

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 5041



Introduced by Hon. Robert Ace S. Barbers

AN ACT
REGULATING THE IMPOSITION OF FEES FOR THE USE OF PARKING SPACES
AND FACILITIES IN SHOPPING MALLS, HOSPITALS, SCHOOLS, HOTELS AND
SIMILAR ESTABLISHMENTS AND PRESCRIBING PENALTIES FOR VIOLATION
THEREOF

EXPLANATORY NOTE

This bill seeks to regulate the imposition of fees for the use of parking spaces in shopping malls, hospitals, schools, hotels and similar establishments. In the Philippines, vehicle owners are often forced to pay exorbitant fees for parking even if malls and other establishments are already earning from the sale of their products and services. A parking fee often costs as much as Php 180 for a number of hours – an amount which most Filipinos can barely afford. This may also be one of the reasons why streets in highly urbanized areas are clogged with parked cars as street parking is less costly.

The collection of overpriced and unreasonable parking fees by malls, parking lots, hospitals, schools, hotels and other similar establishments is prejudicial and anti-consumer. It is high time that Congress exercise its power to regulate a simple issue that citizens have been complaining about for so long.

The above premise considered, support for the passage and approval of this legislation is earnestly sought.


ROBERT ACE S. BARBERS

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

SECTION 1. ***Short Title.*** – This Act shall be known as the “*Parking Fees Regulation Act.*”

SEC. 2. ***Coverage of this Act.*** – This Act shall cover all parking facilities for all kinds of motor vehicles, including parking spaces inside shopping malls, hospitals, schools, hotels and similar establishments.

SEC. 3. ***Provision of Parking Spaces: Regulation of Parking Fees.*** – Shopping mall buildings, hospitals, schools, hotels and similar establishments shall provide parking spaces for their customers free of charge.

Establishments which will impose parking fees for the use of their parking spaces shall be subject to the following:

- a) A customer shall be charged a reasonable amount not exceeding One Hundred Pesos (Php 100.00) per vehicle for a maximum of 8 hours and an additional Ten Pesos (Php 10) per succeeding hour.
- b) For overnight parking, a customer shall be charged a reasonable amount not exceeding Two Hundred Pesos (Php 200.00) per vehicle.
- c) A customer shall be given a grace period of thirty (30) minutes, wherein the customer shall not be charged a parking fee for the use of the parking space for not more than thirty (30) minutes;
- d) For shopping malls, restaurants, stores, and similar establishments where customers go for purposes of purchasing items in said establishments or where the customers pay a fee to enjoy the services, facilities or amenities offered by the establishment, the

- parking fee shall be waived once a customer presents a validated proof of purchase or payment of not less than Five Hundred Pesos (P 500.00); *Provided*, That the customer used the parking space for a maximum of three (3) hours only; *Provided, further*, that customers who parked their vehicle for more than three (3) hours shall be charged the standard rate provided under paragraph (a) of this Section.
- e) For hospital visitors and patients, parking fee shall be waived provided that they show a validated proof of legitimate transaction.

SEC. 4. *Prohibition on Invoking Waiver of Liability.* – Business establishments shall maintain and provide security in the parking spaces of their establishments. When parking fees are collected by business establishments from their customers for the use of parking spaces, these establishments shall be prohibited from invoking the waiver of liability in case of loss of property by the customer or damage to the motor vehicle.

The prohibition enunciated in the preceding paragraph shall likewise apply to operators of buildings or vacant lots that are solely devoted for use as parking spaces.

SEC. 5. *Penalties.* – Any person or establishment who violates the provisions of this Act shall be fined with not less than One hundred fifty thousand pesos (P 150,000.00) per customer that is charged with an overpriced parking fee, or imprisonment of not less than one (1) year but not more than three (3) years, or both, upon the discretion of the court.

SEC. 6. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 7. *Repealing Clause.* – All laws, executive orders, presidential decrees or issuances, letter of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.