

REPUBLIC OF THE PHILIPPINES
House of Representative

Thirteenth Congress
First Regular Session

House Bill No. 4217



Introduced by Hon. Robert "Dodot" Jaworski, Jr.

EXPLANATORY NOTE

This bill seeks to prohibit the charging of any fee for the use of parking spaces in shopping malls, hotels, hospitals and similar commercial establishments.

Thousands of Filipinos frequent department stores, hotels, shopping malls and other commercial establishments everyday and most especially on weekends, where families would spend their time shopping, dining in restaurants, watching their favorite movies, playing at video arcades, strolling or just relaxing.

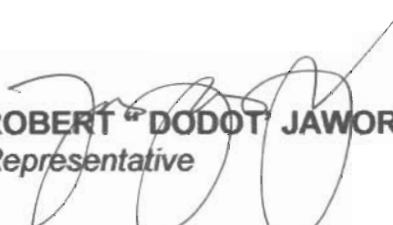
Parking spaces are one of the practical ways for these establishments to prop up their economic viability and business potentials. These parking spaces have become a veritable mode to entice or attract car owners to patronize the businesses of the shopping malls, hotels and similar commercial centers. The public, especially those with cars, prefer to shop or eat at shopping malls or restaurants with parking spaces that are secured. Parking spaces afford consumers accessible places where they can leave their vehicles, safe from carjacking while they are eating or shopping.

However, one of the problems these shoppers encounter is the proliferation of park-for-a-fee (pay parking) spaces allotted by these commercial establishments and shopping centers to charge and collect parking fees from customers who use their parking areas, notwithstanding the fact that they are patrons of said establishments. Coupled with this dilemma is the fact that the commercial center and shopping mall management always deny responsibility for loss of any vehicle or any personal property left inside the car, even if the carjacking or robbery occurred inside their guarded parking areas.

The profits sourced from these parking fees are not just token but substantial. As a matter of fact, these parking spaces have already become a separate business offered by owners of shopping malls, hotels and similar commercial establishments.

The objective of this bill is to prohibit and outlaw this practice of exacting or charging parking fees which have become pernicious.

In view of the foregoing, approval of this bill is highly recommended.


ROBERT "DODOT" JAWORSKI, JR.
Representative

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AN ACT

PROHIBITING COLLECTION OF ANY FEE FOR THE USE OF PARKING SPACES WITHIN THE BUILDING OF ANY BUSINESS ESTABLISHMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF

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

SECTION 1. Business establishments, such as, but not limited to, shopping malls, restaurants, hotels and similar businesses, which provide parking spaces within their buildings are hereby prohibited from charging or collecting any fee for the use of such parking spaces: Provided, That buildings which are used exclusively for parking purposes and not, in anyway, connected with any business establishment within the area shall be allowed to charge or collect parking fees for the use of said spaces.

SECTION 2. No building permit shall be issued for the construction of building for parking purposes unless its owner shall submit a sworn statement that the building to be constructed shall be made available to the public free of charge, or that the building shall be exclusively used for parking purposes which shall not be attached to any business establishment for which a fee shall be collected from its users.

SECTION 3. Any business establishment shall collect any fee for the use of parking spaces within their building in violation of this Act shall suffer the penalty of fine of not less than Fifty Thousand Pesos (50,000.00) nor more than One Hundred Thousand Pesos (P100,000.00)

Any government official or employee who shall approve or issue a building permit for the construction of building for parking purposes without required sworn statement shall be suspended for not less than five (5) days nor more than

fifteen (15) days after the due notice and hearing in an appropriate administrative proceedings.

SECTION 4. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 5. This Act shall take effect fifteen (15) days following its publication in at least two (2) newspaper of general circulation.

Approved,