

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Philippines

SIXTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 456



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INTRODUCED BY REP. MARCELINO "MARCY" R. TEODORO

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#### EXPLANATORY NOTE

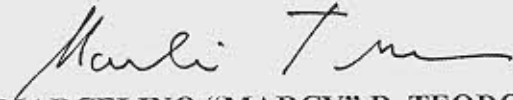
As the populace becomes increasingly dependent on automobiles, in many instances, efforts to accommodate parking the motor vehicles have overextended actual need. The cost of providing parking is driven by key factors: the number of parking spaces required the opportunity cost of the land used for parking and the cost for parking space. The more parking spaces required, the higher the cost of parking.

Parking spaces are one of the practical ways for these establishments to prop up their economic viability and potentials. However, one of the problems is the proliferation of park-for-a-fee spaces allotted by these commercial establishments to charge and collect parking fees from customers who use the parking areas. It has been observed that malls, hotels and similar establishments have been charging fees and they still charge additional parking fees by the hour after three hour's lapse. 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 it occurred inside their guarded parking areas.

They should stop acting like scrooge and for a change give something back to their loyal customers.

This bill seeks to prohibit the charging of any fee for the use of parking spaces in 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.

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

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

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

**SECTION 1. *Prohibition to Charge Parking Fees.*** -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.

**SEC. 2. *Requirement for Parking Spaces.*** -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 the owner thereof submit an affidavit that parking spaces and facilities shall be made available to their patrons/customers free of charge. *Provided,* That the permits for the construction of buildings and facilities to be devoted or utilized exclusively for parking purposes shall be issued only upon submission of an affidavit that the 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.

**SEC. 3. *Penalties.*** -Any business establishment which shall collect, impose 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 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 proceeding; *Provided,* That this shall not preclude further prosecution from other laws.

**SEC. 4. *Separability Clause.*** -Any provision of this Act which is subsequently declared to be unconstitutional shall not affect the validity of its other provisions.

**SEC. 5. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

**SEC. 6. *Effectivity of the Act.*** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,