

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



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SENATE
S. No. 436

RECEIVED BY: 

Introduced by SENATOR RAMON BONG REVILLA, JR.

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

EXPLANATORY NOTE

The State assures that the interest and welfare of the consumers should always be protected.

One of the services that has increasingly been in demand for the recent years is the parking area for the usage of the public. Especially in commercial establishments such as shopping malls, supermarkets, cinemas, and the like, parking area is one of the major considerations of the consumers. The primary problem in this subject is the availability of parking spaces. The secondary but equally pressing problem is the unreasonable rates being charged by the parking area owners.

Several laws have already been enacted to ensure that the State is able to fulfil its mandate in relation to this. For one, Presidential Decree No. 1086 entitled, "Adopting a National Building Code of the Philippines (NBCP), Thereby Revising Republic Act Numbered Sixty-Five Hundred Forty-One (R.A. No. 6541), also known as the "National Building Code of the Philippines" and its Implementing Rules and Regulations provide for the required number of parking slots for different types of structures.

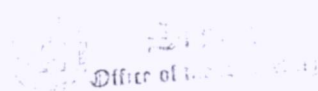
For those who can afford, there are already some applications or technology platforms that give one an information on the location of available parking spaces and avail of the service to park their vehicle in the chosen parking area.

However, the rate of the parking fee is currently unregulated, leaving the vehicle owners at the mercy of the parking area owners. While the State respects the role of the private sector in the national economy, and encourages the robust application of the law of supply and demand, the necessity to regulate the rates of the parking fees cannot be overemphasized.

This bill seeks to provide standard rate for various fees being charged by parking areas in the entire country. It also mandates the Department of Trade and Industry (DTI) and the Department of Interior and Local Government (DILG) to review the applicability of the rates every two (2) years and to recommend any changes as dictated by relevant economic factors.

In this light, the immediate passage of this bill is highly recommended.


RAMON BONG REVILLA, JR.



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SENATE

S.B. NO. 436

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Introduced by SENATOR RAMON BONG REVILLA, JR.

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

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

1 Section 1. *Short Title.* - This Act shall be known as the "*Parking Fee Regulation*
2 *Act of 2019*".

3 Sec. 2. *Declaration of Policy.* - It is the policy of the State to protect the
4 interests of the consumer, promote the general welfare and to establish standards of
5 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) *Commercial establishments* shall include shopping malls, supermarkets,
9 restaurants, hotels, wellness centers, beauty parlors, trade exhibits,
10 banks, and other similar establishments or activities that sell products
11 and services;

12 (b) *Business establishments* shall include buildings that are occupied by
13 offices or residential units but opens a part or whole of its parking spaces
14 to the public;

15 (c) *Institutions* shall include learning institutions, hospitals and similar
16 establishments;

- 1 (d) *Parking facilities* shall include spaces or building dedicated solely for
2 offering parking spaces for a fee; parking spaces in airports, sea ports,
3 bus terminals and train stations; park and fly; and, park and ride;
- 4 (e) *Parking area* shall collectively refer to parking spaces offered by
5 commercial establishments, business establishments, institutions and
6 parking facilities as defined in this Act;
- 7 (f) *Parking attendant* shall refer to the person or machine authorized or
8 designated by the owners of the parking areas to issue tickets and
9 receipts to the vehicle owners;
- 10 (g) *Parking cards* shall refer to the document issued by a parking attendant
11 to the vehicle owner upon entry in the parking area which is made with
12 polyvinyl chloride (PVC) or similar materials, whether with radio
13 frequency identification (RFID) and any other security features, or not,
14 that is issued by a parking attendant;
- 15 (h) *Parking ticket* shall refer to the document issued by a parking attendant
16 to the vehicle owner upon entry in the parking area which is made with
17 paper, cardboard or any similar materials;
- 18 (i) *Pass-thru* shall mean the temporary use of the parking area, specifically
19 for not more than fifteen (15) minutes to drop off or pick up a passenger,
20 for failure to find a parking space, or for any other reason.

21 Sec. 3. *Coverage.* – This Act shall cover all commercial and business
22 establishments, institutions, and parking facilities that offer to the public, for a fee,
23 the use of parking spaces located within their premises.

