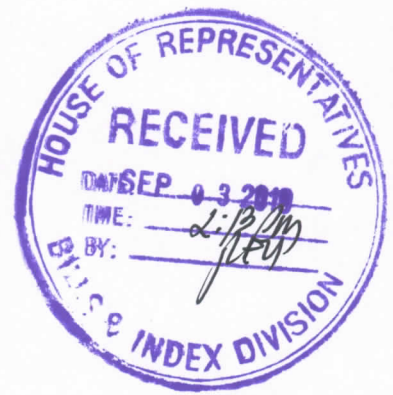


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Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4335**



**Introduced by Hon. John Marvin "Yul Servo" C. 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 (Rep. Marcoleta's HB00824, Rep. Gatchalian's HB03956, Rep. Barbers' HB05041, and Rep. Vargas' HB07341, among others) and present congress.

The proposed measure aims to regulate the imposition of fees for the use of parking spaces and facilities in shopping malls, hospitals, schools, hotels, 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**

43 Republic of the Philippines  
44 HOUSE OF REPRESENTATIVES  
45 Quezon City

46 EIGHTEENTH CONGRESS  
47 First Regular Session

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49 HOUSE BILL NO. 4335  
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52 Introduced by Hon. John Marvin "Yul Servo" C. Nieto  
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57 **AN ACT REGULATING THE IMPOSITION OF FEES FOR THE USE OF**  
58 **PARKING SPACES AND FACILITIES IN SHOPPING MALLS,**  
59 **HOSPITALS, SCHOOLS, HOTELS, AND SIMILAR ESTABLISHMENTS,**  
60 **INCLUDING VACANT LOTS USED EXCLUSIVELY FOR PARKING AND**  
61 **PRESCRIBING PENALTIES FOR VIOLATION THEREOF**

62  
63 *Be it enacted by the Senate and the House of Representatives of the*  
64 *Philippines in Congress assembled:*

65  
66 **SECTION 1. Short Title.** This Act shall be known as the "Parking Fees  
67 Regulation Act."

68  
69 **SEC. 2. Declaration of Policy.** It is the policy of the State to protect the  
70 interests and promote the general welfare of consumers. Toward this end,  
71 the State shall promulgate measures that will protect consumers who avail  
72 of parking facilities offered by business operators from unreasonable parking  
73 rates and fees.

74  
75 **SEC. 3. Coverage of this Act.** This Act shall cover parking facilities for all  
76 kinds of motor vehicles, including parking spaces in shopping malls,  
77 hospitals, schools, Hotels, and other similar establishments, including vacant  
78 lots and building that are solely devoted for use as parking.

79  
80 **SEC. 4. Provision of Parking Spaces; Regulation of Parking Fees.**  
81 Shopping mall buildings, hospitals, schools and similar establishments are  
82 encouraged to provide parking spaces for their customers free of charge.

83  
84 For purposes of this Act, a customer refers to a person who purchases a  
85 commodity or service.

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

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90 a.) A customer shall be charged an amount not exceeding Eighty Pesos  
91 (Php 80.00) per vehicle for a maximum of eight (8) hours and an  
92 additional Ten Pesos (Php 10.00) per succeeding hour;

93  
94 b.) For overnight parking, a customer shall be charged an amount not  
95 exceeding One Hundred Fifty Pesos (Php 150.00) per vehicle;  
96



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 (Php 1,000.00) in a single receipt or in an aggregate of separate receipts: *Provided*, that the customer used the parking space for a maximum of eight (8) hours only: *Provided, further*, that the customers who parked their vehicle for more than eight (8) 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;

f.) In case of lost receipts, customers shall pay Two Hundred Pesos (Php 200.00);

f.) Hospital patients that have been confined in the hospital shall be waived of the standard parking fee once proof of legitimate transaction is presented.

**SEC. 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.

**SEC. 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.

**SEC. 7. Implementing Rules and Regulations (IRR).** The Department of Trade and Industry (DTI) 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

151 facilities, cost of provision of security and the inflation rate of the preceding  
152 year.

153  
154 **SEC. 8. Repealing Clause.** All laws, rules and regulations or parts thereof  
155 inconsistent with the provisions of this Act are hereby repealed or modify  
156 accordingly.

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

161  
162 **SEC. 10. Effectivity.** This Act shall take effect fifteen (15) days following  
163 the completion of its publication in the Official Gazette or two (2)  
164 newspapers of general circulation.

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167 *Approved,*  
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