOE SECRETARY, IN HIS CAPACITY AS CHAIRPERSON, SHALL, WITHIN ONE (1) MONTH FROM THE EFFECTIVITY OF THIS ACT, CONVENE THE EVB. THE EVB SHALL BE ASSISTED BY A TECHNICAL SECRETARIAT FROM THE ENERGY UTILIZATION MANAGEMENT BUREAU OF THE DOE. THE NUMBER OF STAFF OF THE TECHNICAL SECRETARIAT AND THE CREATION OF CORRESPONDING POSITIONS NECESSARY TO COMPLEMENT AND/OR AUGMENT THE EXISTING PLANTILLA OF THE EUMB SHALL BE DETERMINED BY THE BOARD, SUBJECT TO APPROVAL BY THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) AND TO EXISTING CIVIL SERVICE RULES AND REGULATIONS."

On Section 5, paragraph (a), to replace the word "Chairman" with the word "CHAIRPERSON".

On Section 5, paragraph (d), to insert the word "THE" before the word "Interior"; to read as follows:

"(d) Secretary of the Department of THE Interior and Local Government (DILG) as Member".

- (6) On Section 6, Powers and Duties of the EVB paragraph (c), to insert the phrase "AND OVERALL ADOPTION" after the word "applications" and before the word "EVs" and to insert the phrase, "THE RELATED SUPPORT INFRASTRUCTURES, SUPPLIES, PARTS AND COMPONENTS" after the word "EVs" and before the word "nationwide" so that Section 6(c), to read as follows:

"(c) Review and recommend policies to increase public transport applications AND OVERALL ADOPTION of EVs, THE RELATED SUPPORT INFRASTRUCTURES, SUPPLIES, PARTS AND

COMPONENTS nationwide including their use for fleet operations in national government agencies and local government units (LGUs)".

- (7) On Section 8, Role of the Department of Energy, paragraphs (e), (h), and (i).

On paragraph (e), to insert the word "REGULARLY" at the beginning of the paragraph before the word "accredit", to read as follows:

"(e) REGULARLY accredit and regulate charging station service providers, and publish on its website an annual inventory of all accredited charging station service providers and a list of all public charging stations in the country".

To rephrase paragraphs (g), (h) and (i), with regard to the Philippine Grid Code (PGC) and Philippine Distribution Code (PDC). This is to address the concern raised by ERC Director Atty. Gines on the overlapping of functions considering that the compliance to the PGC and the PDC is being enforced by the ERC. The proposed language on the amendment will be provided by the Department of Energy (DOE) in coordination with the Energy Regulatory Commission.

On paragraph (j), to insert the agency "BUREAU OF CUSTOMS (BOC)" after the PCC and before the "LGUs", to read as follows:

"(j) Create a database of EVs from data gathered from the ERC, DTI, DOTr, DENR, Land Transportation Office (LTO), Land Transportation Franchising and Regulatory Board (LTFRB), Metro Manila Development Authority (MMDA), Philippine Competition Commission (PCC), BUREAU OF CUSTOMS (BOC), LGUs, and other relevant NGAs;"

To add new paragraphs under Section 8, as paragraphs 8(K) and 8 (L), additional functions of the DOE. The proposed language thereof will be provided by the DOE, to include the function of the DOE with regard to the streamlining of registration of EVs as suggested by the BOI.

- (8) On Section 9, Functions of the ERC.

To rephrase the functions of the ERC as proposed by the DOE, to read as follows:

"(a) Regulate the rates charged by DUs on all charging stations, taking into account, among others, the utilization of the charging station, the promotion of efficiency, the unique requirements of charging stations ECONOMIC SUSTAINABILITY OF THE EV SUPPORT INFRASTRUCTURE, and its effect on the DU's demand profile and distribution system EXCEPT WHEN DUs ARE THEMSELVES OPERATORS IN WHICH CASE SAID DUs ARE TO COMPLY WITH THE UNBUNDLING POLICY SET FORTH IN THIS ACT;

(b) ENFORCE COMPLIANCE OF THE PROVISIONS OF THE PHILIPPINE DISTRIBUTION CODE, AND PHILIPPINE GRID CODE (PGC) IN THE ESTABLISHMENT OF CHARGING STATIONS WITHIN DUs;

(c) Exercise EXCLUSIVE jurisdiction over all matters that pertain to rate setting under this Act; and

(d) PROMULGATE UNIFORM AND STREAMLINED RULES AND REQUIREMENT FOR SELF-GENERATING CHARGING STATIONS AND CENTRALIZE..."

