

## IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11697 OF THE ELECTRIC VEHICLE INDUSTRY DEVELOPMENT ACT

Pursuant to Section 30 of Republic Act No. 11697, otherwise known as the "Electric Vehicle Industry Development Act", the Department of Energy (DOE), together with the Department of Transportation (DOTr), in coordination with the Department of Trade and Industry (DTI), and in consultation with the concerned government agencies, private and public and stakeholders, hereby issue, adopt and promulgate the following implementing rules and regulations.

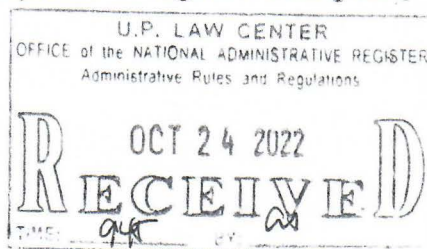
### Rule I. General Provisions

**Section 1. Title.** These rules and regulations shall be known as the Implementing Rules and Regulations of Republic Act No. 11697, otherwise known as the "Electric Vehicle Industry Development Act (EVIDA)", or the EVIDA-IRR.

**Section 2. Declaration of Policy.** It is hereby declared the policy of the State to:

- a) Ensure the country's energy security and independence by reducing reliance on imported fuel for the transportation sector;
- b) Provide an enabling environment for the development of electric vehicles (EVs) including options for micromobility as an attractive and feasible mode of transportation to reduce dependence on fossil fuels;
- c) Promote and support innovation in clean, sustainable, and efficient energy to accelerate social progress and human development by encouraging public and private use of low emission and other alternative energy technologies;
- d) Protect the health and well-being of the people from the hazards of pollution and the greenhouse effect;
- e) Safeguard and improve the integrity, reliability, and stability of the country's electric power grid by optimizing the location of energy sources relative to demand;
- f) Promote inclusive and sustainable industrialization while recognizing the role of the private sector in order to support the transition to new technologies, generate jobs, spur small and medium enterprise growth, attract investments, grow globally competitive and innovative industries, and upgrade the country's participation in regional and global value chains, consistent with the Philippine

EVIDA-IRR



Page 1 of 21

Development Plan and the country's international obligations under the United Nations Sustainable Development Agenda;

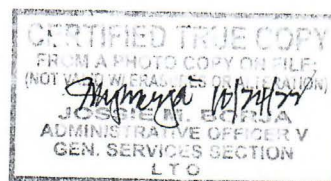
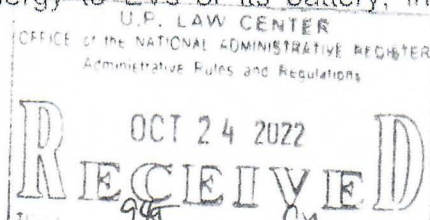
- g) Generate employment opportunities for our local skilled workforce to sustain their livelihood;
- h) Protect and safeguard the country's cultural heritage through the Philippine transportation system, which remain an underlying factor in progress and innovation; and
- i) Recognize the role of local government units (LGUs) as competent partners of the national government in the smooth transition to this innovation by providing them capacity building support.

**Section 3. Scope and Application.** The EVIDA-IRR shall apply to the EV industry comprising of the manufacture, assembly, importation, construction, installation, maintenance, trade and utilization, research and development, and regulation of electric vehicles, charging stations and related equipment, parts and components, batteries, and related support infrastructure including its recycling, disposal, and handling of wastes.

**Section 4. Definition of Terms.** For the purposes of the EVIDA-IRR, the singular may be read as the plural, and the plural may be read as the singular, as the context requires, and shall have the following meanings unless indicated otherwise:

- a) *Battery EV (BEV)* refers to an electrically propelled vehicle with only a traction battery as power source for vehicle propulsion with reference to those provided under Section 5 of the EVIDA-IRR;
- b) *Battery Swapping Station (BSS)* refers to a facility which allows EV users to exchange a near empty discharged battery with a fully charged battery with reference to those provided in Section 6 of the EVIDA-IRR;
- c) *Centralized Vehicle-to-Grid Facilities* refer to establishments which are allowed to supply power to the grid using EVs with reference to Section 7 of the EVIDA-IRR;
- d) *Certificate of Inspection* refers to a document issued by the building official of an LGU as a requirement for the installation of power lines to a building or structure to certify the completeness and safety of the installation of all electrical wirings with the Philippine Electrical Code (PEC), pursuant to Republic Act No. 6541 as revised by Presidential Decree No. 1096, otherwise known as the "National Building Code of the Philippines";
- e) *Charging Fee* refers to the amount imposed on EV users in exchange for the use of commercial use charging stations whose individual components shall be unbundled pursuant to Section 11 j of the EVIDA-IRR;
- f) *Charging Station* refers to a facility with equipment for the delivery of electrical energy to EVs or its battery, installed in an enclosure with special control

EVIDA-IRR

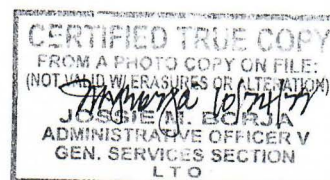
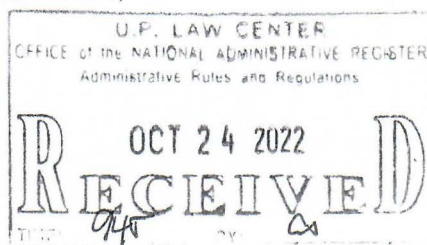


Page 2 of 21

functions and communications, and may be located off the vehicle with reference to those provided in Section 6 of the EVIDA-IRR;

- g) *Charging Station Service Provider* refers to a natural or juridical person, duly accredited by the DOE, who sells, constructs, installs, maintains, owns, or operates charging stations or any of its components for a fee;
- h) *Commercial Use Charging Stations* refer to the utilization of charging station by the general public or a defined group of individuals with reference to those provided in Section 6 of the EVIDA-IRR;
- i) *Comprehensive Roadmap for the Electric Vehicle Industry (CREVI)* refers to the national development plan for the EV industry with an annual work plan to accelerate the development, commercialization, and utilization of EVs in the country with reference to Section 10 of the EVIDA-IRR;
- j) *Distribution System* refers to the system of wires and associated facilities belonging to a franchise distribution utility, extending between the delivery points on the transmission, sub-transmission system, or generating plant connection and the point of connection to the premises of the end-user;
- k) *Distribution Utility (DU)* refers to any electric cooperative, private corporation, or government-owned utility or existing local government unit which has a franchise or authority to operate a distribution system including those whose franchise or authority covers economic zones;
- l) *EV* refers to a vehicle with at least one (1) electric drive for vehicle propulsion with reference to Section 5 of the EVIDA-IRR;
- m) *EV Industry* refers to the manufacture, assembly, importation, construction, installation, maintenance, trade and utilization, research and development, and regulation of electric vehicles, charging stations and related equipment, parts and components, batteries, and related support infrastructure including its recycling, disposal, and handling of wastes;
- n) *Fleet* refers to a group of road vehicles owned, leased and/or operated by a single juridical entity, whether government or private, corporate or otherwise, in the pursuit of its mandate, business or organizational objectives;
- o) *Green routes* refer to public transportation routes identified and designated in the Local Public Transport Route Plans (LPTRP) and Route Rationalization Plans (RRPs) approved by the DOTr, and the Land Transportation Franchising and Regulatory Board (LTFRB), and shall likewise include service areas in the tricycle route plans identified and approved by the LGUs, to be exclusively traversed by all electric public utility vehicles (PUVs);
- p) *Hybrid-EVs (HEVs)* refers to a vehicle with both a rechargeable energy storage system and a fueled power source for propulsion with reference to Section 5 of the EVIDA-IRR;

