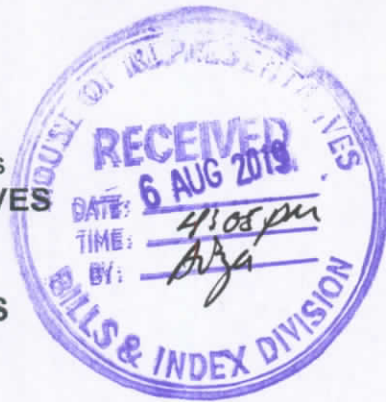


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3540



Introduced by Representative MICAELA S. VIOLAGO

EXPLANATORY NOTE


This bill seeks to address the mounting complaints against the exorbitant parking fees being charged by shopping malls, restaurants, supermarkets, schools, hospitals, hotels and other similar business and/or commercial establishments to their customers.

Given the increasing sophistication, not to mention consumers' shifting preferences, the provision of parking facilities/spaces is a basic amenity that they expect no less. In fact, even progressive and reputable business concerns will not survive the onslaught of competition without these parking facilities. It is not, therefore, an excuse that they should unreasonably collect parking fees on the pretext that they need to recoup their investment in providing and maintaining such facility, when the underlying reason is to entice discriminating consumers in the first place.

This bill does not entirely prohibit the collection of parking fees but to rationalize its imposition in the light of an unregulated environment relative thereto that proves nugatory, if not inimical to, the interests and welfare of the patronizing and motoring public.

This bill seeks for an all-inclusive system, which would exempt all patrons and clients of these commercial establishments and institutions from the payment of parking fees for the first eight (8) hours of use of the parking facility/space upon the meeting of the threshold amount provided in this Act. This measure is in line with our mandate of crafting legislation that is pro people and which put their interests above all else.

Accordingly, approval of this proposed measure, is strongly recommended.


MICAELA S. VIOLAGO
2nd District, Nueva Ecija

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EIGHTEENTH CONGRESS
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House Bill No. 3540

Introduced by Representative **MICAELA S. VIOLAGO**

“AN ACT TO REGULATE PARKING FACILITIES AND THE COLLECTION OF FEES THEREFROM AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF”

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 of 2019.”

SEC. 2. Declaration of Policy. - It is the policy of the State to protect the interest and promote the general welfare of consumers. Towards this end, the State shall establish standards in the operation of parking spaces and facilities and promulgate measures to protect consumers who avail such parking facilities.

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

SEC. 4. Regulation of Parking Fees. – Establishments may impose parking fees subject to the following conditions:

- 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) for every succeeding hour;
- b) For facilities that provide overnight parking, One Hundred Pesos (P100) shall be charged for each vehicle parked overnight for a twelve-hour duration;
- c) A customer who has entered and exited the parking facility within a thirty-

minute grace period, shall not be charged with standard parking fee; and

- d) Parking fees in establishments such as shopping malls, restaurants, supermarkets, schools, hotels and other similar business and/or commercial establishments where customers purchase items or avail of services and facilities, shall be waived upon presentation of valid proof of purchase or payment in an amount not less than One Thousand Pesos (P1,000.00) in a single receipt or in an aggregate of separate receipts: *Provided*, That the customer used the parking facility for a maximum of eight (8) hours only; *Provided further*, That the customer who used the parking facility in excess of eight (8) 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. 5. Prohibition on Invoking Waiver of Liability. – Collection of parking fees from customers for the use of parking facilities shall make the establishment responsible for the security of the parking facility and the safety of its patrons. Invoking the waiver of liability in case of property loss or damage to a customer's vehicle is hereby prohibited.

SEC. 6. Penalties. – Any person or establishment 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.

SEC. 7. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the Secretary of Trade and Industry shall promulgate the necessary rules and regulations for the effective implementation of the provisions 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.

SEC. 8. Separability Clause. If for any reason, any section of the Act shall be deemed unconstitutional or invalid, the other sections or provisions thereof shall not be affected thereby and shall remain in full force and effect.

SEC. 9. Repealing Clause. All laws, executive orders, decrees, instructions, rules and regulations, contrary to or inconsistent with any provisions of this Act are hereby repealed or modified accordingly.

SEC. 10. Effectivity Clause. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,