

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session
House Bill No. 4382



Introduced by Hon. Yedda Marie K. Romualdez

Explanatory Note

The spate of traffic woes nowadays are now becoming part of our daily miserable lives. People in all walks of life hurdle traffic congestions not only during peak hours, but even on weekends and holidays. Worst, it is not only confined in the major roads and urban highways such as EDSA, Roxas Boulevard, Commonwealth Ave., etc. Congestion isn't isolated in the vicinity of highly populated areas such as malls, ports, business centers, among others. – the motor vehicles that continue to occupy the side streets, parked and idle, push carts, litters of all kinds have been eyesores and a hindrance to foot and automobile traffic in most of our streets.

One major cause is the sudden surge of volumes of vehicles in the metropolis. Since most of the car/ vehicle manufacturers liberalized the terms in selling their brands, in which interested buyers can own brand new vehicles with a minimum all in down payment of as low as twenty thousand pesos only (P 20,000.00). With the new affordable payment schemes, any individual with a decent job can easily own a brand new vehicle, and in the absence of this proposed law, a person can own as many vehicles he / she desires as long as he / she is able to pay it.

Motor vehicle owners should be made responsible and accountable to provide their own permanent parking space for their private vehicles whether this is made an integral part of their house or building structure or leased. They should not bank primarily on open road spaces or public sidewalks because they are primarily intended for vehicular or foot traffic and should not be appropriated as personal parking spaces for these vehicles. Any financially able purchaser of a motor vehicle is presumed to be able to provide a parking facility for his / her vehicle.



HON. YEDDA MARIE K. ROMUALDEZ
Representative, 1st District of Leyte

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AN ACT
REGULATING THE SALE OF MOTOR VEHICLES IN METRO MANILA AND IN
OTHER HIGHLY URBANIZED CITIES IN THE COUNTRY BY
REQUIRING A PROOF-OF-PARKING SPACE OR FACILITY FROM MOTOR
VEHICLE BUYERS AS A PRE-REQUISITE FOR THE PURCHASE OF A
MOTOR VEHICLE AND REGISTRATION WITH THE LAND TRANSPORTATION
OFFICE

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

SECTION 1. Short Title. – This Act shall be known as the "No Garage, No Car Act of 2016."

SEC. 2. Declaration of Policy. -It is hereby declared the policy of the State to protect and promote the right of the people to a balanced and healthful environment. The State also recognizes that the use of property bears a social function; hence it is subject to the duty of the State to intervene when daily lives are at stake. Towards this end, the State shall promulgate measures to minimize traffic congestion, provide safe and uncluttered pathways where people may freely walk through to their destinations, and maintain clean and healthy surroundings by clearing the public roads and even private streets from parked motor vehicles and other illegal structures that reduce the space for ongoing human and vehicular traffic

SECTION. 3. Scope and Application; Proof-of-Parking Space. – Any person, whether natural or juridical, with residence or business address in Metro Manila or any of its Cities who intends to purchase a motor vehicle, brand new or second hand, shall first be required to secure a Barangay Clearance, attesting to the availability of a permanent parking space or facility the prospective purchaser is providing or attesting that a property has been leased or procured specifically for the purpose of parking the motor vehicle intended to be bought.

The said clearance shall be presented to the Car manufacturer / Dealer and Land Transportation Office (LTO) as a pre-requisite for the purchase and registration.

SECTION 4: Role of Barangay. – The Barangay in which the prospective parking space is located must verify if the individual who intends to purchase a vehicle really owns or leases the said property in their area of jurisdiction for use as a parking space. Said clearance must be addressed to the car manufacturer or dealer chosen by the buyer.

The Barangay, through its Chairman, may also assist the intended buyer to look for properties or even offer to lease a certain property owned or managed by the Barangay to the car owner.

SECTION 5: Role of LTO. –. The LTO shall, as a pre-requisite to the registration of a brand new vehicle or to the transfer of a Certificate of Registration of a second-hand car, require the submission of the barangay clearance as proof of an available parking space prior to the issuance of vehicle registration and plate number.

SECTION 6: Penalties. – Any officer or employee of the Barangay, LTO and car manufacturer or dealer who has allowed the ownership and registration of a motor vehicle without the necessary clearance under Section 3 of this Act or with knowledge of the falsity of the statements in the instrument attesting to the availability of the permanent parking space or facility for motor vehicle, shall be imposed a fine of One Hundred Thousand Pesos (Php100,000.00), and be suspended from office for a period of six (6) months without pay.

An owner of the motor vehicle who violates this bill shall be suspended from registering a motor vehicle under his name for a period of three (3) years and imposed a fine in the amount of Two Hundred Thousand Pesos (P200,000.00) for every violation of the provision of this Act.

SECTION 7: IRR (Implementing Rules and Regulations) – Within ninety (90) days from the effectivity of this Act, the Secretary of Transportation, in consultation with the Secretary of the Interior and Local Government, the Chairperson of the MMDA, the agency head of LTO and representatives shall promulgate the rules and regulations for the effective implementation of this Act.

SECTION 8: Repealing Clause. – All laws, presidential decrees, executive orders, memoranda, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 9: Separability Clause. – If any part of provision of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 10: Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.