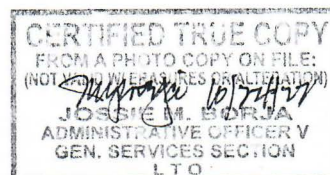
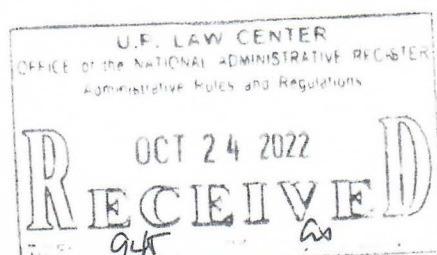
EVIDA-IRR



Page 3 of 21

- q) *Importer* refers to any individual, partnership, corporation, or other entity, incorporated, organized, and existing under Philippine laws, engaged in the importation of completely built units of EVs, EV charging stations (EVCS) and related equipment, parts and components, and batteries;
- r) *Just transition* refers to globally recognized principles that should guide the transition to environmentally sustainable economies and societies;
- s) *Light EV* refers to EVs such as electric scooters, electric bicycles, electric personal transport, and other similar vehicles weighing less than fifty kilograms (50 kgs) with reference to Section 5 of the EVIDA-IRR;
- t) *Manufacturer or assembler* refers to any individual, partnership, corporation, or other entity incorporated, organized, and existing under Philippine laws, engaged in the manufacture and assembly of EVs, EVCS and related equipment, parts and components, and batteries;
- u) *Micromobility* refers to alternative modes of transportation which are provided by Light EVs with reference to Section 5 of the EVIDA-IRR;
- v) *Own-Use Charging Stations* refer to the utilization of a charging station exclusively by an individual with reference to Section 6 of the EVIDA-IRR;
- w) *Plug-in Hybrid EV* refers to an HEV with rechargeable energy storage system that can be charged from an external energy source with reference to Section 5 of the EVIDA-IRR;
- x) *Private buildings and establishments* refer to residential, commercial, and industrial structures owned or leased by private natural or juridical persons, and in the case of commercial and industrial structures, whose goods and services are available to the public;
- y) *Public buildings and establishments* refer to structures owned or leased by the government through its departments, agencies, bureaus, offices, government-owned and controlled corporations (GOCCs), and LGUs;
- z) *Public Utility Vehicle (PUV) Fleet* refers to a group or a number of units of road vehicles owned, leased and/or operated by a private single juridical entity, corporate or otherwise, such as an operator, established to provide same/similar/contiguous/interconnected transport and/or logistics services that have been awarded/granted the valid Certificate of Public Convenience permit, or authorization; and
- aa) *Self-Generating Charging Stations* refer to charging stations which source electricity from the grid and also from on-site installed generation facilities with reference to Section 7 of the EVIDA-IRR.

EVIDA-IRR



**Rule II.**  
**EV and EV Charging Station**

**Section 5. Electric Vehicle.** For the purposes of the EVIDA and EVIDA-IRR, EV refers to a vehicle with at least one (1) electric drive for vehicle propulsion, examples of which are:

- 5.1 Battery EVs (BEVs) are those EVs with an electrically propelled vehicle with only a traction battery as power source for vehicle propulsion
- 5.2 Hybrid-EVs (HEVs) are those EVs with both a rechargeable energy storage system and a fueled power source for propulsion
- 5.3 Light EVs (LEVs) are those EVs used in micromobility that provide alternative modes of transportation which include electric scooters, electric bicycles, electric personal transport, and other similar vehicles weighing less than fifty kilograms (50 kg)
- 5.4 Plug-in hybrid-EVs (PHEVs) or those HEVs with rechargeable energy storage system that can be charged from an external electric energy source

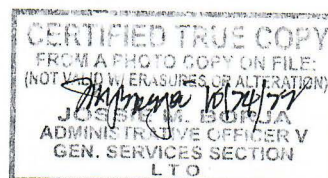
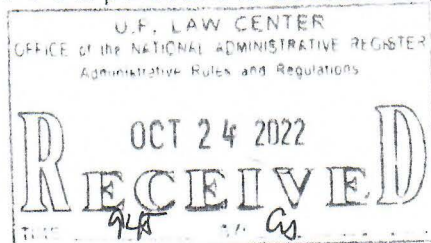
In recognition of the future advances and innovations in technologies, other EVs which may be recognized by the DOE: *Provided, That* said EV has at least one (1) electric drive used for propulsion.

**Section 6. EV Charging Station.** For the purposes of the EVIDA and the EVIDA-IRR, an EVCS refers to a facility with equipment for the delivery of electrical energy to EVs or its battery, installed in an enclosure with special control functions and communications, and may be located off the vehicle, examples of which, include among others:

- 6.1 Battery Swapping Station (BSS) is an EVCS facility which allows EV users to exchange a near-empty discharged battery with a fully charged battery: *Provided, That* this also includes any replacement made for a charged battery
- 6.2 Commercial use charging stations (CUCS) are EVCS whose utilization are open to the general public or a defined group of individuals
- 6.3 Own-use charging stations (OUCS) are EVCS whose utilization are for the exclusive use by an individual, or groups (cooperatives, corporations, and/or other entities)

EVCS may be installed in private and public buildings and establishments as provided in Sections 21 and 22 of the EVIDA-IRR: *Provided, That* the CREVI shall identify specific types of private and public buildings and establishments to be installed with CUCS: *Provided Further, That* all EVCS shall comply with the requirements to be issued by the DOE pursuant to Section 11 (a) of the EVIDA-IRR.

EVIDA-IRR



Page 5 of 21

**Section 7. Electricity for EVCS.** For the purposes of the EVIDA and the EVIDA-IRR, EVCS that source electricity from the grid and from on-site installed generation facilities are considered Self-Generating Charging Stations, while those that are allowed to supply power to the grid using EVs are considered Centralized Vehicle-to-Grid Facilities: *Provided, That* EVCS that sources electricity from the grid and from on-site installed generation facilities shall comply with the rules and requirements to be issued.

**Section 8. EVCS Provider.** For the purposes of the EVIDA and the EVIDA-IRR, EVCS Providers refer to a natural or juridical person, duly accredited by the DOE, who sells, constructs, installs, maintains, owns, or operates EVCS or any of its components for a fee: *Provided, That* EVCS Providers are permitted to impose and collect fees, which shall be unbundled, subject to Section 11 (j) of the EVIDA-IRR.

**Rule III.  
Regulation in Electric Vehicle Industry Development**

**Section 9. Government Regulation.** All government regulations related to the EV industry shall be formulated to facilitate the creation of an enabling environment for competitive, equitable, and non-discriminatory private sector participation, with preference for indigenous technologies as they are available or applicable, to attain the long-term goal of energy security, energy sufficiency, and stable energy prices.

