

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



'22 JUL 18 A9:30

**SENATE**

S. No. 669

RECEIVED BY.

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**Introduced by SENATOR JINGGOY EJERCITO ESTRADA**

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**AN ACT  
REGULATING THE IMPOSITION OF FEES FOR THE USE OF PARKING SPACES  
LOCATED WITHIN COMMERCIAL AND BUSINESS ESTABLISHMENTS,  
INSTITUTIONS AND OTHER PARKING FACILITIES**

**EXPLANATORY NOTE**

Parking spaces in urban areas are becoming hard to find due to continued congestion, rapid urbanization, and preference for private ownership of vehicles. The increase in the number of cars in Metro Manila triggers not only horrendous traffic, but also a tight competition for parking space in an already limited and overcrowded metropolis. Unfortunately, some establishments take advantage of the situation to exact exorbitant parking fees to their desperate clientele. In addition, some parking facilities take no responsibility for any damage or loss occurring within their premises.

This legislation aims to regulate the industry and protect the interests and welfare of the consumers, while allowing reasonable return on investments of businesses. This bill encourages the establishments to provide free parking spaces for their customers, and prescribes a ceiling on the parking rates that may be collected to enable them to recoup their capital expenditures. In addition, parking fees shall be waived for consumers who purchased items from or paid fees to enjoy facilities and amenities offered by the establishment upon presentation of a valid proof of purchase or accumulated receipts.

Further, this measure directs that establishments shall ensure security and safety within their parking facilities and they shall be prohibited from invoking the waiver of liability in case of loss of property or damage to the customer's motor vehicle.

This bill was reported out by the Senate Committee on Trade, Commerce and Entrepreneurship during the 18<sup>th</sup> Congress.

In view of ensuring the welfare of consumers and protecting them against trade abuses and excessive and burdensome fees, the passage of this bill is recommended.



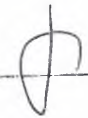
**JINGGOY EJERCITO ESTRADA**

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

1 Section 1. *Short Title.* – This Act shall be known as the “*Parking Fee Regulation*  
2 *Act*”.

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to protect the  
4 interests and promote the general welfare of the consumer and to establish standards  
5 of conduct for business and industry.

6 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms are  
7 hereby defined:

8 (a) *Business establishments* – include buildings that are used as offices or  
9 residential units but open a part or whole of its parking spaces to the  
10 public;

11 (b) *Commercial establishments* – shopping malls, supermarkets,  
12 restaurants, hotels, wellness centers, trade exhibits, and other similar  
13 establishments or activities that sell products and services;

14 (c) *Institutions* – learning institutions, hospitals and similar establishments;

1 (d) *Parking area* – parking spaces offered by commercial establishments,  
2 business establishments, institutions, and parking facilities as defined in  
3 this Act;

4 (e) *Parking cards* – article issued by a parking attendant or a parking  
5 machine to the vehicle owner upon entry in the parking area which is  
6 made with polyvinyl chloride (PVC) or similar materials;

7 (f) *Parking facilities* – spaces or buildings dedicated primarily for offering  
8 parking spaces for a fee such as parking spaces in airports, sea ports,  
9 bus terminals and train stations, park and fly, and park and ride;

10 (g) *Pass-thru* – temporary use of the parking area for not more than thirty  
11 (30) minutes to drop off or pick up a passenger, to find a parking space,  
12 or for any other reason; and,

13 (h) *Parking ticket* – document issued by a parking attendant or a parking  
14 machine to the vehicle owner upon entry in the parking area which is  
15 made with paper, cardboard or any similar materials.

16 Sec. 4. *Coverage.* – This Act shall cover all commercial and business  
17 establishments, institutions, and parking facilities that offer to the public for a fee, the  
18 use of parking spaces located within their premises.

19 Sec. 5. *Regulation of Parking Fees.* – Establishments covered under Section 3  
20 of this Act are encouraged to provide parking spaces for their customers free of  
21 charge. Establishments that will impose parking fees for the use of their parking  
22 spaces shall be subject to the following guidelines:

23 (a) For all types of cars, the fee shall not be more than Fifty pesos (P50.00)  
24 for the first eight (8) hours and shall not be more than Ten Pesos  
25 (P10.00) per hour for the succeeding hours;

26 (b) For motorcycles, the fee shall not be more than Thirty pesos (P30.00)  
27 for the first eight (8) hours and shall not be more than Ten pesos  
28 (P10.00) per hour for the succeeding hours;

29 (c) For overnight parking for all types of cars, a customer shall be charged  
30 a flat rate of Two hundred pesos (P200.00) per vehicle which shall cover  
31 the period from 12:00 midnight until 8:00 o'clock in the morning.

