


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'16 SEP 20 P6:17

SENATE

RECEIVED BY: 

S. B. NO. 1165

Introduced by SENATOR JOEL VILLANUEVA

**AN ACT
REQUIRING PARKING SPACE FROM MOTOR VEHICLE BUYERS IN
METROPOLITAN AREAS AS A PRE-REQUISITE FOR THE
PURCHASE OF A MOTOR VEHICLE AND REGISTRATION WITH
THE LAND TRANSPORTATION OFFICE (LTO)**

EXPLANATORY NOTE

There are twelve metropolitan areas in the Philippines, which are identified by the National Economic Development Authority (NEDA): Metro Manila, Angeles, Bacolod, Baguio, Batangas, Cagayan de Oro, Cebu, Dagupan, Davao, Iloilo, Naga, and Olongapo. It is in these areas that traffic congestion is prevalent.

According to the data released by the crowd-sourcing site Numbeo.com, the Philippines is the fifth country in the world with the worst traffic conditions and third in Asia¹. The Metro Manila Development Authority (MMDA) claims that this traffic is expected to get worse in the next 15 years. The American Chamber of Commerce of the Philippines corroborated this claim saying that Metro Manila may become uninhabitable within four years if roads and other infrastructure are not upgraded immediately². Furthermore, the Japan International Cooperation Agency (JICA) indicated in a study that the financial cost of traffic congestion is likely to increase to P6 billion a day by 2030 if the situation is not addressed³.

¹ Gonzales, Yuji Vincent. "PH has 5th worst traffic in the world – survey". 4 September 2014, <http://newsinfo.inquirer.net/719261/ph-has-5th-worst-traffic-in-the-world-survey>. Accessed 16 August 2016.

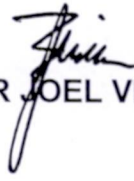
² Mercurio, Richmond. "Traffic can make Metro Manila uninhabitable in 4 years". 4 January 2016, <http://www.philstar.com/headlines/2016/01/04/1539050/traffic-can-make-metro-manila-uninhabitable-4-years>. Accessed 15 August 2016.

³ "JICA transport study lists strategies for congestion-free MM by 2030". 2 September 2014. <http://www.jica.go.jp/philippine/english/office/topics/news/140902.html>. Accessed 16 August 2016.

While the government bears a large part of the responsibility for the traffic mess in metropolitan areas, especially in Metro Manila, private car owners who are using our public roads as parking space aggravate the traffic situation. When roads become a parking lot, there will always be longer trip times and increased vehicular queuing. It has been observed in Metro Manila, Metro Cebu, Metro Davao, among other metropolitan areas, that extreme traffic congestions sets in as the number of vehicles that are parked along major thoroughfares increases.

This bill seeks to require a garage or parking space before the purchase of motor vehicles in metropolitan areas to deter the proliferation of vehicles occupying sidewalks or roadsides. Furthermore, the bill requires the Land Transportation Office to verify the public document submitted by the registrant/purchaser attesting to the existence of the parking facility not only in Metro Manila but also in other metropolitan areas of the country.

Immediate passage of this bill is of utmost importance.


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

1 SECTION 1. **Short Title.** This Act shall be known as the "No Garage, No Car Act of
2 2016."
3

4 SEC. 2. **Declaration of Policy.** Pursuant to the Constitutional principle that
5 recognizes the right of the people to balanced and healthful ecology and the protection
6 of life and property and the promotion of general welfare, the State shall promulgate
7 measures to lessen traffic congestion, curb the number of private vehicles, provide
8 safe and uncluttered pathways where people may freely walk through to their
9 destinations, and maintain a clean and healthy environment by clearing the streets of
10 parked motor vehicles and other clutter that reduce the space for ongoing human and
11 vehicular traffic.
12

13 SEC. 3. **Scope and Application; Proof-of-Parking Space or Facility.** Any person,
14 whether natural or juridical, with residence or business address in metropolitan areas
15 such as, but not limited to Metro Manila, Angeles, Bacolod, Baguio, Batangas,
16 Cagayan de Oro, Cebu, Dagupan, Davao, Iloilo, Naga, and Olongapo, who intends to
17 purchase a motor vehicle, shall be required to execute an affidavit which shall be
18 acknowledged before a notary public, attesting to the availability of a permanent
19 parking space or facility or that a parking space or facility has been leased or procured
20 specifically for the purpose of parking the motor vehicle intended to be bought before

