



16TH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES
First Regular Session



HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 4310

INTRODUCED BY HONORABLE GUS S. TAMBUNTING

EXPLANATORY NOTE

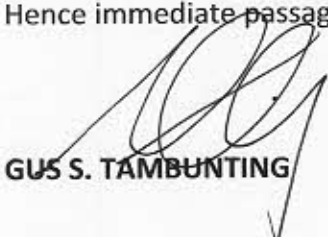
Instead of consumers subsidizing the cost of maintaining a safe and convenient free parking areas for vehicle owners, this legislation seeks to regulate existing pay parking stations thereby ensuring the safety of property and regulate cost of urban development.

The contractual agreement between the paying vehicle owner and the owner of parking space sans liability for damage and losses spells bias towards the paying public.

This bill seeks to regulate the exercise of proprietary function of commercial parking service owners. A convincing charge to a fair market rate for a parking space will help recoup the investment cost and maintenance including the cost of safe temporary or long term use of parking space.

More so, it is the policy of the State to preserve public interest.

Hence immediate passage of this legislation is earnestly sought.


GUS S. TAMBUNTING



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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 of the Philippines in Congress as assembled:

SECTION 1. This Act shall be known as the ‘The Parking Proprietors Regulations Act of 2007’

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 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 may arise from person parking in the parking station;
8. Liability for cost, damages or loss 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 charges 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 REGULATION.- 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, rules 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,