

SENATE

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SENATE BILL NO. 1622

Introduced by **SENATOR LEILA M. DE LIMA**

RECEIVED BY 

AN ACT
MANDATING THE PROVISION OF EXCLUSIVE PARKING SPACE FOR
HANDICAPPED PERSONS AND PENALIZING THE UNAUTHORIZED
USE THEREOF

Explanatory Note

The Constitution recognizes the need for rehabilitation, self-development, self-reliance and integration of persons with disabilities into the mainstream of society.

In 1983, the Accessibility Law or Batas Pambansa Blg. 344 was enacted to enhance the mobility of disabled persons and require establishments to install facilities and devices for the disabled. However, this law merely requires, in Section 1 thereof, that establishments reserve sufficient and suitable space for use of disabled persons. Similarly, Republic Act No. 7277, the Magna Carta for Disabled Persons, simply states, in Section 25 thereof, that the State "shall ensure the attainment of a barrier-free environment for disabled persons in accordance with the Accessibility Law."

Without clear penalties for the unauthorized use and obstruction of such designated spaces, social media is abound with posts of drivers who brazenly and wantonly disregard disabled parking spaces. Examples of these are non-handicapped drivers occupying the space provided for the disabled and people blatantly obstructing access ramps for disabled, wheelchair-bound persons despite the obvious International Symbol of Access.

Thus, this measure seeks to improve on the 1983 law by providing for a definite number of parking spaces for handicapped persons to be allotted in parking places. It likewise lays down guidelines as to who can utilize such exclusive spaces and penalizes the unauthorized use and obstruction thereof.

In view of the foregoing, early approval of this measure is requested.


LEILA M. DE LIMA



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**MANDATING THE PROVISION OF EXCLUSIVE PARKING SPACE FOR
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USE THEREOF**

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

1 **Section 1.** *Short Title.* – This Act shall be known as the “Parking Space for
2 Handicapped Persons Act of 2017”.

3 **Sec. 2.** *Declaration of Policy.* – Handicapped persons are part of the Philippine
4 society, thus, the State shall give full support to the improvement of the total well-
5 being of handicapped persons and their integration into the mainstream of society.
6 Toward this end, the State shall adopt policies ensuring the self-reliance of
7 handicapped persons.

8 **Sec. 3.** *Exclusive Parking Space for Handicapped Persons.* – Each lot or parking
9 structure where at least twenty five (25) parking spaces are provided for the public as
10 clients, guests, or employees, shall provide at least one exclusive and designated
11 parking space for handicapped persons for every twenty five (25) parking spaces.
12 Handicapped parking spaces serving a particular building shall be located on the
13 shortest accessible route of travel from adjacent parking to an accessible entrance. In

1 parking facilities that do not serve a particular building, handicapped parking shall be
2 located on the shortest accessible route of travel to an accessible pedestrian entrance
3 of the parking facility. In buildings with multiple accessible entrances with adjacent
4 parking, handicapped parking spaces shall be dispersed and located closest to the
5 accessible entrances.

6 The designation shall be made by posting a sign as described in paragraph one (1), and
7 by either of the markings described in paragraph two (2) or three (3):

8 (1) By posting immediately adjacent to, and visible from, each stall or space, a
9 sign consisting of a profile view of a wheelchair with occupant in white on a
10 blue background. The sign shall also clearly and conspicuously state the
11 following: "Minimum Fine ₱10,000."

12 (2) By outlining or painting the stall or space in blue and outlining on the
13 ground in the stall or space in white or suitable contrasting color a profile
14 view depicting a wheelchair with occupant. The loading and unloading area
15 of the pavement adjacent to a parking stall or space designated for
16 handicapped persons shall be marked by a border and hatched lines. The
17 border shall be painted blue and the hatched lines shall be painted a suitable
18 contrasting color to the parking space. Blue or white paint is preferred. In
19 addition, within the border the words "No Parking" shall be painted in white
20 letters no less than 12 inches high.

21 (3) By outlining a profile view of a wheelchair with occupant in white on a blue
22 background, of the same dimensions as in paragraph two (2). The profile
23 view shall be located so that it is visible to a traffic enforcement officer when
24 a vehicle is properly parked in the space.

1 Whenever practicable, a closed-circuit television camera shall be installed with an
2 unobstructed view of the handicapped parking space.