- (9) On Section 10, Role of the Department of Transportation, paragraph (e), to replace the acronym "LGUs" with "PROVINCES, CITIES AND MUNICIPALITIES", to read as follows:

“(e) Promote and mandate the inclusion of green routes in the respective Local Public Transport Route Plans (LPTRP) of the PROVINCES, CITIES AND MUNICIPALITIES in collaboration with the DILG;”

To add new a provision/role of the DOTr on the formulation of criteria/parameters for the identification of green routes to guide the LGUs on their role under Section 12 of the bill.

The DOTr committed to submit the proposed language and minor amendments/rewording on Section 10, specifically on paragraphs (d), (e) and (f).

- (10) Section 11, Role of the Department of Trade and Industry, paragraphs (a), (b) (c) and (g), to rephrase Section 11 and paragraphs (a), (b), (c) and (g), to read as follows:

“(a) DEVELOP relevant Philippine National Standards (PNS) THROUGH THE BUREAU OF PHILIPPINE STANDARDS for the manufacture, fabrication, assembly, distribution, sale and importation of EVs, related support facilities, parts and components, equipments and accessories to ensure consumer protection and trade facilitation, and conduct a regular review of such PNS for necessary revision or updating to align with developments in trade and latest technology particularly, but not limited to, the safety, quality, technical and environmental requirements of EVs;”

“(b) ISSUE AND IMPLEMENT THE NECESSARY TECHNICAL REGULATIONS RELATIVE TO CONFORMITY ASSESSMENT ACTIVITIES BASED ON RELEVANT PHILIPPINE NATIONAL STANDARDS AND SPECIFICATION TO ENSURE THE QUALITY AND SAFETY OF PARTS AND COMPONENTS OF EVS BEING MANUFACTURED, PRODUCED, DISTRIBUTED AND IMPORTED for the protection of the consumers;”

“(g) Develop a program, IN COORDINATION WITH THE DENR, for the battery systems and facilities for EVs that include the manufacturing and recycling facilities for EV batteries; and”

The DTI-BOI committed to provide the committee secretariat the DTI’s proposed minor amendments.

- (11) Section 12, Role of the Local Government Units, paragraphs (a), (c), (d) (e) and (f). To rephrase paragraph (a) for clarity on the preparation and approval of the LPTRP and green routes. The DILG committed to submit the proposed amendments/rewording thereof. To identify the specific LGUs as CITIES AND MUNICIPALITIES on paragraphs (c), (d) and (e) for clarity considering that provinces do not issue certificates/permits that are being referred to in the said paragraphs.

- (12) Section 14, Role of the Department of Public Works and Highways. To replace the acronym “LGUs” with “BUILDING OFFICIALS”, as proposed by DPWH Executive Director Johnson V. Domingo considering that the DPWH has supervision over the building officials and not the LGUs. Section 14 now read as follows:

“**SEC. 14. Role of the Department of Public Works and Highways.** – In addition to its functions under existing laws, the DPWH shall establish guidelines and requirements for the construction of charging stations and other EV support infrastructure in buildings and other establishments to be implemented by the BUILDING OFFICIALS in the issuance of building permits.”

- (13) On Section 16, Mandatory Electric Vehicle Share in Corporate and Government Fleets.

To adjust the initial minimum mandatory share of EVs from 5% to 10%.

- (14) On Section 17, Dedicated Parking Slots for Electric Vehicles in Private and Public Buildings and Establishments. To replace Republic Act No. 6541 as reference with “PRESIDENTIAL DECREE NO. 1096”, otherwise known as the “National Building Code of the Philippines”. R.A. No. 6541 was amended by P.D. No. 1096.

(15) To add a new section on the role of the Department of Budget and Management, to read as follows:

"SECTION _____. ROLE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT. - IN ADDITION TO ITS FUNCTIONS UNDER EXISTING LAWS, THE DBM SHALL ISSUE GUIDELINES, RULES AND REGULATIONS TO IMPLEMENT THE CENTRALIZED PROCUREMENT OF ALTERNATIVE FUEL VEHICLES AND COMPLY WITH SEC. 16. MANDATORY GREEN VEHICLE SHARE IN CORPORATE AND GOVERNMENT FLEETS."

(16) On Section 18, Open Access Installation of Charging Stations in Dedicated Parking Slots.