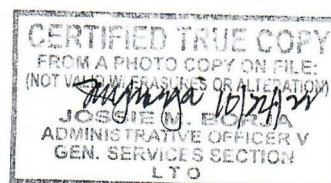
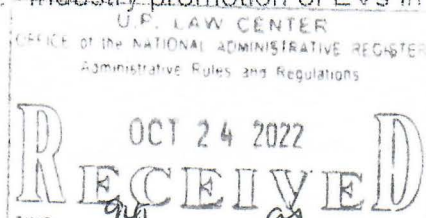
For this purpose, the DOE in coordination with the relevant government agencies and stakeholders, and after public consultation, shall issue the guidelines for the issuance of the simplified and expedited processing of all licenses, permits, certifications or authorizations, and other requirements on the EV industry, including the setting of reasonable fees: *Provided, That* the prescribed processing times shall not exceed the periods provided for, and the limitation to three (3) signatures outlined in the relevant provisions of Republic Act No. 11032 otherwise known as the "Ease of Doing Business and Efficient Government Services Delivery Act of 2018" and its implementing rules and regulations, and Republic Act No. 11234 otherwise known as the "Energy Virtual One Stop Shop Act" and its implementing rules and regulations: *Provided Further, That* the implementation of this section shall be for shorter periods and lessening of steps and/or processes: *Provided Finally, That* only indigenous technology that meets global safety standards shall be considered for the purposes of this provision.

Upon the issuance of the guidelines pursuant to this provision, no additional requirements may be imposed unless compliant with the same.

**Section 10. Comprehensive Roadmap for the Electric Vehicle Industry (CREVI).** The CREVI refers to a national development plan for the EV industry with an annual work plan to accelerate the development, commercialization, and utilization of EVs in the country comprised of the following four (4) components:

- 10.1 EVs and charging stations component, which includes:
  - a. Development of standards and specification of EVs and charging stations
  - b. Industry promotion of EVs in public and other transport applications

EVIDA-IRR



Page 6 of 21

- c. Designation of dedicated parking slots for EVs
  - d. Design, construction, or installation of EVCS in dedicated parking slots and dedicated spaces, specially those that will be utilized by PUVs, and
  - e. Design or construction of parking spaces for EVs, considering EVs different size, weight, maneuver, and its safety.
- 10.2 Manufacturing component that gives emphasis on EV for public transport in addition to EV for individual use, which includes:
- a. Promotion and development of the local manufacturing of the EV industry, and
  - b. Manufacturing standards for EVs, batteries and facilities including recycling facilities, parts, and components, and charging stations and related equipment.
- 10.3 Research and development (R&D) component that generates Science and Technology (S&T) based policies and local technologies for commercialization, and
- 10.4 Human resource development component which includes skills and capacity building of needed personnel to support the development of the EV industry.

The CREVI shall be incorporated in the Philippine Development Plan, Philippine Energy Plan and the National Transport Policy considering the following:

- a. Integration of green routes particularly for EVs, parking spaces, and EVCS in land-use and transport planning
- b. Implementation of harmonized traffic rules on the use of EVs, especially when mixed traffic cannot be avoided.

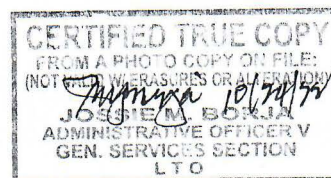
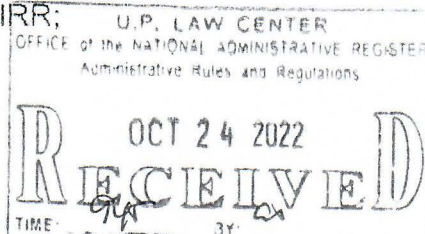
To facilitate the determination and promotion of investment requirements, implementation, and monitoring, the components of the CREVI shall have a short-, medium-, and long-term projects and activities.

#### Rule IV. Role of Government Agencies

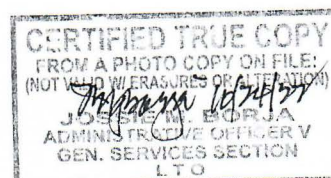
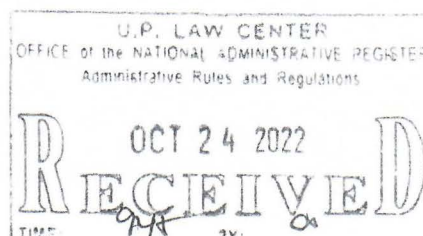
**Section 11. Powers and Functions of the Department of Energy (DOE).** The DOE shall be the primary agency tasked with the promotion of the adoption of EVs and the development of EVCS and related equipment. In addition to its functions under existing laws and pursuant to Section 7 of the EVIDA, the DOE shall have the following powers and functions:

- a. Promulgate uniform and streamlined rules, regulations, and standards on the use, operations, and maintenance of EVCS and related equipment, in coordination with other concerned agencies, to include the accreditation of EVCS Providers and requirements imposed by DUs on charging stations and EVCS Providers which shall comply with the provisions of Section 9 of the EVIDA-IRR;

EVIDA-IRR



- b. Convene, within two (2) months from the effectivity of the EVIDA, a technical working group (TWG) comprised of the DOE, DOTr, DTI, Department of Science and Technology (DOST), Department of Environment and Natural Resources (DENR), Department of Public Works and Highways (DPWH), Department of Interior and Local Government (DILG), and the National Economic and Development Authority (NEDA) to ensure harmonized policies and consistent and streamlined standards and regulations in the EV industry. The members of the TWG shall fully cooperate and collaborate in the harmonization of policies, including the different components of the CREVI and the creation, promulgation, and streamlining of standards and regulations in the EV industry. The TWG shall be chaired by the DOE. It shall meet regularly or as necessary. The TWG may also invite public and private stakeholders as resource persons. The output of the TWG may form part of the guidelines to be issued by the DOE pursuant to Section 9 of the EVIDA-IRR;
- c. Develop and update the EV and EVCS component of the CREVI under Section 6 (a) of the EVIDA in coordination with the DOTr, and in consultation with the LGUs and other relevant national government agencies (NGAs). The component shall be completed not later than the 30th of May of every year;
- d. Develop and update the CREVI by consolidating its various components pursuant to Section 6 of the EVIDA. The CREVI shall be made publicly available on its website not later than the 30th of September of every year;
- e. Implement, together with the DOTr and DTI, plans and programs pursuant to Section 7(a) of the EVIDA through information, education, communication, and demonstration campaigns consistent with the CREVI;
- f. Accredite EVCS Providers, and make available to the public on its website an annual inventory of all accredited EVCS Providers and a list of all CUCS and BSS in the country;
- g. Require DUs to submit their respective charging infrastructure development plans as part of their Distribution Development Plans (DDPs) not later than the 30th of August of every year;
- h. Enforce compliance with the installation of EVCS as required under Sections 18 and 19 of the EVIDA, and Sections 22 and 23 of the EVIDA-IRR;
- i. Enforce compliance on the installation of EVCS with the Philippine Electrical Code and other applicable provisions of Republic Act No. 7920, otherwise known as the "New Electrical Engineering Law", the Philippine Distribution Code, and other relevant standards. Towards this end, the DOE shall conduct regular inspections of CUCS and BSS;
- j. Ensure compliance with the unbundling of charging fees by EVCS Providers;
- k. Enforce compliance of EVs with Section 17 of Republic Act No. 11285, otherwise known as the "Energy Efficiency and Conservation Act";





- l. Develop and implement programs, in coordination with relevant NGAs, to provide full and ease of access to EVs and EVCS of senior citizens and persons with disabilities consistent with the applicable provisions of Republic Act No. 7432, as amended, otherwise known as the "Senior Citizens Act", and Republic Act No. 7277, as amended, otherwise known as the "Magna Carta for Persons with Disability";
- m. Consolidate and centralize data from the DTI, DOTr, DENR, Energy Regulatory Commission, Land Transportation Office (LTO), LTRFB, LGUs, and other relevant NGAs insofar as EVs and EVCS are concerned for easy access of the public; and
- n. Perform all other acts that are analogous to the foregoing, which are necessary and incidental to accomplish the policy objectives of the EVIDA and EVIDA-IRR, including the development and implementation of targeted and time-bound projects aimed at accelerating the adoption of EVs.

