

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7395**



Introduced by Representative **John Marvin "Yul Servo" Nieto**

EXPLANATORY NOTE

As a manifestation of support to this timely piece of legislation, this representation respectfully refiles this bill, which has constantly been receiving support from the past and present (Rep. Marcoleta's HB00824, Rep. Gatchalian's HB03956, Rep. Barbers' HB05041, and Rep. Vargas' HB07341, among others) congress.

The proposed measure aims to regulate the imposition of fees for the use of parking spaces and facilities in shopping malls, hospitals, schools, and other similar establishments. Regulating the imposition of said fees will ensure that consumers who avail of parking facilities offered by business operators are protected from unreasonable parking rates. Moreover, the proposed measure also aims to strengthen the responsibility of business establishments in maintaining and providing security in their parking spaces by prohibiting business establishments from invoking the waiver of liability.

Given the current rise of the number of vehicles in the country, especially in the Metro, it is high time for the government to take appropriate actions in managing the different facets brought about by this phenomenon.

In view of the foregoing, the passage of this measure is earnestly sought.


JOHN MARVIN "YUL SERVO" NIETO

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House Bill No. _____

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

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

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

SECTION 2. Declaration of Policy. It is the policy of the State to protect the interests and promote the general welfare of consumers. Toward this end, the State shall promulgate measures that will protect consumers who avail of parking facilities offered by business operators from unreasonable parking rates and fees.

SECTION 3. Coverage of this Act. This Act shall cover parking facilities for all kinds of motor vehicles, including parking spaces in shopping malls, hospitals, schools, or other similar establishments, including vacant lots and building that are solely devoted for use as parking.

SECTION 4. Provision of Parking Spaces; Regulation of Parking Fees. Shopping mall buildings, hospitals, schools and similar establishments are encouraged to provide parking spaces for their customers free of charge.

For purposes of this Act, a customer refers to a person who purchases a commodity or service.

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

- a.) The standard parking fee shall be Forty Pesos (P40.00) per vehicle for a maximum of eight (8) hours and an additional Ten Pesos (P10.00) per succeeding hour;

b.) For overnight parking, a customer shall be charged a one-time fee of One Hundred Pesos (P100.00) per vehicle;

c.) A customer shall be given a grace period of thirty (30) minutes, wherein he shall not be charged the standard parking fee if his motor vehicle shall have entered and exited the premises within the grace period;

d.) For shopping malls, restaurants, stores, and similar establishments where customers go to purchase items or where the customers pay fees 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 One Thousand Pesos (P1,000.00): *Provided*, that the customer used the parking space for a maximum of three (3) hours only: *Provided, further*, that the 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.) Customers shall be issued a receipt upon entering or exiting a parking facility. A parking receipt must contain the effective date and time and the plate number of the motor vehicle the customer is paying for.

SECTION 5. 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 responsible for the safety of its patrons and shall be prohibited from invoking the waiver of liability in care of loss of property or damage to the customer's 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.

SECTION 6. Penalties. Any person or establishments who, violates the provisions of this Act shall be fined with not less than One Hundred Fifty Thousand Pesos (P150,000.00) 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.

SECTION 7. Implementing Rules and Regulations (IRR). The Secretary of Trade and Industry shall promulgate the necessary rules and regulations for the effective implementation of the provision of this Act.

The Secretary of Trade and Industry is authorized to review every three (3) years the applicability of Section 4 of this Act and to adjust the rate of parking fees, taking into consideration the cost of maintenance of parking facilities, cost of provision of security and the inflation rate of the preceding year.

SECTION 8. Repealing Clause. All laws, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modify accordingly.

SECTION 9. Separability Clause. If any part, section or provision of this Act shall be held invalid or unconstitutional, no other part, section or provisions thereof shall be affected thereby.

SECTION 10. Effectivity. This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or two (2) newspapers of general circulation.

Approved,