



Republic of the Philippines

DEPARTMENT OF ENERGY

DEPARTMENT CIRCULAR NO. DC 2023-05-0012 *Qw*

GUIDELINES ON THE ELECTRIC VEHICLE (EV) RECOGNITION AND ADOPTION OF EV STANDARD CLASSIFICATION ON ROAD TRANSPORT FOR INCENTIVE ELIGIBILITY PURSUANT TO THE ELECTRIC VEHICLE INDUSTRY DEVELOPMENT ACT

WHEREAS, Republic Act (RA) No. 7638 or the Department of Energy (DOE) Act of 1992 declares as a policy of the State, among others, to ensure a continuous, adequate, and economic supply of energy with the end in view of ultimately achieving self-reliance in the country's energy requirements through the integrated and intensive exploration, production, management, and development of the country's indigenous energy sources;

WHEREAS, Sections 5 (e) and (h) of RA 7638 authorizes the DOE to regulate private sector activities as provided under existing laws, providing therein an environment conducive to free and active private sector participation and investment in all energy activities, as well as to formulate and implement a program for the accelerated development of non-conventional energy systems and the promotion and commercialization on its applications;

WHEREAS, RA 11285 or the Energy Efficiency and Conservation (EEC) Act declares the policy direction of the government in terms of energy efficiency, conservation, sufficiency and sustainability in the country;

WHEREAS, RA 11697 or the Electric Vehicle Industry Development Act (EVIDA) declares that it is the policy of the State, among others, to ensure the country's energy security and independence by reducing reliance on imported fuel for the transportation sector; and 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;

WHEREAS, Section 6(a) of the EVIDA, provides for the Comprehensive Roadmap for the Electric Vehicle Industry (CREVI) – 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, comprising the EVs and charging stations as one component, which includes the development of standards and specifications of EVs and charging stations, among others;

WHEREAS, Section 7(c) of the EVIDA, provides that the DOE shall be the primary agency tasked with the promotion of the adoption of EVs and the development of charging stations and related equipment. Towards this end, the DOE shall develop and update the EV and charging stations component of the CREVI in coordination with the Department of Transportation (DOTr), and in consultation with the local government units (LGUs) and other relevant national government agencies (NGAs).

WHEREAS, under Section 5 of the Implementing Rules and Regulations of the EVIDA (EVIDA-IRR), the DOE may recognize other types of EVs in considering future advances and innovations in technologies provided that it has at least one (1) electric drive for propulsion;

WHEREAS, Section 20 of the EVIDA-IRR, authorizes the DOE in consultation with the EVIDA-Technical Working Group (TWG) member agencies to issue guidelines for the effective implementation of the mandatory five percent (5%) EV share in Corporate and Government fleets, whether owned or leased within the timeframe indicated in the CREVI;

WHEREAS, considering that the EV sector is still in its early stages of development, and as we owe the public correct information, there is a need to determine EVs that may be eligible for EVIDA incentives as well as harmonize the classification of EVs in determining the types of EVs given the rapid changes in the industry;

WHEREAS, consistent with Rule III, Section 9 of the EVIDA-IRR, the following guidelines are being issued in coordination with the relevant government agencies, and after public consultation with the stakeholders conducted on 20-22 March 2023 and 20 April 2023 in the National Capital Region, Luzon, Visayas and Mindanao;

NOW, THEREFORE, in consideration of all the foregoing, the DOE hereby issues, adopts and promulgates the following:

Section 1. Title. This Department Circular (DC) shall be known as the “EV Recognition Guidelines”.

Section 2. Scope and Application. This DC shall apply to all road transport vehicle manufacturers, assemblers, importers, and rebuilders (MARs) for the classification and recognition of road transport EVs with the purpose to harmonize the types of EVs and provides easy identification of EVs among the NGAs and EV Industry.

The DOE shall issue a separate issuance for EVs concerning air and water vehicles, and other types of land vehicles (e.g. heavy equipment, etc.).

Section 3. Definition of Terms. In addition to the terms defined under Section 4(k), and Sections 4(l) and 5 of the EVIDA, and EVIDA-IRR, respectively, the following terms used in this DC shall apply:

- 3.1 **Electric Vehicle (EV)** refers to a vehicle with at least one (1) electric drive for vehicle propulsion;
- 3.2 **EUMB** refers to Energy Utilization Management Bureau of the DOE;
- 3.3 **EVIDA Incentives** refer to the fiscal and non-fiscal incentives granted under Chapter IV and Rule VII of the EVIDA, and EVIDA-IRR, respectively;
- 3.4 **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;
- 3.5 **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;
- 3.6 **Platform** refers to the online platform system where the recognized EVs are listed and updated;
- 3.7 **Recognized EV** refers to those EVs and conversion kits which are described, advertised, or promoted by road transport vehicle MARs and has undergone process, determined by the DOE and is listed in DOE website, and therefore may qualify for the EVIDA incentives;

- 3.8 **Road Transport Vehicle** refers to land vehicle conveying cargo or passengers, regardless of size or weight classification designed to operate on a road; and
- 3.9 **Unrecognized EV** refers to those EVs which are described, advertised, or promoted by road transport vehicle MARs and is intended for sale in the Philippine market, and is/are ineligible to avail the EVIDA Incentives.