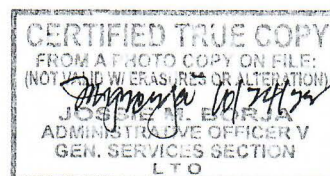
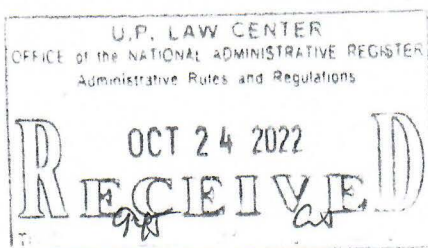
**Section 12. Powers and Functions of the Energy Regulatory Commission (ERC).** In addition to its functions under Republic Act No. 9136, otherwise known as the "Electric Power Industry Reform Act of 2001 (EPIRA)", other existing laws and pursuant to Section 8 of the EVIDA, the ERC shall:

- a. Regulate the rates charged by DUs on all EVCS, taking into account, the utilization of the EVCS, its unique requirements, and its effect in the DU's demand profile and distribution system, and the rate-setting methodology of the ERC pursuant to Section 43 of the EPIRA;
- b. Promulgate uniform and streamlined rules and requirements for Section 7 and compliant with Section 9 of the EVIDA-IRR; and
- c. Perform all other acts that are analogous to the foregoing, which are necessary and incidental to accomplish the policy objectives of the EVIDA and the EVIDA-IRR.

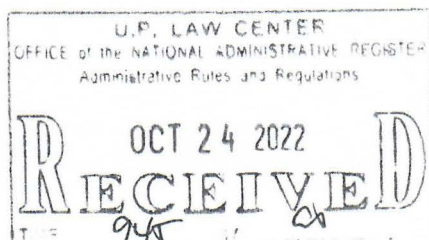
**Section 13. Powers and Functions of the Department of Transportation (DOTr).** The DOTr shall be the primary agency tasked with the development of EV demand generation, and the regulation and registration of EVs, as well as franchising of EVs used for public transportation. In addition to its functions under existing laws and pursuant to Section 9 of the EVIDA, the DOTr shall have the following powers and functions:

- a. Coordinate with the DOE in the preparation of the EV and EVCS component of the CREVI pursuant to Section 7(c) of the EVIDA;
- b. Promulgate uniform and streamlined policies, rules, and requirements through its attached agencies on the use, operations, inspection, and registration of EVs, as well as franchising of EVs used for public transportation, consistent with Section 9 of the EVIDA-IRR;

EVIDA-IRR



- c. Exempt from payment of the registration fees under the EVIDA and registration with DOTr and its attached agencies, LEVs which shall be for exclusive private use, not intended to be operated or used upon any public highway, or which are operated on highways not constructed or maintained by the government, or are intended not to be used or operated at all;
- d. Ensure that the CREVI shall form part of and be consistent with a comprehensive sustainable transportation plan established by the government;
- e. Coordinate with the National Commission for Culture and the Arts (NCCA) on the preservation of the artistic design of traditional jeepneys for EVs intended for use for public transportation: *Provided, That* as far as practicable, all manufacturers and importers of EVs intended for use for public transportation shall coordinate with the DOTr and the NCCA to emulate the artistic design of the traditional jeepneys to preserve the country's cultural heritage, consistent with relevant enforceable Philippine National Standards: *Provided Further, That*, artistic design shall be limited to mean color schemes, logos, fonts, and stickers used on the outer panels of the EVs used for public transportation: *Provided Finally, That*, all designs which affect or may have an effect on road safety and vehicle road-worthiness, including but not limited to design of the engine, chassis, lights, and other material and functional parts of the vehicle, shall be governed by the applicable rules and regulations set by the LTO and LTFRB with regard to road safety;
- f. Conduct information, education, communication, and demonstration campaigns, together with the DOE and DTI;
- g. Mandate the inclusion of green routes in public transport route plans with consideration to the viability through the promulgation and utilization of the green route selection criteria;
- h. Incorporate the accelerated deployment of EVs in the PUV Modernization Program and may provide additional support to EV PUVs consistent with the EVIDA-IRR and the CREVI;
- i. Develop a program for a just transition of the gradual phase-in of electric PUVs, in coordination with other relevant public and private stakeholders;
- j. Conduct capacity-building activities for affected PUV operators, drivers and technicians, in coordination with the DOE, DTI, DILG, Technical Education and Skills Development Authority (TESDA), and respective LGUs;
- k. Conduct inspection and registration of EVs through the LTO using the Motor Vehicle Inspection System (MVIS) to ensure the quality and safety of parts, components, and whole vehicle soundness as set in the Philippine National Standards (PNS); and
- l. Through the LTO and LTFRB, strictly implement relevant rules and issuances applicable to EV, and amend accordingly as may be necessary subject to the

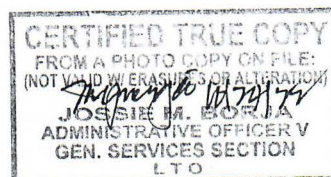
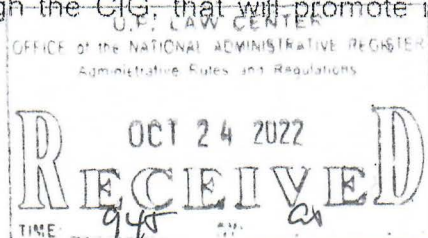


conduct of public consultations, in compliance with other requirements, as may be provided under existing laws.