1 Vehicles that will enter the parking premises at 6:00 o'clock in the  
2 morning shall be charged the standard rate;

3 (d) For overnight parking for motorcycles, a customer shall be charged a flat  
4 rate of One hundred pesos (P100.00) per motorcycle which shall cover  
5 the period of 12:00 midnight until 8:00 o'clock in the morning.  
6 Motorcycles that will enter the parking premises at 6:00 o'clock in the  
7 morning shall be charged the standard parking fee;

8 (e) For valet services, a fee not exceeding One hundred pesos (P100.00)  
9 may be charged in addition to the standard parking fee;

10 (f) For pass-thru, a grace period of thirty (30) minutes shall be given to a  
11 customer wherein no fee shall be charged;

12 (g) For commercial establishments where customers go to purchase items  
13 or where the customers pay fees to enjoy the services, facilities or  
14 amenities offered by the establishment, the parking fee shall be waived  
15 upon presentation of a valid proof of purchase or payment through a  
16 single or accumulated receipts of at least One thousand pesos  
17 (P1,000.00): *Provided*, That paying customers who park more than three  
18 (3) hours may be charged the standard rate after the third (3<sup>rd</sup>) hour;

19 (h) For lost or damaged parking tickets, a maximum fee of One hundred  
20 pesos (P100.00) in addition to the parking fees applicable to the vehicle  
21 owner may be imposed; and,

22 (i) For lost or damaged parking cards, a maximum fee of Two hundred  
23 pesos (P200.00) in addition to the parking fees applicable to the vehicle  
24 owner may also be imposed.

25 *Sec. 6. Granting of Discounts, Promotions, Lower Rates, and Free Parking. –*

26 This Act does not prevent parking area owners from providing their parking spaces for  
27 free. Granting of discounts, promotions, and lower rates to the vehicle owners are also  
28 allowed.

29 *Sec. 7. Issuance of Parking Receipt. –* Customers shall be issued a receipt upon

30 entering or exiting a parking facility. A parking receipt must contain the effective date,  
31 time, and the plate number of the motor vehicle concerned.

1           Sec. 8. *Information of Parking Rates.* – The rates as provided in this Act shall  
2 be displayed in the entrance and other conspicuous areas of the parking area.

3           Sec. 9. *Prohibition on Invoking Waiver of Liability.* – Establishments shall  
4 maintain and provide security in the parking spaces of their establishments. When  
5 parking fees are collected by establishments from their customers for the use of  
6 parking spaces, these establishments shall be responsible for the safety of its patrons  
7 and shall be prohibited from invoking the waiver of liability in case of loss of property  
8 or damage to the customer’s motor vehicle: *Provided,* That the prohibition shall  
9 likewise apply to operators of buildings or vacant lots that are devoted primarily for  
10 use as parking spaces.

11           Sec. 10. *Penalties.* – Commercial or business establishments, institutions, or  
12 parking facilities that will violate the provisions of this Act shall pay the fine of One  
13 hundred thousand pesos (P100,000.00) per violation, or be punished by the  
14 suspension and/or revocation of their license to operate, or both, upon the discretion  
15 of the court.

16           Sec. 11. *Implementing Rules and Regulations.* – The Department of Trade and  
17 Industry (DTI), in consultation with the Department of the Interior and Local  
18 Government (DILG) and other concerned government agencies shall issue the  
19 necessary rules and regulations for the effective implementation of this Act within sixty  
20 (60) days from its effectivity.

21           Sec. 12. *Review.* – The DTI, DILG, and other concerned government agencies,  
22 in consultation with the owners of the parking areas and other stakeholders shall  
23 review the parking rates set forth under this Act every two (2) years, and shall  
24 recommend changes based on relevant economic indicators.

25           Sec. 13. *Separability Clause.* – If any provision or part hereof is held invalid or  
26 unconstitutional, the remainder of the law or the provision or part not otherwise  
27 affected shall remain valid and subsisting.

28           Sec. 14. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
29 order, letter of instruction, administrative order, rule, or regulation contrary to or  
30 inconsistent with the provisions of this Act are hereby repealed, modified, or amended  
31 accordingly.

1           Sec. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
2 publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*