



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4815

Introduced by Representative Joseph Gilbert F. Violago

EXPLANATORY NOTE

This commendable bill had been filed in the past Congress and the present proponent is acknowledging the wisdom and hard work of his predecessors.

Traffic has been a perennial problem in Metro Manila and one of the factors which contributes to the worsening traffic situation is due to the parking of motor vehicles along the side streets not designated for public parking. Owners of motor vehicles should have the social responsibility of parking their vehicles in their own parking spaces or garages.

This bill seeks to regulate the sale of motor vehicles in Metro Manila by requiring a proof-of-parking space or garage facility from motor vehicle buyers as a prerequisite for the purchase of a motor vehicle and registration with the Land Transportation Office. The LTO should verify the veracity of the submitted proof-of-parking space or garage facility before the purchase shall be made. This will be a big contribution in lessening the traffic situation in the country.

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


JOSEPH GILBERT F. VIOLAGO





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**AN ACT REGULATING THE SALE OF MOTOR VEHICLES IN METRO MANILA BY
REQUIRING A PROOF OF PARKING SPACE OR GARAGE FACILITY FROM
MOTOR VEHICLE BUYERS AS A PREREQUISITE 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 of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “Proof-of-Parking Space Act”.

SECTION 2. *Declaration of Policy.* – It is hereby the policy of the State to protect and promote the right of the people to a balanced and healthful ecology. 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 the common good so requires. Towards this end, the State shall promulgate measures to lessen traffic congestion, curb the number of private vehicles, provide safe and uncluttered pathways where people may freely walk through space for ongoing human and vehicular traffic.

SECTION 3. *Scope and Application.* – Any person, whether natural or juridical, with residence or business address in Metro Manila who intends to purchase a motor vehicle, shall be required to execute an affidavit which shall be acknowledged before a notary public, attesting to the availability of a permanent parking space or facility, or that a parking space or facility has been leased or procured specifically for the purpose of parking the motor vehicle intended to be bought before they can purchase a motor vehicle. Each and every motor vehicle shall require a separate space for parking.

The affidavit executed by the prospective buyer of motor vehicles shall be presented to the Land Transportation Office (LTO) as a prerequisite for registration.

SECTION 4. *Responsibility of the Prospective Buyer of Motor Vehicle.* – No motor vehicle may be legally conveyed in the absence of a public document duly attested to by the prospective buyer of a motor vehicle and acknowledged before a notary public, that a permanent parking space or facility already exists for the motor vehicle which is subject of the sale. The affiant shall be bound by the claims stated in the document and shall be liable for untruthful statements made in his/her affidavit under Articles 171 and 172 of the Revised Penal Code.

SECTION 5. *Role of the Land Transportation Office (LTO).* – The LTO shall make as a prerequisite in the registration of a motor vehicle in the submission of the affidavit attesting to the existence of a permanent parking space or facility by the buyer or vendee of the motor vehicle that it has confirmed the existence of a permanent parking space or facility for the motor vehicle to be purchased.

The document must be kept on file and the same shall be produced when there exists a claim or evidence to the contrary that the parking space attested therein does not exist.

SECTION 6. *Local Government Units and Citizen Patrol.* – Any concerned individual may report to the LTO, Metropolitan Manila Development Authority (MMDA), or the engineering office of the Local Government Unit (LGU) concerned the existence of motor vehicles which are parked on the streets, alleys, or pathways primarily used for pedestrian and motor vehicle traffic. Authorized personnel of the LTO, MMDA, engineering office of the LGU concerned, and law enforcement agencies shall conduct periodic ocular inspection for the purpose of strictly implementing the provisions of this Act.

The LTO, MMDA, or personnel from the LGU concerned shall, *motu proprio*, or upon complaint, ascertain the veracity of the non-existence of a permanent parking space or facility for a registered motor vehicle.

SECTION 7. *Penalties.* – A motor vehicle registration issued to an owner, whether natural or juridical, which has been fraudulently obtained from the LTO by making untrue claims in the public document executed for the purpose of complying with the requirements under Section 3 of this Act indicating that an adequate parking space or facility exists for a motor vehicle, shall be revoked and the motor vehicle owner shall be suspended from registering a motor vehicle under his name for a period of three (3) years and shall be imposed a fine in the amount of Fifty Thousand Pesos (P50,000.00) for every violation of the provisions of this Act.

Any officer or employee of the LTO who has allowed the registration of a motor vehicle without the necessary document required under the 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 the motor vehicle, shall be suspended from office for a period of three (3) months without pay.

The penalties enumerated herein shall be without prejudice to the liability that may be incurred under the Revised Penal Code and other existing laws.

SECTION 8. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of Transportation, in consultation with the Department of Interior and Local Government, MMDA, LTO, and representatives from the LGUs in Metro Manila, shall promulgate the rules and regulations for the effective implementation of this Act.

SECTION 9. *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 10. *Separability Clause.* – If any part or provision of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,