Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

HOUSE OF REPRESENTATIVES
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NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5026

Introduced by
REP. AUGUSTINA DOMINIQUE "Ditse Tina" C. PANCHO

EXPLANATORY NOTE

Latest data from the Metro Manila Development Authority (MMDA) show that there are some 2.9 million registered vehicles in Metro Manila. Added to the problem of traffic, this sheer volume of vehicles on the road also find owners of private vehicles faced with the problem of finding adequate parking space in a business district, or in shopping malls.

Indeed, it is a welcome reprieve for private vehicle owners to be provided a convenient and affordable parking when they go the malls and other similar establishments; and many consumers are totally agreeable to paying a reasonable parking fee for this convenience. However, beyond the standard parking fees, many shopping malls impose succeeding charges after a lapse in a prescribed time of use of their parking facilities. Despite this, mall operators also implement a non-liability policy that clears them from any accountability for any damages and theft done to any vehicle parking in their establishments.

Given that the Supreme Court has already ruled on the legality of imposing parking fees in such commercial establishments, it remains nevertheless the policy of the State to regulate the manner that such fees are implemented, in support of public interest. This presents a clear need for legislation to mandate owners and administrators of parking lot facilities, to support consumer interests of vehicle owners who pay their parking fees over and above the revenues that they will be giving these establishments by patronizing the products and services of their business tenants.

This Bill seeks to set an equitable middle-ground that will afford consumers the necessary protections without burdening the ability of legitimate parking enterprises from conducting fair and profitable business.

With this purpose in mind, support for the passage and approval of this legislation is earnestly sought.

AUGUSTINA DOMINIQUE "Ditse Tina" C. PANCHO
Representative, 2nd District of Bulacan

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HOUSE BILL NO.5026

Introduced by
REP. AUGUSTINA DOMINIQUE "Ditse Tina" C. PANCHO

AN ACT REGULATING THE IMPOSITION OF PARKING FEES IN SHOPPING CENTERS AND MALLS, 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 in Congress of the Philippines assembled:

SECTION 1. ***Short Title.*** *--- This Act shall be known as "Parking Fee Regulation Act of 2022".*

SECTION 2. ***Declaration of Policy.*** *It is the policy of the State to protect the interests of the consumer, promote his general welfare and to establish standards of conduct for business and industry. Towards this end, the State shall enact laws to protect consumers who avail of parking facilities offered by business operators from unreasonable parking rates and fees.*

SECTION 4. Scope*. This Act shall apply to parking facilities for all kinds of motor vehicles, including parking spaces in shopping malls, hospitals, schools or other similar establishments, including vacant lots and buildings that are solely devoted for use as parking.*

SECTION 5. ***Regulation of Parking Fees.*** *For purposes of this Act, 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 a flat rate of Forty pesos (P 40.00) regardless of parking time incurred except for overnight parking;

b) For overnight parking, a customer shall be charged a one-time fee of One hundred fifty pesos (P 150.00) per vehicle;

c) A customer shall be given a grace period of twenty (20) 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).

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 6. ***Segregation of Parking Spaces for Overnight Parked Vehicles****. A separate parking space for overnight parking shall be provided for long-term guests in order to aid in the protection of the vehicles and property within.*

SECTION 7. ***Prohibition on Invoking Waiver of Liability****. 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 it shall be unlawful for owners and/or administrators of parking facilities to impose blanket or unconditional waivers limiting their liability for damage to property and injury to persons caused by any and all acts of their employees, staff, trespassers, and third persons against the property or persons within the parking facility and its adjunct facilities. Any waiver to such effect shall be void and against public policy.*

SECTION 8. ***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.*

SECTION 9. ***Implementing Rules and Regulations****. 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.*

SECTION 10. ***Separability Clause****. If for any reason, any provision of part hereof is declared invalid, the other provisions not affected thereby shall remain in full force and effect.*

SECTION 11. ***Repealing Clause***. Any provision of the law, presidential decree, executive orders, rules and regulations contrary to the provision of this Act is hereby repealed, amended or modified accordingly.

SECTION 10. ***Effectivity***. 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, whichever comes earlier.

Approved,