Section 4. Adoption of EV Classification. To provide a harmonized adoption of EVs in line with the targets under the CREVI, the DOE shall give recognition to EVs as defined under the EVIDA and EVIDA-IRR, which shall be classified, determined, and is hereby adopted as follows:

- 4.1 **Battery EVs (BEVs)** are those EVs with an electrically propelled vehicle with only a traction battery as power source for vehicle propulsion. For the purpose of this DC, pure electric vehicle (PEV) shall also be defined as BEV;
- 4.2 **Hybrid-EVs (HEVs)** are those EVs with both a rechargeable energy storage system and a fueled power source for propulsion;
- 4.3 **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); and
- 4.4 **Plug-in hybrid-EVs (PHEVs)** are those HEVs with rechargeable energy storage system that can be charged from an external electric energy source.

In recognition of the advances and innovation of technologies, EVs may be further classified and determined by DOE upon the notice of road transport vehicle MARs: *Provided, That* the vehicle has at least one (1) electric drive used for propulsion.

Section 5. Road Transport Vehicle Classifications. For purposes of this Circular, the classification of transport vehicles shall be in accordance with Annex A - Road Motor Vehicle Classification which adopts the Department of Transportation's (DOTr) road vehicle classification defined under the Philippine National Standards (PNS) 1891 – Road Vehicles – Classification and Definition.

Section 6. EV Recognition Documentary Requirements. All road transport vehicle MARs shall notify the EUMB of all claimed EVs and shall submit the following documentary requirements:

- 6.1 Notice to DOE through EUMB (*Annex A*); and
- 6.2 Duly accomplished Specification Form (*Annex B*).

Section 7. Processing of EV Recognition Application. The procedure for EV recognition shall be as follows:

- 7.1 All road transport vehicle MARs who intend to apply for EV recognition shall send an application to the EUMB for every EV claimed for sale in the market. The complete applications shall conform with Section 6 of this DC. All applicants shall submit application documents through EUMB's official email address. EUMB will develop platform to facilitate ease of application which will

be announced to all road transport vehicle MARs in place of the email submissions.

- 7.2 Within twenty (20) working days, the EUMB shall process the application and upon determination, recognized EVs shall be included in the official EV listing/database: *Provided, That* incomplete applications or applications not conforming to Section 7.1 will be returned.
- 7.3 The official EV listing/database will serve as the basis for the grant of incentives provided in the EVIDA and its pertinent rules and regulations.
- 7.4 Recognized EVs will be made available to the public by the DOE through its website and subject to regular update.
- 7.5 Recognized EVs that are not marketed for a period of ninety (90) calendar days will be removed from the list by road transport vehicle MARs through the platform.
- 7.6 For duplicate submissions, the EUMB will process only the first submission within six (6) months for a particular EV type and its variants.
- 7.7 For revisions regarding data and/or information from submissions, the road transport vehicle MARs shall file a request through the platform or official email address. These shall be acted upon by the EUMB within seven (7) working days. *Provided, That* revisions of data and/or information shall not include the following:
 - a. EV Classification;
 - b. Model Number/Code;
 - c. Type of Transmission;
 - d. Body type;
 - e. Electric motor rating;
 - f. Traction battery energy; and
 - g. Charger connector.

Request/s for the revisions of the abovementioned data and/or information shall be accepted as a new EV Recognition application.

Section 8. Recognized EV List. Pursuant to Section 11(m) of the EVIDA-IRR, the DOE through EUMB, after consolidation and data centralization from concerned NGAs and LGUs, shall update the list of recognized EV and shall be made available to them and to the public for reference and easy access.

Section 9. EV Classification Harmonization. For harmonized regulations related to the EV Industry, all concerned NGAs, and LGUs shall adopt the classification of EVs provided in Section 4 of this DC. Moreover, all unlisted vehicles shall be deemed as unrecognized EVs.

Section 10. Review Clause. In light of the dynamic nature of the industry, the DOE shall periodically review, update and issue the necessary rules relative to the CREVI every two (2) years from the date of issuance, or earlier as the need arises.

Section 11. Separability Clause. If for any reason, any section or provision of this DC is declared unconstitutional or invalid, the other parts or provision hereof which are not affected hereby shall continue to be in full force and effect.

Section 12. Repealing Clause. The provisions of other circulars, orders, issuances, rules, and regulations, which are inconsistent with the provisions of this DC are hereby repealed, amended, modified, or superseded accordingly.

Section 13. Effectivity. This DC shall take effect immediately within fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation. A copy of this DC shall be filed with the University of the Philippines Law Center - Office of the National Administrative Register.

Issued on ___ May 2023 at the DOE, Energy Center, Rizal Drive cor. 34th Street, Bonifacio Global City, Taguig City.


RAPHAEL P.M. LOTILLA,
Secretary



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