**Section 14. Powers and Functions of the Department of Trade and Industry (DTI).** The DTI shall be the primary agency tasked with the promotion and development of the local manufacturing of the EV industry. In addition to its functions under existing laws and pursuant to Section 10 of the EVIDA, the DTI shall have the following powers and functions:

- a. Through the Bureau of Philippine Standards (BPS), formulate and review regularly relevant PNS for the EV industry to ensure consumer protection and trade facilitation taking into consideration developments in trade and latest technology, including safety, quality, and environmental advances in the EV industry;
- b. Regulate the quality and safety of parts and components by implementing relevant standards, through the BPS, and accrediting inspection, testing, and certifying bodies offering conformity assessment services relevant to EV industry, through the Philippine Accreditation Bureau, national accreditation body, to ensure product quality and consumer protection;
- c. Develop and update regularly the manufacturing component of the CREVI, in coordination with the DOE, DOTr, Board of Investments (BOI), and other relevant NGAs pursuant to Section 6(b) of the EVIDA. The manufacturing component shall be submitted to the DOE not later than the 30th of May of every year;
- d. Develop and update regularly the human resource development component of the CREVI, in coordination with the Department of Labor and Employment (DOLE), TESDA, Commission on Higher Education (CHED), and other relevant NGAs pursuant to Section 6(d) of the EVIDA. The human resource development component shall be submitted to the DOE not later than the 30th of May of every year;
- e. Develop, through the BOI and in coordination with other relevant NGAs, the EV incentive strategy pursuant to Section 24(a) of the EVIDA, and other industry development and adoption programs to build and strengthen the EV ecosystem in the country;
- f. Develop, in coordination with the DENR, a program for the adoption of manufacturing and recycling standards for EV batteries and facilities;
- g. Perform market research analysis of market trends and global market intelligence, through the Competitiveness and Innovation Group (CIG), as inputs to the CREVI and the overall EV policy marking and industry development work with focus on the promotion and development of the local manufacturing of the EV industry;
- h. Develop competitiveness-enhancing initiatives and implement programs through the CIG that will promote innovation and digital transformation with

EVIDA-IRR



focus on the promotion and development of the local manufacturing of the EV industry;

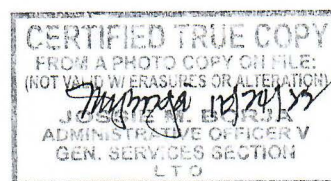
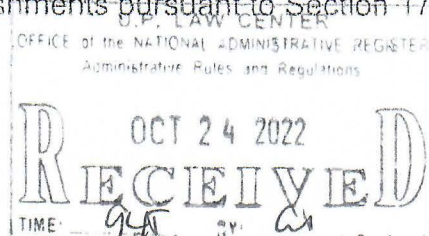
- i. Allocate budget for EV related trainings through TESDA in coordination with the DOE and the DOTr; and
- j. Perform all other acts that are analogous to the foregoing, which are necessary and incidental to accomplish the policy objectives of the EVIDA.

**Section 15. Powers and Functions of the Local Government Units (LGUs).** In addition to its functions under existing laws and pursuant to Section 11 of the EVIDA, LGUs shall have the following powers and functions:

- a. Include green routes in their respective LPTRP consistent with the National Transport Policy, DOTr Department Order No. DO2017-11, DOTr-Department of the Interior and Local Government (DILG) Joint Memorandum Circular No. 001, series of 2017, the green route selection criteria which will be issued by the DOTr, and such other issuances that may be promulgated;
- b. Issue Certificates of Inspection to EVCS;
- c. Provide segregated lanes for LEVs in all major local and national roads, in coordination with the DPWH: *Provided, That* such lanes may be integrated with bicycle lanes;
- d. Submit to the DOE not later than the 30th of January of every year the list of all CUCS in their respective localities;
- e. Issue permits for the construction or renovation of buildings or establishments pursuant to the guidelines promulgated by the DPWH in Section 12 of the EVIDA;
- f. Ensure compliance of public and private buildings and establishments with Section 18 of the EVIDA;
- g. Issue necessary policies or legislations regulating the operations of EVs: *Provided, That* it is in accordance with the EVIDA and EVIDA-IRR; and
- h. Provide designated loading and unloading stations for EVs.

**Section 16. Powers and Functions of the Department of Public Works and Highways (DPWH).** In addition to its functions under existing laws and pursuant to Section 12 of the EVIDA, the DPWH shall establish guidelines on the following:

- a. Construction or installation of EVCS and other related equipment in buildings and other establishments; and
- b. Issuance of permits for the construction or renovation of buildings or establishments pursuant to Section 17 of the EVIDA;



- c. Assist in the planning and implementation of skills acquisition, in partnership with TESDA and the industry, for EV related training and assessment programs. The DPWH through its network of TESDA-accredited assessment and training centers, and pool of skills assessors and trainers shall participate in skills multiplier programs by TESDA;
- d. Utilize its network of heavy equipment and vehicle shops (area shop equipment shops) and motorpool facilities nationwide as EVCS for its fleet and of other NGAs in coordination with the DOE whenever feasible;
- e. Assist the DOE, DTI and DENR, thru the Bureau of Equipment (BOE), in EV R&D primarily focused in the EV's reliability, maintainability and operability, and establishment of EV life cycle management strategy and standards; and
- f. Assist DOTr, in reviewing and updating of EV registration focused on system reliability, adjustment of road safety parameters and driver/operator knowledge on its operations and maintenance.

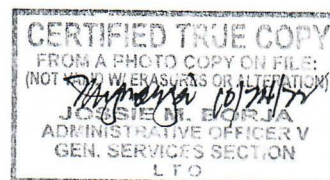
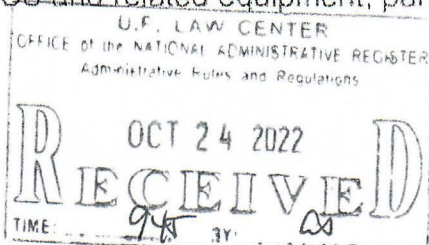
**Section 17. Powers and Functions of the Department of Science and Technology (DOST).** In addition to its functions under existing laws and pursuant to Section 13 of the EVIDA, the DOST shall develop and regularly update the R&D component of the CREVI, in consultation with the DTI and other relevant NGAs pursuant to Section 6(c) of the EVIDA.

The R&D component gearing towards commercialization shall be submitted to the DOE not later than the 30th of May of every year. The provision of technical and financial support for studies shall conform to the National Harmonized R&D agenda including those that may be extended for the conduct of localized transport studies by accredited state universities and colleges at the local government level.

**Section 18. Powers and Functions of the Department of Environment and Natural Resources (DENR).** In addition to its functions under existing laws and pursuant to Section 14 of the EVIDA, the DENR shall have the following powers and functions:

- a. In consultation with the DOE, DOTr, DTI, and other public and private stakeholders, promulgate rules and guidelines on the recycling and disposal of EVs, EVCS and related equipment, parts and components, and batteries consistent with the provisions of Republic Act No. 6969 or the "Toxic Substance Hazardous and Nuclear Waste Control Act of 1990" and related issuances;
- b. In coordination with the DOTr, include EVs in the comprehensive air pollution management and control program in accordance with Republic Act No. 8749, otherwise known as the "Clean Air Act of 1999" including the update of air quality standards and study for possible incentives for carbon offsetting; and
- c. In coordination with the DOE, establish guidelines for the accurate characterization, disposal, handling, and management of wastes involving EVs, EVCS and related equipment, parts and components, and batteries.

EVIDA-IRR



**Section 19. Power and Function of the National Economic and Development Authority (NEDA).** Pursuant to Section 15 of the EVIDA and in recognition of the importance of the role of the EV industry in national development, NEDA shall include the CREVI in the Philippine Development Plan.

