

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session



HOUSE BILL NO. 2691

INTRODUCED BY HON. JOSEPH A. SANTIAGO

EXPLANATORY NOTE

This bill seeks to curb the practice of exacting or charging fees for the use of parking spaces in shopping malls, hotels, and similar commercial establishments.

Parking spaces have introduced a very practical way for the mentioned establishments to prop up their economic viability and business potentials. These parking spaces have become a veritable mode to entice or attract the riding consumers to patronize the businesses of the shopping malls, hotels and similar commercial centers, which afford consumers the ease and facility of an accessible place where they can leave their vehicles secured from damage or theft while they shop and/or seek leisure. Thus regarded, parking spaces were made integral structural components of malls, hotels and similar establishments such that it could be reasonably expected that their construction and maintenance were already imputed into the over-all costs of putting up and operating the building.

Of late however, it has been observed that malls, hotels and similar establishments have been charging exorbitant parking fees. Most, according to complaints, apart from charging a basic parking fee still charge additional parking fees by the hour after a three (3) hours' lapse. Hence, the profits sourced from these parking fees are not token but very substantial. As a matter of fact, these parking spaces have already become a separate business apart from the main business offered by owners of shopping malls, hotels and similar commercial centers.

It is this bill's objective to prohibit and outlaw this practice of exacting or charging parking fees which have become pernicious. Because by so doing, shopping malls, hotels and similar establishments will return the favor or at least give back a small recompense to the riding public who already patronize their businesses.

For these reasons, immediate approval of this bill is highly recommended.


JOSEPH A. SANTIAGO

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2691

HOUSE BILL NO. _____

Introduced by the Hon. JOSEPH A. SANTIAGO

**AN ACT PROHIBITING THE IMPOSITION OF OR EXACTION 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**

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

Section 1. This Act shall prohibit owners of shopping malls, hotels and similar business and/or commercial establishments, their agents and/or authorized representatives, from imposing, exacting, collecting and/or charging any and all fees for the use of parking spaces located within these establishments, except owners of buildings or spaces which are exclusively devoted or utilized to provide parking spaces and services and not in any way connected with any other business.

Section 2. No Building Permit shall be issued for the construction of business and commercial establishments that include as integral parts thereof, parking spaces and facilities; and buildings and other facilities for parking purposes within existing business and commercial establishments unless owners thereof submit sworn statements that parking spaces and facilities shall be made available to the public free of charge: Provided, that permits for the construction of buildings and facilities to be devoted or utilized exclusively for parking purposes shall be issued only upon submission of a sworn statement that said buildings and facilities are to be devoted or used exclusively for parking purposes and are not attached, in any way, to any shopping mall, hotel or any other similar establishment.

Section 3. Any business establishment which shall collect, impose, exact or charge 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 (Php 100,000.00) but not more than Five Hundred Thousand Pesos (Php 500,000.00). The Members of the Board of Directors or any other

corporate officers found guilty of violating any of the provisions of this Act, shall suffer an imprisonment of not more than five (5) years.

Any government official or employee who shall be found to have violated the provision of this Act by approving or issuing building permits for the construction of parking spaces and facilities, shall be suspended for not less than ten (10) days but not more than sixty (60) days, after due notice and hearing in an appropriate administrative proceedings; Provided, that this shall not exclude further prosecution from other laws.

Section 4. Any provision of this Act which is subsequently declared to be unconstitutional shall not affect the validity of its other provisions.

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

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

APPROVED.