

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session



House Bill No. 4187

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

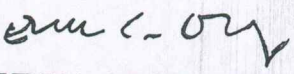
The Magna Carta for Disabled provides as declaration of policy that disabled persons are part of the Philippine society, thus the State shall give full support to the improvement of the total well-being of disabled persons and their integration into the mainstream of society. Toward this end, the State shall adopt policies ensuring the rehabilitation, self-development and self-reliance of disabled persons. It shall develop their skills and potentials to enable them to compete favorably for available opportunities,

Exempting the PWDs from the payment of parking fees is a way for the State to contribute in easing the financial burdens of the PWDs. Through this, added support for the improvement of the total well-being of the PWDs is ensured.

This Bill seeks to institutionalize the exemption from the payment of parking fees for the PWDs all over the country. Furthermore, this Bill provides certain guidelines and restrictions

for the effective implementation of said exemption from the payment of parking fees.

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


ERIC OLIVAREZ

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AN ACT
EXEMPTING PERSONS WITH DISABILITY (PWD) FROM THE
PAYMENT OF PARKING FEES IN ALL COMMERCIAL
ESTABLISHMENTS AND GOVERNMENT BUILDINGS THAT
CHARGE PARKING FEES, THEREBY AMENDING SECTION 32
OF REPUBLIC ACT NO. 7277, AS AMENDED BY REPUBLIC ACT
NO. 10754, ALSO KNOWN AS THE "MAGNA CARTA FOR
DISABLED PERSONS"

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 and cited as the "PWDs Free Parking Act."

SEC. 2. Declaration of Policy. - It is hereby declared as the policy of the State to provide measures in order to prioritize the needs of the PWDs in order to motivate and encourage them in contributing to nation building.

For this purpose, the government shall institutionalize the exemption of the PWDs from the payment of parking fees in all commercial and government establishments subject to certain guidelines and procedures.

SEC. 3. Additional privilege of parking fee exemption –

This Act shall cover all PWDs driving a vehicle or on board a vehicle which is privately owned upon presentation of a valid senior citizen's Identification Card in all commercial and government establishments that charge parking fees.

Provided, that private establishments may claim the cost as tax credit.

SEC. 4. Section 32 of Republic Act No. 7277, as amended by Republic Act No. 10754, otherwise known as the "Magna Carta for Persons With Disability" is hereby further amended to read as follows:

"Sec. 32. Persons with disability shall be entitled to:

(a) At least twenty percent (20%) discount and exemption from the value-added tax (VAT), if applicable, on the following sale of goods and services for the exclusive use and enjoyment or availment of the PWD:

- 1. On the fees and charges relative to the utilization of aU services in hotels and similar lodging establishments; restaurants and recreation centers; "*
- 2. On admission fees charged by theaters, cinema houses, concert halls, circuses, carnivals and other similar places of culture, leisure and amusement; "*
- 3. On the purchase of medicines in all drugstores; "*
- 4. On medical and dental services including diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, and professional fees of attending doctors in all government facilities, subject to the guidelines to be issued by the Department of Health (DOH), in coordination with the Philippine Health Insurance Corporation (PhilHealth);*

5. On medical and dental services including diagnostic and laboratory fees, and professional fees of attending doctors in all private hospitals and medical facilities, in accordance with the rules and regulations to be issued by the DOH, in coordination with the PhilHealth;
 6. On fare for domestic air and sea travel;
 7. On actual fare for land transportation travel such as, but not limited to, public utility buses or jeepneys (PUBs/PUJs), taxis, Asian utility vehicles (AUVs), shuttle services and public railways, including Light Rail Transit (LRT), Metro Rail Transit (MRT) and Philippine National Railways (PNR); and
 8. On funeral and burial services for the death of the PWD: Provided, That the beneficiary or any person who shall shoulder the funeral and burial expenses of the deceased PWD shall claim the discount under this rule for the deceased PWD upon presentation of the death certificate. Such expenses shall cover the purchase of casket or urn, embalming, hospital morgue, transport of the body to intended burial site in the place of origin, but shall exclude obituary publication and the cost of the memorial lot. "
- (b) Educational assistance to PWD, for them to pursue primary, secondary, tertiary, post tertiary, as well as vocational or technical education, in both public and private schools, through the provision of scholarships, grants, financial aids, subsidies and other incentives to qualified PWD, including support for books, learning materials, and uniform allowance to the extent feasible: Provided, That PWD shall meet the minimum admission requirements;
- (c) To the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), Social Security System

(SSS), and Pag-IBIG, as the case may be, as are enjoyed by those in actual service; "

(d) To the extent possible, the government may grant special discounts in special programs for PWD on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA);

(e) Provision of express lanes for PWD in all commercial and government establishments; in the absence thereof, priority shall be given to them. * **and**

(f) Exemption from payment of parking fees in all commercial establishments such as shopping malls, markets, hospitals and the like, as well as government buildings charging parking fees;"

SEC. 5. Procedure and Qualifications. – In order to avail the additional privilege provided in this Act, the following shall be observed:

1. The PWD must either be a driver or a passenger in the vehicle entering the establishment. Said PWD must be able to present any of the following:
 - a. An identification card issued by the city or municipal mayor or the barangay captain of the place where the PWD resides;
 - b. The passport of the PWD concerned; or
 - c. Transportation discount fare Identification Card issued by the National Council for the Welfare of Disabled Persons (NCWDP).
2. For establishments with parking areas which are equipped with automated ticketing machines, the presentation of the identification documents of the senior citizen availing of the free parking privilege shall be made to the parking

attendant in the booth for validation of the documents upon exit in the establishment.

3. Subject to the availability of the parking slot, the additional privilege of free parking for PWDs may be availed of on any parking slot ,of any level, if applicable, of the parking area which is offered to the public on a first-come-first served basis.
4. The free parking privilege for PWDs shall only apply to the regular operating hours of the commercial or government establishment where the privilege is sought. The privilege herein granted shall not apply to overnight parking.

SEC. 6. Implementing Rules and Regulations and Standard Forms. – Within sixty (60) days from the promulgation of this Act, the implementing rules and regulations for the proper implementation of its provisions shall be formulated by the appropriate government office or agency in coordination with all the stakeholders and covered establishments and institutions.

SEC. 7. Separability Clause. - If any provision of this Act is declared unconstitutional or otherwise invalid, the validity of the other provisions shall not be affected thereby.

SEC. 8 . Repealing Clause. - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Provided, that Section 32 of Republic Act No. 7277 as amended by Republic Act No. 10754, otherwise known as the “Magna Carta for Disabled Persons” is hereby amended accordingly.

SEC. 9. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,