1 The affidavit executed by the prospective buyer of motor vehicles shall be presented
2 to the Land Transportation Office (LTO) as a pre-requisite for registration.
3

4 **SEC. 4. *Responsibility of Prospective Buyer of Motor Vehicle.*** No motor vehicle
5 may be legally conveyed in the absence of a public document duly attested to by the
6 prospective buyer of a motor vehicle and acknowledged before a notary public, that a
7 permanent parking space or facility already exists for the motor vehicle which is
8 subject of the sale. The affiant shall be bound by the claims stated in the document
9 and shall be held liable for untruthful statements made in his affidavit under Articles
10 171 and 172 of the Revised Penal Code, without prejudice to any other cases that
11 may be filed against such person.
12

13 **SEC. 5. *Role of the Land Transportation Office.*** The LTO shall make as a pre-
14 requisite in the registration of a motor vehicle the submission of the affidavit attesting
15 to the existence of a permanent parking space or facility by the buyer or vendee of the
16 motor vehicle that it has confirmed the existence of a permanent parking space or
17 facility for the motor vehicle to be purchased.
18

19 The document must be kept on file and the same shall be produced when there exists
20 a claim or evidence to the contrary that the parking space or facility attested therein
21 does not exist.
22

23 **SEC. 6. *Local Government Units and Citizen Patrol.*** Any concerned individual
24 may report to the LTO, Metropolitan Manila Development Authority (MMDA), the
25 metropolitan coordinating council, or the engineering office of the local government
26 unit (LGU) the existence of motor vehicles which are parked on the streets, alleys or
27 pathways primarily used for pedestrian and motor vehicle traffic.
28

29 Authorized personnel of the LTO, MMDA, Metropolitan coordinating council, LGU
30 engineering office and law enforcement agencies shall conduct periodic ocular
31 inspection for the purpose of strictly implementing the provisions of this Act.
32

33 **SEC. 7. *Penalties.*** A motor vehicle registration issued to an owner, whether natural
34 or juridical, which has been fraudulently obtained from the LTO by making untrue
35 claims in the public document executed for the purpose of complying with the
36 requirements under Section 3 of this Act indicating that an adequate parking space or
37 facility exists for a motor vehicle, shall be revoked and the motor vehicle owner shall
38 be suspended from registering a motor vehicle under his name for a period of three
39 (3) years and imposed a fine in the amount of Fifty Thousand Pesos (Php50,000.00)
40 for every violation of the provisions of this Act.
41

42 Any officer or employee of the LTO who has allowed the registration of a motor vehicle
43 without the necessary document required under Section 3 of this Act or with
44 knowledge of the falsity of, or failing to further investigate despite having reasonable
45 ground to believe that, the statement in the instrument attesting to the availability of
46 the permanent parking space or facility for the motor vehicle statement is false, shall
47 be suspended from office for a period of three (3) months without pay.
48

49 The penalties enumerated herein shall be without prejudice to the liability that may be
50 incurred under the Revised Penal Code and other existing laws.

1
2 SEC. 8. **Implementing Rules and Regulations.** Within ninety (90) days from the
3 effectivity of this Act, the Secretary of Transportation, in consultation with the Secretary
4 of the Interior and Local Government, the Chairperson of the MMDA, Chairperson of
5 the Metropolitan council, the agency head of LTO and representatives from the LGUs
6 in Metro Manila and other Metropolitan areas shall promulgate the rules and
7 regulations for the effective implementation of this Act.
8

9 SEC. 9. **Repealing Clause.** All laws, presidential decrees, executive orders,
10 memoranda, rules and regulations contrary to or inconsistent with the provisions of
11 this Act are hereby repealed, amended or modified accordingly.
12

13 SEC. 10. **Separability Clause.** If any part or provision of this Act is declared
14 unconstitutional or invalid, the remaining parts or provisions not affected shall remain
15 in full force and effect.
16

17 SEC. 11. **Effectivity.** This Act shall take effect fifteen (15) days after its publication
18 in the Official Gazette or in a newspaper of general circulation.
19
20

21 Approved.