

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

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Senate
Office of the Secretary

SENATE
S.B. NO. 1000

'19 SEP -2 P5 :30

RECEIVED BY: _____

Introduced by Senator Maria Lourdes Nancy S. Binay

**AN ACT
REGULATING THE IMPOSITION OF ANY FEE FOR THE USE OF PARKING
SPACES AND FACILITIES LOCATED WITHIN SHOPPING MALLS, HOTELS
AND SIMILAR BUSINESS AND/OR COMMERCIAL ESTABLISHMENTS
AND PRESCRIBING PENALTIES THEREFOR**

EXPLANATORY NOTE

Article II, Section 9 of the 1987 Philippine Constitution provides:

“The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.”

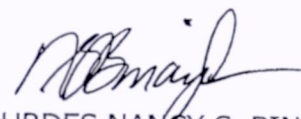
Parking in the Philippines can be extremely challenging because of the shortage of parking spaces and expensive parking rates. Parking establishments charge unreasonable fees to consumers that have no other options since there are limited available parking facilities for the millions of private vehicles competing for parking.

According to the Metropolitan Manila Development Authority (MMDA), the number of vehicles in the National Capital Region (NCR) is approximately 2.5 million.

The outrageous parking fees are a burden to every Filipino consumer especially for those who park for long hours in order to work. The consumers pay at least one hundred and fifty pesos (P150.00) per day for their parking which takes a huge toll on their wages.

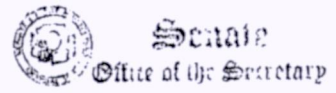
Therefore, this proposed measure seeks regulate the parking fees in business and commercial establishments in order to alleviate the costs incurred by the consumers through the setting of reasonable fees for the public.

In view of the foregoing, the passage of this measure is earnestly sought.



MARIA LOURDES NANCY S. BINAY
Senator

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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 "Parking Space
2 Regulation Act of 2019."

3

4 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the
5 State, in conformity with the mandate of the Constitution, to promote the public
6 welfare by regulating the use of liberty and property in the interest of the public.

7

8 Sec. 3. *Scope of the Act.* – This Act shall regulate the imposition,
9 collection, and/or charge of any and all fees by owners of shopping malls, hotels
10 and similar business and/or commercial establishments, their agents and/or
11 authorized representatives for the use of parking spaces located within these
12 establishments, except owners of buildings or spaces which are exclusively
13 devoted or utilized to provide parking spaces and services and not in any way
14 connected with any other business.

15

1 Sec. 4. *Issuance of Building Permit.* – No Building Permit shall be issued
2 for the construction of business and commercial establishments that include as
3 integral parts thereof, parking spaces and facilities; and buildings and other
4 facilities for parking purposes within existing business and commercial
5 establishments unless owners thereof submit sworn undertaking that adequate
6 parking spaces and facilities shall be made available to the public in accordance
7 with the charges and fees as provided by Section 5 of this Act.

8

9 Sec. 5. *Regulation of Parking Fees.* – Establishments covered under
10 Section 3 of this Act which will impose parking fees for the use of parking spaces
11 shall be subject to the following:

12 (a) For all types of cars, standard parking fee shall be thirty
13 pesos (P30.00) per vehicle for the maximum parking of
14 eight (8) hours and an additional ten pesos (P10.00) per
15 succeeding hour of parking;

16 (b) For motorcycles, the standard parking fee shall be ten
17 pesos (P20.00) for the first eight (8) hours and an
18 additional of five pesos (P5.00) for the succeeding hours;

19 (c) For overnight parking of all types of cars, the flat rate of
20 one hundred pesos (P100.00) shall cover the period from
21 12:00 midnight until 8:00 o'clock in the morning. Vehicles
22 that will enter the parking premises at 6:00 o'clock in the
23 morning shall pay the standard fee;

24 (d) For overnight parking of motorcycles, the flat rate of fifty
25 pesos (P50.00) shall apply to cover the period from 12:00
26 midnight to 8:00 o'clock in the morning. Motorcycles that
27 will enter the parking premises at 6:00 o'clock in the
28 morning shall pay the standard fee.

- 1 (e) For valet services, the flat rate of One Hundred Pesos
2 (P100.00) shall apply in addition to the standard parking
3 fee;
- 4 (f) For pass-thru vehicles, no fee shall be charged for any type
5 of vehicle under the condition that its stay in the parking
6 premises does not exceed fifteen (15) minutes. Prior advise
7 to the parking attendant is not necessary for the availment
8 of pass-thru;
- 9 (g) For validated parking tickets in commercial establishments,
10 the first three (3) hours shall be free of charge. Paragraphs
11 (a) and (b) of this Section shall apply starting the first
12 minute of their fourth hour.
- 13 (h) For lost or damaged parking tickets, the charge of One
14 Hundred Pesos (P100.00), in addition to the standard
15 parking fees, shall be applicable to the vehicle owner as
16 provided herein; and
- 17 (i) For lost or damaged parking cards, the charge Two
18 Hundred Pesos (P200.00), in addition to standard parking
19 fees, shall be applicable to the vehicle owner as provided
20 herein.

21
22 *Sec. 6. Granting of Discounts, Promotions, Lower Rates and Free Parking.*

23 – This Act does not prevent the parking area owners to grant discounts,
24 promotions, lower rates, and free parking to vehicle owners.

25
26 *Sec. 7. Issuance of Parking Tickets or Cards.* – The owners of the parking

27 area, through the parking attendants, shall issue tickets or cards to all vehicles
28 entering their premises indicating the vehicle's plate number and entry time,
29 among others. All equipment or materials used as reference for time shall be
30 synchronized.

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

4
5 Sec. 9. *Prohibition on Invoking Waiver of Liability.* – Business
6 establishments shall maintain and provide security in the parking spaces of their
7 establishments. In cases where parking fees are imposed, these business
8 establishments shall be responsible for the safety of the vehicles and shall be
9 prohibited from invoking the waiver of liability in case of loss or damage to the
10 vehicle parked in the parking facility.

11 The prohibition enunciated in the preceding paragraph shall likewise apply
12 to operators of buildings or vacant lots that are solely devoted for use as parking
13 spaces.

14
15 Sec. 10. *Penalties.* – Any person, natural or juridical, who violates the
16 provisions of this Act shall be fined with not less than One Hundred Thousand
17 Pesos (P100,000.00) per customer that is charged with an overpriced parking
18 fee, or imprisonment of not less than one (1) year but not more than three (3)
19 years, or both, upon the discretion of the court.

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

26
27 Sec. 12. *Separability Clause.* – If any provision or part of this Act shall be
28 declared invalid or unconstitutional, the remaining parts or provisions not
29 affected shall remain in full force and effect.

30

1 Sec. 13. *Repealing Clause.* – All laws, decrees, executive orders,
2 issuances, rules and regulations or parts thereof inconsistent with the provisions
3 of this Act are hereby repealed or modified accordingly.

4

5 Sec. 14. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
6 after its publication in the Official Gazette or in at least two (2) newspapers of
7 general circulation.

Approved,