



Republic of the Philippines  
City Government of Muntinlupa  
CITY OF MUNTINLUPA  
Office of the City Mayor



**EXECUTIVE ORDER No. 39**  
Series of 2020

**PROVIDING FOR GUIDELINES ON THE DISPOSAL OF IMPOUNDED MOTOR VEHICLES,  
WHICH MAY BE UNCLAIMED OR ABANDONED,  
RELATED TO THE IMPLEMENTATION OF CITY ORDINANCE NO. 02-040**

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**WHEREAS**, City Ordinance No. 02-040, enacted on 14 March 2002, entitled "*An Ordinance Prescribing Regulations for the Towing and Impounding of Illegally Parked and Stalled Vehicles Within the City of Muntinlupa and Designating Impounding Area/s for this Purpose, and Providing Towing and Impounding/Storage Fees and Fines for Violation Thereof,*" provides for the procedures (a) in towing of illegally parked motor vehicles, of stalled or illegally parked motor vehicles as a result of flat tire; (b) in impounding of motor vehicles; (c) in claiming of impounded vehicles; and (d) in towing and impounding fees, but is silent in the disposal of impounded, whether unclaimed or abandoned, motor vehicles;

**WHEREAS**, Executive Order No. 03-A, Series of 2013, issued on 17 September 2013, provides for the creation of the Muntinlupa City Committee on Property, Plant and Equipment Inventory and Disposal (MCCPPEID), and its functions include the identification, inventory, disposal, collection of proceeds from the sale of these motor vehicles, and transmittal thereof to the Office of the City Treasurer;

**WHEREAS**, it has been a noticeable trend that impounded vehicles are left unclaimed by their respective owners, despite notices sent, and the number of vehicles take up much needed space in City Government-owned and controlled facility, namely Pacwood City Government Center, and add to the maintenance costs to the City Government;

**WHEREAS**, rules on the disposal of impounded motor vehicles, which are left unclaimed or abandoned, are imperative given its non-inclusion in current laws, rules and regulations;

**NOW, THEREFORE, I, Jaime R. Fresnedi, City Mayor of Muntinlupa**, by virtue of the powers vested in me by law, do hereby order and decree that:

Section 1.                      Definition of Terms.



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- a. **Unclaimed Motor Vehicle.**  
Refers to any motor vehicle towed and impounded by the Muntinlupa Traffic Management Bureau (MTMB) for violation/s of traffic rules and regulations issued by competent authority and the owner, or his or her duly authorized representative has not claimed the said motor vehicle beyond the allowable period;
- b. **Abandoned Motor Vehicle.**  
Refers to any motor vehicle possessed by the City Government of Muntinlupa, or through any of its departments and offices, by virtue of the enforcement of traffic laws and regulations and of failure to pay fines, and the ownership of the concerned motor vehicle may either be established or not;
- c. **Disposal.**  
Refers to the process undertaken by the Muntinlupa City Committee on Property, Plant and Equipment Inventory and Disposal (MCCPPEID) to remove from its control, supervision or possession a motor vehicle, which ordinarily involves sale through auction, subject of the implementation of pertinent laws, rules and regulations.

Section 2.                    Procedures on the Disposal.

- A. **Muntinlupa Traffic Management Bureau.**
  1. Submit to the Muntinlupa City Committee on Property, Plant and Equipment Inventory and Disposal (MCCPPEID) the list of impounded motor vehicles that are cleared for disposal. This list shall be certified by the Head;
  2. Assign one responsible officer or staff member who shall sit in and participate in the bidding activity to be conducted by the MCCPPEID, and he or she shall sign the Notice of Award alongside other members of the MCCPPEID.
- B. **Muntinlupa City Committee on Property, Plant and Equipment Inventory and Disposal.**

As the lead entity mandated to properly dispose impounded vehicles, the MCCPPEID shall:



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1. Receive related documents from the concerned MTMB officer of staff member, which includes:
  - i. Prescribed Form;
  - ii. Duly accomplished Inventory and Inspection Report (General Form No. 17-A);
  - iii. Individual Equipment Survey Report;
  - iv. Two (2) latest photographs showing distinct views of the motor vehicle.
2. Inspect the motor vehicle, verify the written serial number, motor number, chassis number;
3. Determine the condition of the motor vehicle, whether repairable, obsolete or junk;
4. Make an appraisal of the value of the motor vehicle employing the information or data written on the Inventory and Inspection Report;
5. Post a Notice of Sale conspicuously in at least three (3) public places, which may include, but is not limited to, City Hall Bulletin Boards, Barangay Hall Bulletin Boards, any building or facility owned and controlled by the City Government. In addition, posting on the Official City Government website managed by the Management Information Systems (MIS) Office shall be undertaken. The Notice of Sale shall be posted at least fifteen (15) days prior to the date of sale. The Notice of Sale shall contain the following details, namely:
  - i. Description of the motor vehicle;
  - ii. The name of the owner, if known;
  - iii. The appraised value, which shall be the minimum selling price, taking into account the condition, obsolescence and other relevant factors;
6. Conduct the bidding activity, which shall be open and transparent on the date of sale;
7. Make a determination on the winning bid and preliminarily award the winning bidder;
8. Accept the bid bond from the winning bidder, which shall be considered a partial payment. The difference between the bid bond and the offered bid bond shall be in the form of cash, or a cashier's or manager's check issued by a bank of good reputation located within the City of Muntinlupa or nearby environs;



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9. Issue the Notice of Award to the winning bidder;
10. Accept the full payment, the difference mentioned in the preceding Item H, within five (5) working days from the date of the Notice of Award;
11. Impose a penalization on a winning bidder that fails to complete payment within the prescribed period, either through forfeiture of the bid bond, with no redemption available, in favor of the City Government, or through outright cancellation of the Notice of Award.

C. Office of the City Treasurer.

1. Accept the bid bond from the MCCPPEID, which forms part of the payment of the winning bidder, as mentioned in Section 2.B.8. above;
2. Accept the full payment, as mentioned in Section 2.B.10. above;
3. Refrain from transferring any amount to the General Fund until such time that the period to file a claim made by the owner on the proceeds of the sale has lapsed.

Section 3. Remedies Available to the Owner of the Motor Vehicle.

- a. In case the registered owner of the motor vehicle subject of the winning bid wishes to file a claim against the proceeds of the sale, he or she shall reduce in writing his claim and submit to the MCCPPEID, which shall make a determination on its validity within five (5) working days from receipt thereof;
- b. Upon determination of the validity, the MCCPPEID shall submit to the Office of the City Treasurer the claim as indicated;
- c. Deduct reasonable expenses from the proceeds of the sale, which may include the following, namely:
  - i. Cost of impounding;
  - ii. Storage fees;
  - iii. Towing fees, which shall accrue to the owner of the towing vehicle, subject to the twenty (20%) percent share of the City Government;
  - iv. Accumulated charges.



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Section 4. Repealing Clause.

Any order or directive inconsistent with this Executive Order shall be deemed repealed, revoked or amended accordingly.


Section 5. Separability Clause.

In the event any provision herein found shall be judicially declared illegal or administratively struck down infirm, untouched provisions shall continue to have full force and effect.

Section 6. Effectivity Clause.

This Executive Order shall take effect immediately upon signing, and it shall have full force and effect until repealed, revoked or amended accordingly.

**DONE AND EXECUTED** on this 14<sup>th</sup> day of October 2020 in the City of Muntinlupa.

  
**JAIME R. FRESNEDI**  
City Mayor 