

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**

**EIGHTEENTH CONGRESS**

First Regular Session

**3262**

**HOUSE BILL NO. \_\_\_\_\_**



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**Introduced by HONORABLE WES T. GATCHALIAN**

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**AN ACT**

**REGULATING THE IMPOSITION OF FEES FOR THE USE OF PARKING  
SPACES AND FACILITIES IN SHOPPING MALLS, HOSPITALS, SCHOOLS  
AND SIMILAR ESTABLISHMENTS, INCLUDING VACANT LOTS USED  
EXCLUSIVELY FOR PARKING AND PRESCRIBING PENALTIES FOR  
VIOLATION THEREOF**

**EXPLANATORY NOTE**

The policy of the State to “protect the interest of the consumers, promote the general welfare and establish standards of conduct for business and industry” is imbued in Article II of RA No. 7394, or the Consumer Act of the Philippines. In line with this is the objective to protect consumers against deceptive, unfair and unconscionable sales acts and practices.

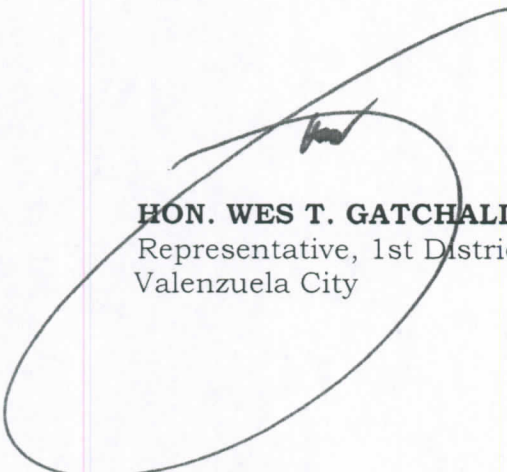
However, operators of parking facilities in urban areas have abused the lack of regularization in the commercial parking industry and have been engaging in unfair and anti-consumer practices. For one, they have been charging exorbitant fees. The consumers, who have no choice but to enter an adhesive contract, or a take-it-or-leave it contract, with these operators are obliged to pay excessive fees based from subjective standards.

These operators also impose a waiver of liability in case of loss of property or damage to the customer's motor vehicle; undermining the trust given to them by the consumers and enabling them to easily neglect such motor vehicles with minimal, if not completely without, legal consequences.

This bill is the first step in regularizing the commercial parking industry – an industry that is steadily gaining relevance due to the increase in number of motor vehicles in the roads and further efforts to ease traffic congestion, among others. It seeks to provide standard guidelines for a reasonable and fair price index for the cost in availing the use of these parking facilities. In this wise, enterprising operators are refrained from practices that unduly charge excessive fees. It also seeks to prohibit operators of parking facilities from invoking waiver of liability to safeguard the welfare of the consumers and afford them legal remedies in case of loss or destruction of property.

This bill does not give operators of parking facilities the shorter end of the stick. The idea is to impose more ethical standards and instill responsibility and accountability to them. The goal is to strike a balance between affording consumers the necessary protections and enabling operators to conduct a fair and profitable business.

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



**HON. WES T. GATCHALIAN**  
Representative, 1st District  
Valenzuela City

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**

**EIGHTEENTH CONGRESS**

First Regular Session

**HOUSE BILL NO. 3262**

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Introduced by **HONORABLE WES T. GATCHALIAN**

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**AN ACT**

**REGULATING THE IMPOSITION OF FEES FOR THE USE OF PARKING  
SPACES AND FACILITIES IN SHOPPING MALLS, HOSPITALS, SCHOOLS  
AND SIMILAR ESTABLISHMENTS, INCLUDING VACANT LOTS USED  
EXCLUSIVELY FOR PARKING AND PRESCRIBING PENALTIES FOR  
VIOLATION THEREOF**

1        *Be it enacted by the Senate and the House of Representatives of the*  
2        *Philippines in Congress assembled:*

3        SECTION 1. **Short Title.** - This Act shall be known as the "*Parking Fees*  
4        *Regulation Act.*"

5        SEC. 2. **Declaration of Policy.** - It is the policy of the State to protect  
6        the interests and promote the general welfare of consumers. Toward this end, the  
7        State shall promulgate measures that will protect consumers who avail of  
8        parking facilities offered by business operators from unreasonable parking  
9        rates and fees.

