

446

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

First Regular Session
THIRTEENTH CONGRESS

House Bill No. 446



Introduced by Rep. Manuel "Way Kurat" E. Zamora

EXPLANATORY NOTE

The non-availability of ample and safe parking space has become a perennial headache for motorists and car owners in practically all government agencies as well as commercial establishments. What is ironic is that the proliferation of park-for-a-fee spaces seems to aggravate rather than solve the problem. Commercial and business establishments and complexes usually charge exorbitant fees in order to be accommodated to their carparks. In some cases, even the parking lots of governmental agencies are not spared of this scheme. Fees are collected without official receipts and presumably sanctioned only by unscrupulous and profit-driven personnel of these agencies. Coupled with this dilemma is the fact that most if not all of these carpark managements deny responsibility as to protection from theft and other damages which are advertently committed while the vehicle is supposedly parked under their care.

While the National Building Code provides for the setting aside of ample parking spaces in the construction of buildings devoted to commercial and state administration purposes, there arises the need to regulate the operation of carparks in view of the above-related circumstances. Hence, the necessity of this measure's passage. This will assure the public free and easy access to parking spaces. Furthermore, this will guarantee that vehicles will be well-protected, free from any attempt of theft and other premeditated damages.

This bill is highly recommended for approval.


MANUEL "WAY KURAT" E. ZAMORA

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CARPARK REGULATION LAW OF 2004

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

SECTION 1. All officials, employees and agents of governmental offices, and owners, representatives and agents of commercial and business establishments, such as, but not limited to, shopping malls, hotels, restaurants and similar businesses, are hereby prohibited to collect or charge any fee for the use of parking spaces located within the premises of these public and private establishments: *Provided*, that in the case of a commercial or business establishment, free parking shall only be extended to motorists who are able to show proof such as receipts that they have transacted business with the establishment; *Provided further*, that owners of private buildings or spaces which are legally registered, issued permits and used exclusively to provide parking spaces and services, and independently operated from any business and commercial establishment or complex, shall be allowed to charge and collect fees for their use.

SEC. 2. No permit shall be issued for the construction of business and commercial establishments without a sworn statement from owners that ample parking space and facilities are made integral part thereof and made available to the public free of charge as provided in Section 1 of this Act: *Provided*, that sworn statements will also be required from owners before the issuance of permits for the construction of buildings and facilities to be used exclusively for parking purposes which are not, in any way, attached to any business or commercial establishment in their vicinity thereof: *Provided further*, that owners of private lots and spaces which will be exclusively used for parking purposes, shall be duly registered, assessed of the corresponding taxes and given permits by the concerned agencies of the local government unit where the lots and spaces are located.

SEC. 3. Owners of spaces, lots, buildings and facilities exclusively used for parking purposes and are allowed to charge and collect fees under this Act shall provide for the protection and security of vehicles parked within their premises and be made liable for theft and other damages committed while the vehicle is parked in said spaces, lots or buildings.

SEC. 4. Owners of business and commercial establishments which shall collect any fee for the use of parking spaces and facilities in violation of this Act shall be penalized with a fine of not less than One Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00).

Government officials, employees and agents who shall collect any fee for the use of parking spaces in governmental offices in violation of this Act shall suffer suspension for not less than thirty (30) days nor more than ninety (90) days after due notice and hearing in appropriate administrative proceedings.

Government officials and employees who shall approve the issuance of permits in violation of this Act shall suffer the suspension of not less than thirty (30) days nor more than ninety (90) days after due notice and hearing in appropriate administrative proceedings.

SEC. 5. All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or amended accordingly.

SEC. 6. This Act shall take effect upon its approval.

Approved,