IPPCA President Noel Soriano opined that this section might be a disincentive to the investors/industry players, setting as an example the uneconomical experience of the Unioil. The Unioil is the first gasoline station in the country to put up a public EV charging station. He cited some technical constraints such as a slow EV charger, which costs around Php100 Thousand per unit and requires 8 to 12 hours to fully charge an EV. This is not suitable for heavy traffic. On the other hand, a fast charger that costs around Php 2Million or more per unit requires a high voltage power supply of around 380V to 400V. He revealed that the Meralco has no infrastructure ready to supply the high voltage requirement because Meralco does not have the capital expenditures (CAPEX) for the same.

Representative Biazon expressed reservation and concern on Section 17 and 18 particularly on the operationalization of the provisions on Section 18. He articulated the need for an in-depth consideration of the said provisions. He suggested an amendment to reflect the establishments such as the malls and condominiums. He stated that these establishments should have a ready design for the wiring provision of EV charging station instead of mandating them to provide a charging station facility. Concurring to Representative Biazon, Prof. Biona suggested to set a minimum power capacity to accommodate EV charging without requiring the installation of charging equipment. He commented that all parking slots should have provisions for EV charging.

TWG Co-Chairperson Sarmiento agreed with the proposal of Representative Biazon to reword and merge Sections 17 and 18 and not to require a specific number of parking slots and EV charging stations. Director Aquino committed to work with the Committee Secretariat on the rewording/merging of the two sections.

EVAP Prof. Biona suggested to anchor the minimum number of parking slots with mandatory charging provisions to the EV penetration rate in the market considering that EV adoption is also affected by the availability of the charging stations. In addition, EVAP suggested that the government should co-finance a limited number of charging points achievable in the first three (3) years to accelerate the adoption of EVs.

(17) On Section 19, Open Access Installation of Charging Stations in Gasoline Stations.

Mr. Soriano suggested that this section should not be mandatory considering the viability and technical constraints on power supply. He proposed that the section should include a *proviso* to reflect that it shall only be enforced on gasoline stations that has available "safe zone" outside the fire hazard area, the standard of which is provided by the DOE.

(18) On Section 20, Use of Charging Stations.

The TWG agreed to retain the language thereof upon the suggestion of TWG Co-Chairperson Sarmiento to stick to the definition with regard to private and public charging stations. Atty. Gines clarified that there are two components of the fees to be paid by a customer to electrify an EV, as follows: (1) fee for the electricity consumed to electrify his/her EV consumed and (2) fee for the return of investment/CAPEX for the charging station. She added that only the fees for the electricity consumed in charging an EV will be regulated by the ERC. Director Aquino suggested that the fee for the use of an EV charging station be deregulated.

The TWG agreed to defer deliberations on Sections 17, 18, 19, and 23 pending the submission by concerned stakeholders, particularly by the IPPCA and the EVAP. TWG Co-Chairperson Sarmiento stated that there is a need to seriously consider the provisions under these sections to ascertain their feasibility and practicality.

(19) On Section 25, Fiscal Incentives.

Mr. Karl Pacolor of the DTI committed to submit the DTI's proposed language on the fiscal incentives to align the same with the recently passed Corporate Recovery and Tax Incentives for Enterprises (CREATE) Act. Expressing the same comments, DOF Director Johanna Hortinela opined that the provision on the excise tax is no longer necessary considering that EVs already enjoy excise tax exemption under the Tax Reform for Acceleration and Inclusion (TRAIN) law. She stated that hybrid vehicles enjoy 50% reduction on excise tax. Similarly, the proposed duty exemption is no longer necessary considering that EVs are already granted zero tariff under E.O No. 488. She articulated the DOF's opposition to the VAT and MVUCC exemption.

The TWG agreed to defer deliberations on Sections 25 and 26 pending the submission by the DOF on the data/quantification of benefits that would be derived from the use of EVs *vis-à-vis* loss on the government's revenues by providing incentives for the use and development of the EVs and by the EVAP, respectively.

TWG Chairperson Garcia concurred with the suggestion of TWG Co-Chairperson Sarmiento to delete Section 28, Development and Promotion of Other Kinds of Alternative Fuel Vehicles, to make the provisions of the bill aligned with its objectives. However, TWG Chairman Garcia instructed the Secretariat to seek the concurrence/comments of the proponents of the measure on the said suggestion.

TWG Chairperson Garcia requested the submissions of the proposed language/comments as committed by the DOE, DTI, DILG, IPPCA, EVAP and DOF.

TWG Chairperson Garcia requested the concerned stakeholders to submit their comments on May 4, 2021 to enable the Secretariat to consolidate and present the same to the TWG on the next meeting scheduled on May 7, 2021.

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Attested by:


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Noted by:

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