**Rule V.  
Demand Generation and Industry Development**

**Section 20. Mandatory EV Share in Corporate and Government Fleets.** The following entities shall ensure that at least five percent (5%) of their fleet, whether owned or leased, shall be EVs within the timeframe indicated in the CREVI:

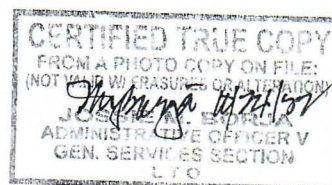
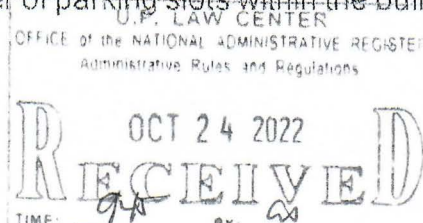
- a. Industrial and commercial companies such as cargo logistics or freight forwarding companies, parcel and food delivery companies, tour agencies, hotels, power utilities, and water utilities;
- b. Public transport operators, including Public Utility Minibuses, Public Utility Buses (PUBs), Public Utility Jeepneys (PUJs), Utility Vans (UVs), Filcab, Shuttle Services, Tourist Transport Services, School Services, tricycles, taxis, and transport network vehicle services; and
- c. LGUs, NGAs, and GOCCs: *Provided, That* the electrification of government fleets shall be considered as a government energy efficiency project under Republic Act No. 11285, otherwise known as the "Energy Efficiency and Conservation Act".

The CREVI shall provide a timeline for both the attainment of the mandatory percentage share and the gradual increase of such percentage until the entire fleet of the covered entities will all be EVs: *Provided, That* the availability and sufficiency of energy supply and EVCS as well as other conditions affecting the optimal utilization of EVs shall be taken into consideration: *Provided Further, That* the financial implications relating to initial capital outlay and operating costs for the purchase and use of EVs, particularly for micro, small, and medium enterprises (MSMEs), will also be taken into consideration: *Provided Finally, That* the mandatory share for fleets also factors in the availability of EVCS and parking slots.

The DOE in consultation with the EVIDA-TWG member agencies may issue guidelines for the effective implementation of this section consistent with the CREVI and the policies of the EVIDA and the EVIDA-IRR.

**Section 21. Dedicated Parking Slots for EVs in Private and Public Buildings and Establishments.** Private and public buildings and establishments constructed after the effectivity of the EVIDA and pursuant to the National Building Code of the Philippines shall designate dedicated parking slots for the exclusive use of EVs to include LEVs: *Provided, That* the number of dedicated parking slots shall be proportional to the total number of parking slots within the building or establishment as provided in the CREVI: *Provided further, That* if there are twenty (20) or more parking slots, there should be at least five percent (5%) dedicated parking slots for EVs of the total number of parking slots within the building or establishment: *Provided finally, That*

EVIDA-IRR



Page 14 of 21

existing private and public buildings and establishments shall comply with the foregoing requirements within the timeframe indicated in the CREVI.

The DOE in consultation with the EVIDA-TWG member agencies may issue guidelines for the effective implementation of this section consistent with the CREVI and the policies of the EVIDA and the EVIDA-IRR.

**Section 22. Construction or Installation of EVCS in Dedicated Parking Slots.** The CREVI shall determine when dedicated parking slots shall be installed with an EVCS either by the owner of the building or establishment or an EVCS Provider: *Provided, That* the owner of the private or public building or establishment shall have the first priority to install, operate, or maintain a charging station in its premises: *Provided Further, That* to facilitate the implementation of this section, the DOE may issue guidelines consistent with the CREVI and the policies of the EVIDA and the EVIDA-IRR.

**Section 23. Construction or Installation of EVCS in Gasoline Stations.** Select gasoline stations identified in the CREVI shall designate dedicated spaces for the installation of CUCS. The CREVI shall determine when dedicated spaces in gasoline stations shall be installed with a CUCS either by the owner and/or operator of the gasoline station or an EVCS Provider: *Provided, That* the owner and/or operator of the gasoline station shall have the first priority to install, operate, or maintain a CUCS in its premises. A gasoline station, if required under the CREVI to have a designated space for an EVCS, shall not be issued a construction, operation, or compliance permit by the DOE unless the owner and/or operator shows that there is ample space for the construction or installation of EVCS within its premises.

For this purpose, the DOE in consultation with the EVIDA-TWG member agencies may issue guidelines for the effective implementation of this section consistent with the CREVI and the policies of the EVIDA and the EVIDA-IRR.

**Section 24. Permitting for Construction.** No permit shall be issued by the LGU for the construction or renovation of a building or establishment unless the applicable provisions under Sections 21, 22 and 23 of the EVIDA-IRR have been complied with: *Provided, That* the process, timeframe, and requirements for the permitting under this section shall comply with Section 9 of the EVIDA-IRR.

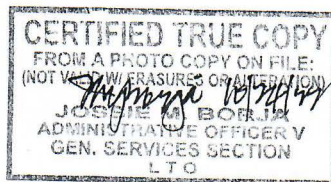
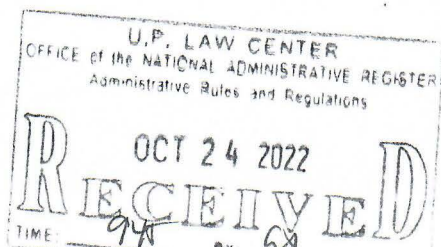
#### Rule VI.

#### EV Infrastructure - Duties, Roles, and Responsibilities of Stakeholders

**Section 25. Duties and Responsibilities of Owners or Operators of Charging Stations.** An owner or operator of an EVCS shall have the following duties and responsibilities:

- a. Comply with the applicable rules, requirements, and standards including the national standard for EV power output rating and safety distance for construction or installation of charging stations, as well as all applicable permits and licenses of relevant NGAs and LGUs in accordance with the EVIDA;

EVIDA-IRR



Page 15 of 21

- b. Pay the DU for electricity consumption of the EVCS, when applicable;
- c. Unbundle the charging fees imposed by BSS and CUCS; and
- d. Regularly submit to the DOE an unbundled structure of the charging fees imposed by BSS and CUCS on EV users.

**Section 26. Duties and Responsibilities of Distribution Utilities.** A DU shall have the following duties and responsibilities:

- a. Provide the necessary power requirement for the establishment and operation of charging stations consistent with its DDP;
- b. Prepare the charging station infrastructure development plan and incorporate the same in its DDP; and
- c. Comply with Section 26 of the EPIRA as implemented by ERC's applicable rules and guidelines on business separation and unbundling in the event that it engages in the business of a charging station service provider.

**Rule VII.  
Incentives**

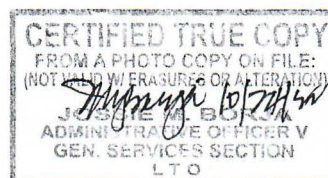
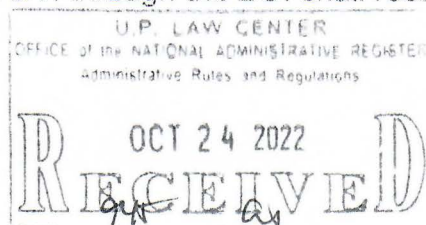
**Section 27. Fiscal Incentives for Manufacturing.** Pursuant to Section 24 of the EVIDA, the following activities shall undergo an evaluation process to determine their inclusion in the strategic investment priority plan (SIPP) and possible entitlement to the incentives and for the length of time as provided under Executive Order No. 226, otherwise known as the "Omnibus Investments Code of 1987", as amended by Republic Act No. 11534, otherwise known as the "Incentives Corporate Recovery and Tax for Enterprises Act" and Title XIII of the National Internal Revenue Code of 1997 as amended by the Corporate Recovery and Tax Incentives for Enterprises Act, and other applicable laws:

- 1. Manufacture and assembly of EVs, EVCS, batteries, and parts and components; and
- 2. The establishment and operations of EVCS and other related support infrastructure such as R&D centers, training centers, testing centers, and waste treatment facilities.