24 Sec. 4. *Issuance of Building Permit.* – All commercial establishments securing
25 a Building Permit shall be required to submit a sworn undertaking that adequate
26 parking spaces and facilities shall be made available to the public in accordance with
27 the charges and fees as provided for under this Act.

28 Sec. 5. *Regulation of Parking Fees.* – Establishments covered under Section 3
29 of this Act shall collect the following standard rates per vehicle:

- 30 (a) For all types of cars, Twenty pesos (P20.00) for the first three (3) hours
31 and Five pesos (P5.00) per hour for the succeeding hours;

- 1 (b) For motorcycles, Ten pesos (P10.00) for the first three (3) hours and
2 Two pesos (P2.00) per hour for the succeeding hours;
- 3 (c) For overnight parking for all types of cars, flat rate of One hundred pesos
4 (P100.00) which shall cover the period from 12:00 midnight until 8:00
5 o'clock in the morning. Vehicles that will enter the parking premises at
6 6:00 o'clock in the morning shall pay the regular fee;
- 7 (d) For overnight parking for motorcycles, flat rate of Fifty pesos (P50.00)
8 which shall cover the period from 12:00 midnight until 8:00 o'clock in
9 the morning. Motorcycles that will enter the parking premises at 6:00
10 o'clock in the morning shall pay the regular fee;
- 11 (e) For valet services, flat rate of One hundred pesos (P100.00) in addition
12 to the regular parking fee;
- 13 (f) For pass-thru, no fee shall be charged on any type of vehicle as long as
14 its stay in the parking area does not exceed fifteen (15) minutes. Prior
15 advise to the parking attendant is not necessary for the availment of
16 pass-thru;
- 17 (g) For validated parking tickets in commercial establishments, the first
18 three (3) hours shall be free of charge. Paragraphs (a) and (b) of this
19 Section shall apply starting the first minute of their fourth hour.
20 A minimum of Five hundred pesos (P500.00) worth of single or
21 accumulated receipt from any of the tenants of the commercial
22 establishment issued within the day and hours of their stay in the parking
23 area is necessary for the availment of validated tickets. The vehicle
24 owner shall present the original official receipts to the parking attendant,
25 who shall validate the same, upon exit from the parking area;
- 26 (h) For lost or damaged parking tickets, One hundred pesos (P100.00) in
27 addition to the parking fees applicable to the vehicle owner as provided
28 herein; and,
- 29 (i) For lost or damaged parking cards, Two hundred pesos (P200.00) in
30 addition to the parking fees applicable to the vehicle owner as provided
31 herein.

1 Sec. 6. *Granting of Discounts, Promotions, Lower Rates and Free Parking.* –
2 This Act does not prevent the parking area owners to grant discounts, promotions,
3 lower rates, and free parking to the vehicle owners.

4 Sec. 7. *Issuance of Parking Tickets or Cards.* – The owners of the parking area,
5 through the parking attendants, shall issue tickets or cards to all vehicles entering
6 their premises indicating the vehicle's plate number and entry time, among others. All
7 equipment or materials used as reference for time shall be synchronized.

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

10 Sec. 9. *Security as Responsibility of Parking Area Owners.* – Owners of parking
11 areas shall provide and maintain security in their premises and shall be responsible for
12 any loss or damage to vehicles in their parking areas: *Provided, However,* That if it is
13 has been determined that the owner of the parking area or his duly assigned
14 representative has provided security with due diligence, the loss or damage shall be
15 the responsibility of the inflicting party.

16 Sec. 10. *Penalties.* – Any person, natural or juridical, who violates the
17 provisions of this Act shall pay the fine of One hundred thousand pesos (P100,000.00)
18 and the suspension and/or revocation of their license to operate, upon the discretion
19 of the court.

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

25 Sec. 12. *Review.* –DTI, DILG, and other concerned government agencies, in
26 consultation with the owners of the parking areas and other stakeholders shall review
27 every two (2) years the applicability of the parking rates set forth under this Act, and
28 shall make recommendations on any changes based on relevant economic indicators.

29 Sec. 13. *Separability Clause.* – If any part, section or provision of this Act is
30 held invalid or unconstitutional, other provisions not affected thereby shall remain in
31 full force and effect.

1 Sec. 14. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
2 parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

3 Sec. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its
4 publication in the *Official Gazette* or in two (2) newspapers of general circulation.

5

6 Approved,