

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

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1837

INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

The obvious dearth in parking spaces, on account of huge volumes of vehicles in Metro Manila and other urban areas has been responsible for the proliferation of commercial parking spaces, run and operated for proprietary purpose.

While there is nothing wrong with pursuing this kind of business, it is unfortunate that lack of sufficient regulation has given rise to abuses committed by parking station proprietors, oftentimes resulting into abuses committed against the hapless customers.

Although there are normally contractual agreements existing, that govern relationship between proprietors and customers, they usually partakes the nature of adhesive contracts, which normally would fail to include adequate protection to clients who avail of the services these parking stations offer.

For this reason, the bill proposes to finally regulate contractual agreements, terms, agreements or conditions, which has been traditionally used within the commercial parking industry, if only to ensure that the same are just, equitable and would adequately provide for protection to both operators and customers.

This is important not only because of the obvious justification but also to provide for remedial procedures in case of disagreement, breach of contractual obligations and failure to observe due care and diligence in the handling and administering of vehicles placed under the care of proprietors.

Hence, immediate enactment of this bill is earnestly sought.



MARCELINO "MARCY" R. TEODORO
Representative, 1st District
City of Marikina

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AN ACT
REGULATING THE CONDUCT OF BUSINESS BETWEEN PARKING
STATION PROPRIETORS AND THEIR CUSTOMERS AND FOR OTHER
PURPOSES

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

SECTION 1. This Act shall be known as the "The Parking Proprietors Regulations Act of 2010";

SECTION 2. Objective. – To re-define and regulate contractual agreements, terms, agreements or conditions which has been traditionally used within the commercial parking industry.

SECTION 3. Definition of Terms. – For the purposes of this Act, the following terms are hereby defined:

1. OPERATORS/OWNERS – commercial owners and operators of parking space.
2. FEE/FEES – predetermined charges for the use of parking space.
3. PAY PARKING – commercial usage of the available space.
4. FREE PARKING – usage of available space for free parking purposes.
5. REGULATED COMMERCIAL PARKING STATION – regulated parking areas.
6. CERTIFICATE TO OPERATE – certification issued for the said purpose.
7. ONE STOP SHOP OFFICE – issuing regulatory office created by the local government unit.

SECTION 4. Coverage. – Any private land conveniently located and may be used as commercial parking stations.

SECTION 5. Conduct of Commercial Parking Stations – The following stipulations may be considered to provide a basic framework for an agreement. However, agreements are not limited to these terms. The agreement should clearly stipulate the following:

1. Parties to the agreement;
2. Parking where agreement applies;
3. Period of agreement;
4. Fees, charges and other cost;
5. Signs, fencing, gates and other structures, physical improvements that may be carried out;

6. The obligation to maintain the standard required including the security of vehicle parked;
7. Who is to be liable for any damages or loss which from person parking in the parking station.
8. Liability for cost, damages or loss control incurred by the operator as a consequence of parking;
9. Revenue from parking;
10. Regulations and law enforcement

SECTION 6. Accessibility. – It is mandatory for the creation of Disabled persons Parking Spaces.

SECTION 7. Revenue. – The Local Government which has jurisdiction over the commercial parking station shall impose the necessary administrative fee and other necessary for the said purpose.

SECTION 8. One-stop processing. – The local government in coordination with the office of the treasurer's office located in the seat of local government shall maintain a one-stop-shop concept office where the issuance of a certificate to operate as commercial parking station and processing of such as well as regulation shall be maintained.

SECTION 9. Implementing Rules and Regulations. – The Department of Interior and Local Government, Philippine national Police, Metropolitan Manila Development Authority and other agencies and offices concerned shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 10. Separability Clause. – If any provision of this Act is declared invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SECTION 11. Repealing Clause. All laws, decrees, orders, and regulations or parts thereof inconsistent with this Act are hereby, repealed or modified accordingly.

SECTION 12. Effectivity – This Act shall take effect immediately upon its approval.

Approved,