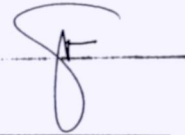


SENATE

'19 JUL 18 P1 :25

S. B. NO. 608

RECEIVED



Introduced by **SENATOR JOEL VILLANUEVA**

**AN ACT
REQUIRING PROOF OF AVAILABLE PARKING SPACE FROM
MOTOR VEHICLE OWNERS IN METROPOLITAN AREAS AS A
PRE-REQUISITE FOR THE REGISTRATION OF A MOTOR
VEHICLE WITH THE LAND TRANSPORTATION OFFICE (LTO),
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4136,
OTHERWISE KNOWN AS THE "LAND TRANSPORTATION
AND TRAFFIC CODE"
AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

According to the 2019 Traffic Index Survey of the crowdsourcing data site Numbeo.com, Metro Manila has the 8th worst traffic among over 207 other cities in the world.¹ If no interventions are made, a study of the Japan International Cooperation Agency estimates that the Philippines will lose Php5.4 Billion to traffic daily by 2035.²

Aside from improving transportation-related infrastructure, regulating the number of vehicles in metropolitan areas will also help in addressing the worsening traffic problem. This bill seeks to require owners of motor vehicles to prove that they have a garage or parking space for the motor vehicle they

¹ 2019, March 4. Manila tries to fix its notorious traffic – bad news for jeepneys and trolley boys. Retrieved from: <https://www.latimes.com/world/asia/la-fg-philippines-trolley-boys-20190304-story.html> (date last accessed: June 24, 2019).

² 2018, September 19. PH traffic may worsen, to cost P5.4 billion daily – JICA. Retrieved from: <https://cnnphilippines.com/news/2018/09/19/JICA-study-traffic-5-billion.html> (date last accessed: June 24, 2019).

seek to register with the Land Transportation Office (LTO) before LTO registers their vehicles to deter the proliferation of vehicles occupying sidewalks or roadsides. This bill also requires LTO to verify the document/s 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.

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 public roads as parking space aggravate the traffic situation. When roads become parking lots, there will always be longer trip times and increased vehicular queuing.

The immediate passage of this bill is earnestly sought.


SENATOR JOEL VILLANUEVA

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Senate

Office of the Secretary

SENATE

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AN ACT
REQUIRING PROOF OF AVAILABLE PARKING SPACE FROM
MOTOR VEHICLE OWNERS IN METROPOLITAN AREAS AS A PRE-
REQUISITE FOR THE REGISTRATION OF A MOTOR VEHICLE WITH
THE LAND TRANSPORTATION OFFICE (LTO), AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 4136, OTHERWISE KNOWN AS THE
“LAND TRANSPORTATION AND TRAFFIC CODE”
AND FOR OTHER PURPOSES

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 “No Garage, No
2 Car Act.”
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
6 protection of life and property and the promotion of general welfare, the State
7 shall promulgate measures to lessen traffic congestion, provide safe and
8 uncluttered pathways where people may freely walk to their destinations, and
9 maintain a clean and healthy environment by clearing the streets of parked
10 motor vehicles and other objects that reduce the space for ongoing human
11 and vehicular traffic.
12
- 13 **SEC. 3. Proof-of-Parking Space or Facility.** – Section 5(a) of Republic Act
14 No. 4136, as amended, if hereby amended to read as follows:
15
- 16 **Section 5.** All motor vehicles and other vehicles must be
17 registered.
18
- 19 (a) No motor vehicle shall be used or operated on or
20 upon any public highway of the Philippines unless the

