

13 JUL 15 2014

SENATE
S. No. 1111

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Currently the majority of parking places designated for use by disabled people is not legally enforceable and is frequently used by unauthorized drivers. The occupation of these parking places by non-disabled people prevents disabled people from being able to access them, which in turn can prevent them from being able to access essential services.

The main policy objective of this bill is to prevent disabled persons' parking places being occupied by those that are not entitled to use them by seeking to ensure that enforcement action can be taken.

The bill will make all permanent disabled street parking places enforceable. It requires local authorities to identify all existing relevant unenforceable disabled street parking places and promote orders for those still required. For those that are no longer required then the bill requires the local authority to remove any road markings or sign posts. In relation to off-street parking the local authority will be required to promote an order for disabled persons' parking places in the public car parks it owns. The bill also requires the local authority to contact owners or persons having an interest in private car parks including supermarkets and out of town retail centers to seek to negotiate an agreement which would enable the local authority to promote an order to make the disabled persons' parking places enforceable.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed in the Fourteenth Congress, Second Regular Session.

13 JUL 25 2014

SENATE
S. No. 1111

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AN ACT
TO PREVENT DISABLED PERSONS' PARKING PLACES FROM BEING OCCUPIED BY
PERSONS NOT ENTITLED TO USE THEM

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

SECTION 1. *Short Title.* – This Act shall be known as the “Disabled Persons’ Parking Places Act.”

SECTION 2. *Parking Spaces For Persons With A Disability: Marking, Signing, and Enforcement.* – Local governments and owners of private property open to public use shall designate parking zones and spaces to be used exclusively by disabled persons’ vehicles.

All accessible parking spaces shall be located near the shortest route to curb cuts and ramps for use by wheelchairs and other mechanical device usage mobility aids and devices.

SECTION 3. – *Prohibition on Parking.* - It is unlawful:

- a) For any person to park or stand any vehicle in any stall or space designated or reserved for physically disabled persons;
- b) For any person to obstruct, block, or otherwise bar access to those parking stalls or spaces

Any vehicle operator who is not physically disabled shall not use the handicapped parking space unless there is a physically disabled person in the vehicle, or while the vehicle is being used to transport a physically disabled person.

1 SECTION. 4. *Presumption.* – The presence of any vehicle found parked or stopped in
2 violation of any of the parking restrictions imposed herein, shall be prima facie evidence that the
3 person in whose name such vehicle is registered, committed or authorized such violation.

4 SECTION 5. *Penalty Clause.* – Performance of any of the prohibited acts in the manner
5 described in this Act shall be punishable by *arresto menor* or a fine of not less than Five
6 Thousand Pesos (P5,000.00), or both, at the discretion of the court.

7 SECTION 6. *Appropriations.* – To carry out the provisions of this Act, such amount as
8 hereby necessary is hereby authorized to be appropriated from the National Treasury.

9 SECTION 7. *Separability Clause.* – If any provision or part hereof is held invalid or
10 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
11 valid and subsisting.

12 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive
13 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
14 with the provision of this Act is hereby repealed, modified, or amended accordingly.

15 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
16 publication in at least two (2) newspapers of general circulation.

Approved,