For this purpose, the BOI in coordination with the DOE and the DOTr shall issue guidelines for the endorsement for fiscal incentives under this section for the abovementioned activities, and the advancement of their mandates under Sections 11 and 13 and of the EVIDA-IRR: *Provided, That* the process, timeframe, and requirements for the endorsement under this section shall comply with Section 9 of the EVIDA-IRR.

**Section 28. Development of the EV Incentive Strategy.** Pursuant to Section 24 of the EVIDA, the DTI through the BOI shall recommend an EV incentive strategy to the

EVIDA-IRR





Fiscal Incentives Review Board (FIRB) for approval, as part of the manufacturing component of the CREVI, similar to Executive Order No. 182, series of 2015, otherwise known as the "Comprehensive Automotive Resurgence Strategy Program". The incentive strategy shall:

1. Narrow the cost gap between EVs and traditional motor vehicles and enable the shift of the local traditional motor vehicle industry to EVs: *Provided, That* the same shall include the utilization of government subsidies to entice users to immediately shift to EVs consistent with the CREVI;
2. Provide time-bound, targeted, performance-based, and transparent fiscal and non-fiscal support to attract EV and EV parts manufacturing, particularly electronic parts and other strategic components, batteries, EVCS, and the establishment of testing facilities; and
3. Set local production targets to be achieved within eight (8) years from the promulgation of the EV incentive strategy, subject to extension as determined by the DTI.

The DTI through the BOI shall establish the application and selection process for enrollment and qualification of participants, imposing such terms and conditions as it may deem necessary to promote the objectives of the incentive strategy: *Provided, That* registered participants shall not be allowed to register the same activity or product under any other program granting incentives.

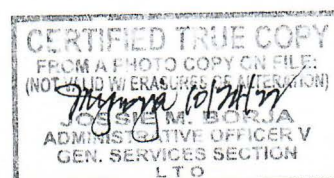
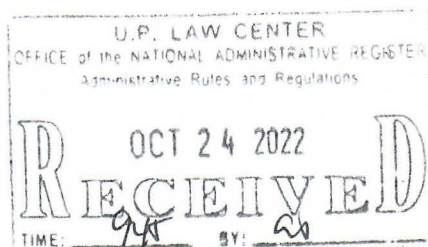
**Section 29. Fiscal Incentives for Importation.** Pursuant to Section 24 of the EVIDA, the importation of completely built units of EVs shall be entitled to the incentives under Republic Act No. 10963, otherwise known as the "Tax Reform for Acceleration and Inclusion Act": *Provided, That* in the case of imported electric jeepneys and electric tricycles, the Department of Finance, upon recommendation of the DTI, may suspend the exemption in order to protect local manufacturers.

The importation of completely built units of EVCS shall be exempt from the payment of duties for eight (8) years from the effectivity of the EVIDA.

The importation of capital equipment and components used in the manufacture or assembly of EVs and construction or installation of EVCS shall undergo an evaluation process to determine their inclusion in the SIPP and possible entitlement to the incentives and for the length of time as provided under the Omnibus Investments Code of 1987, as amended, Title XIII of the National Internal Revenue Code of 1997, as amended, and other applicable laws.

For this purpose, the DOE and the DTI, in coordination with the DOTr and other relevant government agencies shall issue guidelines for the endorsement for fiscal incentives under this section for activities in relation to, and the advancement of their mandates under Sections 11 and 13 and of the EVIDA-IRR: *Provided, That* the process, timeframe, and requirements for the endorsement under this section shall comply with Section 9 of the EVIDA-IRR.

EVIDA-IRR



**Section 30. Fiscal Incentives for Utilization.** Pursuant to Section 24 of the EVIDA, a thirty percent (30%) discount for BEVs and fifteen percent (15%) discount for HEVs from the payment of the motor vehicle user's charge imposed by the LTO under Republic Act No. 8794, otherwise known as "Motor Vehicle User's Charge Act", as well as vehicle registration and inspection fees shall be available for eight (8) years from the effectivity of the EVIDA.

**Section 31. Non-Fiscal Incentives for EV Users.** Pursuant to Section 25 (a) of the EVIDA, EV users shall enjoy the following non-fiscal incentives for eight (8) years from the effectivity of the EVIDA:

1. Priority registration and renewal of registration, and issuance of a special type of vehicle plate by the LTO,
2. Exemption from the mandatory unified vehicular volume reduction program, number-coding scheme, or other similar schemes implemented by the Metropolitan Manila Development Authority (MMDA), other similar agencies, and LGUs with due consideration on the impact of such exemption on the volume of vehicles,
3. Expeditious processing by the LTFRB of applications for Certificate of Public Convenience to operate, including its renewal, for PUV operators that are exclusively utilizing EVs, and
4. Availment of TESDA Training Programs on EV assembly, use, maintenance, and repair for its employees.

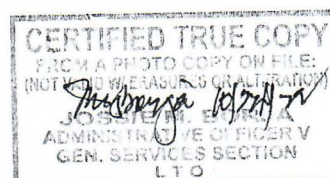
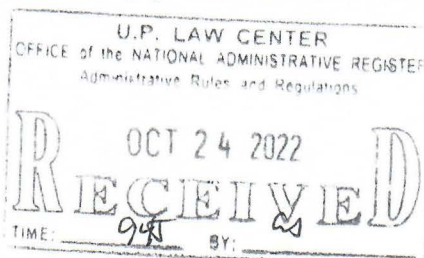
For this purpose, the DOE in coordination with other NGAs and LGUs, shall issue guidelines for the effective implementation of this section.

**Section 32. Non-Fiscal Incentives for EV Manufacturers and Importers.** Pursuant to Section 25 (b) of the EVIDA, those in the EV industry, which include among others, EV manufacturers and importers shall enjoy the expeditious processing by the Bureau of Customs on the importation of parts and components for the manufacture and assembly of EVs.

For this purpose, the DOE and the DOTr shall issue guidelines for the certification of those in the EV industry referred to under this section pursuant to and for the advancement of their mandates under Sections 11 and 13 and of the EVIDA-IRR: *Provided, That* the process, timeframe, and requirements for the certification under this section shall comply with Section 9 of the EVIDA-IRR.

**Section 33. Allowance for Foreign National Experts.** Pursuant to Section 25 (c) of the EVIDA, the government shall allow expert foreign nationals to be employed under a form of technology transfer agreement in the EV industry, subject to the guidelines that shall be issued by the DOLE, the Professional Regulatory Commission, and the DTI: *Provided, That* the process, timeframe, and requirements for the guidelines under this section shall comply with Section 9 of the EVIDA-IRR.