1 same is properly registered for the current year in
2 accordance with the provisions of this Act; PROVIDED,
3 THAT OWNERS OF MOTOR VEHICLES IN
4 METROPOLITAN AREAS, SUCH AS, BUT NOT
5 LIMITED TO, METRO MANILA, ANGELES, BACOLOD,
6 BAGUIO, BATANGAS, CAGAYAN DE ORO, CEBU,
7 DAGUPAN, DAVAO, ILOILO, NAGA, AND OLONGAPO,
8 WHO SEEK TO REGISTER HIS/HER MOTOR VEHICLE
9 WITH THE LAND TRANSPORTATION OFFICE (LTO),
10 SHALL BE REQUIRED TO EXECUTE AN AFFIDAVIT
11 ACKNOWLEDGED BEFORE A NOTARY PUBLIC
12 ATTESTING TO THE AVAILABILITY OF A
13 PERMANENT PARKING SPACE OR FACILITY OR
14 THAT A PARKING SPACE OR FACILITY HAS BEEN
15 LEASED OR PROCURED SPECIFICALLY FOR THE
16 PURPOSE OF PARKING THE MOTOR VEHICLE
17 INTENDED TO BE REGISTERED; PROVIDED
18 FURTHER, THAT EACH AND EVERY MOTOR
19 VEHICLE SHALL REQUIRE A SEPARATE SPACE FOR
20 PARKING; PROVIDED FINALLY, THAT NO MOTOR
21 VEHICLE SHALL BE REGISTERED UNLESS THE LTO
22 HAS CONFIRMED THE EXISTENCE OF A PARKING
23 SPACE OR FACILITY FOR THE MOTOR VEHICLE.
24

25 **SEC. 4. Local Government Units and Citizen Patrol.** – Any concerned
26 individual may report to the LTO, Metropolitan Manila Development Authority
27 (MMDA), metropolitan coordinating councils, or the engineering office of the
28 local government unit (LGU) concerned the existence of motor vehicles which
29 are parked on the streets, alleys or pathways primarily used for pedestrian
30 and motor vehicle traffic.
31

32 Authorized personnel of the LTO, MMDA, metropolitan coordinating councils,
33 LGU engineering offices and law enforcement agencies shall conduct periodic
34 ocular inspection for the purpose of strictly implementing the provisions of this
35 Act.
36

37 **SEC. 5. Penalties.** – A motor vehicle registration issued to an owner,
38 whether natural or juridical, which has been fraudulently obtained from the
39 LTO by making untrue claims in the public document executed for the
40 purpose of complying with the requirements under Section 3 of this Act
41 indicating that an adequate parking space or facility exists for a motor vehicle,
42 shall be revoked. In addition, the erring motor vehicle owner shall be
43 suspended from registering a motor vehicle under his name for a period of
44 three (3) years and shall be liable for a fine in the amount of Fifty Thousand
45 Pesos (Php50,000.00) for every violation of the provisions of this Act.
46

47 Any officer or employee of the LTO who has allowed the registration of a
48 motor vehicle without the necessary document required under Section 3 of
49 this Act or with knowledge of the falsity of, or failing to further investigate
50 despite having reasonable ground to believe that, the statement in the

1 instrument attesting to the availability of the permanent parking space or
2 facility for the motor vehicle statement is false, shall be suspended from office
3 for a period of three (3) months without pay.

4
5 The penalties enumerated herein shall be without prejudice to the liability that
6 may be incurred under the Revised Penal Code and other existing laws.

7
8 **SEC. 6. Implementing Rules and Regulations.** – Within ninety (90) days
9 from the effectivity of this Act, the Secretary of Transportation, in consultation
10 with the Secretary of the Interior and Local Government, the Chairperson of
11 the MMDA, chairpersons of the metropolitan councils, the agency head of
12 LTO and representatives from the LGUs in Metro Manila and other
13 Metropolitan areas and other stakeholders, shall promulgate the rules and
14 regulations for the effective implementation of this Act.

15
16 **SEC. 7. Repealing Clause.** – All laws, presidential decrees, executive
17 orders, memoranda, rules and regulations contrary to or inconsistent with the
18 provisions of this Act are hereby repealed, amended or modified accordingly.

19
20 **SEC. 8. Separability Clause.** – If any part or provision of this Act is declared
21 unconstitutional or invalid, the remaining parts or provisions not affected shall
22 remain in full force and effect.

23
24 **SEC. 9. Effectivity.** – This Act shall take effect fifteen (15) days after its
25 publication in the Official Gazette or in a newspaper of general circulation.

26 **Approved,**

27