3 **Sec. 4. *Who May Use the Parking Space for Handicapped Persons.*** – Only vehicles
4 that display government-issued handicapped-parking placards may park in spaces
5 marked as reserved for the handicapped. These placards are issued only to people
6 whose disabilities impair or limit their ability to walk. Further, vehicles with
7 handicapped-parking tags can park in spots reserved for the handicapped only if the
8 handicapped person is the driver or a passenger in the car. In other words, a vehicle
9 with only able-bodied people inside cannot park in such reserved spot even if the
10 vehicle has a handicap tag. Handicapped-parking privileges are given to a person, not
11 a vehicle, and handicap tags merely signify that a disabled person is using a particular
12 vehicle.

13 For purposes of this Act, a handicapped person is an individual who has impaired
14 mobility such as an arm, leg, foot or hand amputee, ambulant disabled, wheelchair-
15 bound, or has a condition rendering him or her similarly disabled as certified by a
16 physician such as a heart or lung disease, a hearing or visual impairment, or any
17 ailment that prohibits him or her from being able to walk a distance of two hundred
18 (200) feet without stopping to rest.

19 **Sec. 5. *Handicapped-parking Placards.*** – Pursuant to the preceding paragraph, the
20 Persons with Disability Affairs Office of every local government unit shall issue,
21 following the guidelines issued in accordance with this Act, a permanent or temporary
22 handicapped-parking placards to handicapped persons. A permanent handicapped-
23 parking placard shall be issued only to persons with a permanent mobility disability
24 as certified by a physician. A permanent permit shall be renewable every five years.

1 A temporary handicapped-parking placard shall issue to handicapped persons with
2 temporary disability. Upon application, the handicapped person shall attach a
3 certification from a physician of the particular disability and the expected length of
4 time of the disability. A temporary handicapped-parking placard is valid for no more
5 than one year at a time.

6 The handicapped-parking placard shall be prominently displayed in the dashboard of
7 the vehicle or hung from the rear-view mirror while parked in handicapped-parking
8 spaces.

9 **Sec. 6. Violations.** –

10 (1) Any person parking in a space reserved for handicapped persons who does not
11 have a handicapped parking placard shall pay a minimum fine of ten thousand
12 pesos (Php 10,000.00) to a maximum of forty thousand pesos (Php
13 40,000.00).

14 (2) A handicapped person who allows a non-handicapped person to use his or her
15 handicapped parking placard shall pay a minimum fine of ten thousand pesos
16 (Php 10,000.00) to a maximum of forty thousand pesos (Php 40,000.00) and
17 have his handicapped-parking privileges revoked.

18 (3) Any person obstructing the access points of handicapped persons to the
19 designated handicapped parking spaces such as the hatched lines and the
20 access ramps shall pay a minimum fine of ten thousand pesos (Php 10,000.00)
21 to a maximum of forty thousand pesos (Php 40,000.00) and have his or her
22 driver's license suspended for not more than six months.

23 (4) Any person fraudulently obtaining a handicapped parking placard, altering a
24 placard, or using a counterfeit placard shall suffer an imprisonment of not more

1 than six months or a fine ranging from forty thousand pesos (Php 40,000.00)
2 to two hundred thousand pesos (Php 200,000.00), or both.

3 (5) Any establishment covered under Section 3 of this Act who fails to provide the
4 required handicapped parking space shall pay a fine of two hundred thousand
5 pesos (Php 200,000.00).

6 **Sec. 7. Crowdsourcing.** – Within six (6) months from the date of effectivity of this
7 Act, the Department of Transportation shall develop a system whereby citizens can
8 report violations of this Act, substantiated with photographic or video electronic
9 evidence, through an online secure government portal.

10 **Sec. 8. Implementing Rules and Regulations.** – Within six (6) months from the date
11 of effectivity of this Act, the Department of Transportation, the Department of Health,
12 the Department of Interior and Local Government, the Department of Trade and
13 Industry, the Department of Social Welfare and Development, the National Council on
14 Disability Affairs, and the Metropolitan Manila Development Authority shall
15 promulgate the necessary implementing rules and regulations to implement the
16 provisions of this Act.

17 **Sec. 9. Separability Clause.** - If any provision of this Act is declared invalid or
18 unconstitutional, the provisions not affected thereby shall continue to be in full force
19 and effect.

20 **Sec. 10. Repealing Clause.** - All laws, executive orders, presidential decrees,
21 presidential proclamations, letters of instruction, rules and regulations or parts
22 thereof inconsistent with the provisions of this Act are hereby repealed or modified
23 accordingly.

1 **Sec. 11. Effectivity.** - This Act shall take effect within fifteen (15) days following its
2 publication in the Official Gazette or in two (2) newspapers of general circulation in
3 the Philippines.

4 Approved,