EVIDA-IRR



Page 18 of 21

**Section 34. Financial Assistance.** Pursuant to Section 26 of the EVIDA, government financial institutions and other financial institutions, in accordance with and to the extent allowed by the enabling provisions of their respective charters or applicable laws, are encouraged to provide concessional financial packages for entities engaged in the activities in the EV industry under as outlined in the EVIDA-IRR, and preferential interest rates and payment scheme on consumer loans for the acquisition of EVs and EVCS. Similarly, expand the preferential interest rates and payment schemes of special loan facilities or programs particularly intended for the acquisition of EV fleets for public transportation.

The government through the DOST or any relevant agency shall exert effort to access international funding to provide facilities or complement local R&D activities for EV industry.

The Bangko Sentral ng Pilipinas shall encourage banks to lend a certain percentage of their portfolio to EV, EVCS, and battery manufacturers, assemblers, and end users: *Provided, That* financing packages for EV fleets shall be prioritized and the procedure shall be streamlined.

### Rule VIII Organizational Strengthening

**Section 35. Establishment of Dedicated Offices.** Pursuant to Section 27 of the EVIDA, within six (6) months from the effectivity of the EVIDA-IRR, the Secretaries of the DOE, DOTr, and DTI shall submit the proposed organizational structure and staffing complement of the dedicated offices, which shall be effective upon the approval of the Department of Budget and Management (DBM), consistent with existing civil service rules and regulations. The dedicated offices may also form part of the one stop shop to facilitate the processing of the necessary permits, licenses, certifications, or endorsements to implement the EVIDA and EVIDA-IRR.

Pending the approval of the organizational structure and staffing complement of the DBM, the Secretaries of the DOE, DOTr, and DTI may designate staff to perform the duties, functions, and responsibilities under the EVIDA and the EVIDA-IRR.

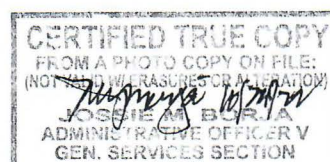
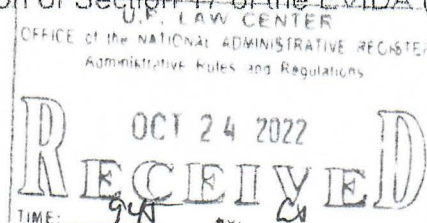
**Section 36. Expansion of the EVOSS Steering Committee.** Pursuant to Section 21 of the EVIDA, the membership of the EVOSS Steering Committee shall include the Anti-Red Tape Authority Director General.

### Rule IX Prohibited Acts, Fines and Penalties

**Section 37. Prohibited Acts.** Violation of the following shall be subject to the imposition of penalties provided under Section 28 of the EVIDA:

1. Violation of Section 6 of the EVIDA (CREVI)
2. Violation of Section 16 of the EVIDA (Mandatory Share of EV)
3. Violation of Section 17 of the EVIDA (Dedicated Parking Slots)

EVIDA-IRR



Page 19 of 21

4. Violation of Section 18 of the EVIDA (Construction or Installation of EVCS)
5. Violation of Section 19 of the EVIDA (Construction or Installation of EVCS Gasoline Stations)
6. Violation of Section 20 of the EVIDA (Use of Charging Station)
7. Violation of Section 21 of the EVIDA (Permits)
8. Violation of Section 22 of the EVIDA (Duties and Responsibilities of Operators EVCS)
9. Violation of Section 23 of the EVIDA (Duties and Responsibilities of DUs)

**Section 38. Penalties.** Pursuant to Section 28 of the EVIDA, a fine ranging from a minimum of Fifty Thousand Pesos (P50,000.00) to a maximum of Five Hundred Thousand Pesos (P500,000.00), and may include suspension or revocation of permits issued, if applicable, shall be imposed upon any person, both natural and juridical.

The imposition of the fines is without prejudice to the penalties provided under existing laws, rules, and regulations prescribed by other concerned agencies.

The DOE, DOTr, and DPWH shall, in coordination with the DTI, DILG, issue appropriate rules and regulations on the imposition of these fines and penalties.

#### Rule X Final Provisions

**Section 39. Appropriations.** Such sums as may be necessary for the successful implementation of the EVIDA and the EVIDA-IRR shall be taken from the current appropriations of the DOE, DOTr, and DTI. Thereafter, the amount needed for its continuous implementation shall be included in the annual General Appropriations Act.

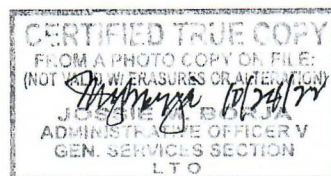
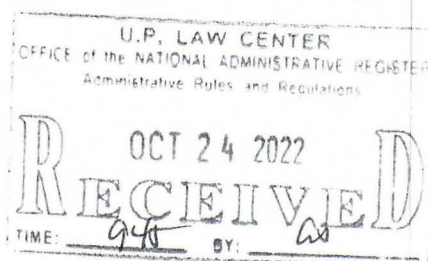
**Section 40. Administrative Responsibility.** Pursuant to Section 30 of the EVIDA, the DOE together with the DOTr shall, in coordination with the DTI, and in consultation with other relevant NGAs and public and private stakeholders, issue the EVIDA-IRR within one hundred twenty (120) days upon the effectivity of the EVIDA.

Failure of the relevant government agencies to promulgate the implementing rules and regulations, and the other necessary issuances to further implement the EVIDA and the EVIDA-IRR, within the specified period shall subject the heads of these government agencies to administrative penalties under applicable civil service laws.

Should the EVIDA-IRR, and the other necessary issuances to further implement the EVIDA and the EVIDA-IRR, contain provisions that are contrary to the EVIDA, the heads of the government agencies responsible for such provision, when done in bad faith or with gross negligence, shall be held administratively liable.

**Section 41. Congressional Oversight.** Pursuant to Section 29 of the EVIDA and upon effectivity of the EVIDA, the Joint Congressional Energy Commission (JCEC), created under the EPIRA, as amended, shall exercise oversight powers over the implementation of the EVIDA.

EVIDA-IRR



**Section 42. CREVI Implementation Report.** The DOE, DOTr, DTI, and other relevant NGAs shall submit the CREVI and a report on the implementation of the EVIDA to the JCEC not later than the 1st day of December of every year.

**Section 43. Separability Clause.** If, for any reason, any section or provision of the EVIDA or the EVIDA-IRR is declared to be unconstitutional or invalid, such part not affected thereby shall remain in full force and effect.

**Section 44. Repealing Clause.** All laws, presidential decrees, executive orders, issuances, rules, and regulations inconsistent with the provisions of the EVIDA and the EVIDA-IRR are hereby repealed or modified accordingly.

**Section 45. Effectivity.** The EVIDA-IRR shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation and its filing with the University of the Philippines Law Center – Office of the National Administrative Register (ONAR).

Approved.

  
RAPHAEL P.M. LOTILLA  
Secretary  
Department of Energy 9

  
JAIME J. BAUTISTA  
Secretary  
Department of Transportation



SEP 02 2022

CERTIFIED TRUE COPY  
FROM A PHOTO COPY ON FILE  
(NOT VALID WHEREAS OR ALTERATION)  
  
JOSE M. BORJA  
ADMINISTRATIVE OFFICER V  
GEN. SERVICES SECTION  
LTO

U.P. LAW CENTER  
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER  
Administrative Rules and Regulations  
OCT 24 2022  
RECEIVED  
94