10       SEC. 3. **Coverage of this Act.** - This Act shall cover parking facilities for  
11       all kinds of motor vehicles, including parking spaces in shopping malls, hospitals,  
12       schools or other similar establishments, including vacant lots and  
13       buildings that are solely devoted for use as parking.

14       SEC. 4. **Provision of Parking Spaces; Regulation of Parking Fees.** -  
15       Shopping mall buildings, hospitals, schools and similar establishments are  
16       encouraged to provide parking spaces for their customers free of charge.

17       For purposes of this Act, a *customer* refers to a person who purchases a  
18       commodity or service.

19       Establishments which will impose parking fees for the use of their



1 parking spaces shall be subject to the following:

- 2 a) The standard parking fee shall be Forty pesos (P 40.00) per vehicle for  
3 a maximum of 8 hours and an additional Ten pesos (P10.00) per  
4 succeeding hour;
- 5 b) For overnight parking, a customer shall be charged a one-time fee of  
6 One hundred pesos (P 100.00) per vehicle;
- 7 c) A customer shall be given a grace period of thirty (30) minutes,  
8 wherein he shall not be charged the standard parking fee if his motor  
9 vehicle shall have entered and exited the premises within the grace  
10 period;
- 11 d) For shopping malls, restaurants, stores, and similar establishments  
12 where customers go to purchase items or where the customers pay  
13 fees to enjoy the services, facilities or amenities offered by the  
14 establishment, the parking fee shall be waived once a customer  
15 presents a validated proof of purchase or payment of not less than  
16 One thousand pesos (P1,000.00): *Provided*, That the customer used  
17 the parking space for a maximum of three (3) hours only: *Provided*,  
18 *further*, that customers who parked their vehicle for more than three  
19 (3) hours shall be charged the standard rate provided under  
20 paragraph (a) of this Section.
- 21 e) Customers shall be issued a receipt upon entering or exiting a  
22 parking facility. A parking receipt must contain the effective date and  
23 time and the plate number of the motor vehicle the customer is  
24 paying for.

25 SEC. 5. ***Prohibition on Invoking Waiver of Liability*** - Business  
26 establishments shall maintain and provide security in the parking spaces of  
27 their establishments. These establishments shall be responsible for the safety of its  
28 patrons and shall be prohibited from invoking the waiver of liability in case of loss  
29 of property or damage to the customer's motor vehicle.

30 The prohibition enunciated in the preceding paragraph shall likewise  
31 apply to operators of buildings or vacant lots that are solely devoted for use as  
32 parking spaces.

33 SEC. 6. ***Penalties.*** - Any person or establishment who, violates the  
34 provisions of this Act shall be fined with not less than One hundred fifty  
35 thousand pesos (P 150,000.00) per customer that is charged with an overpriced  
36 parking fee, or imprisonment of not less than one (1) year but not more than

1 three (3) years, or both, upon the discretion of the court.

2 SEC. 7. **Implementing Rules and Regulations.** - The Secretary of  
3 Trade and Industry shall promulgate the necessary rules and regulations for  
4 the effective implementation of the provisions of this Act.

5 The Secretary of Trade and Industry is authorized to review every three  
6 (3) years the applicability of Section 4 of this Act and to adjust the rate of  
7 parking fees, taking into consideration the cost of maintenance of parking  
8 facilities, cost of provision of security and the inflation rate of the preceding  
9 year.

10 SEC. 8. **Separability Clause.** - If any provision or part of this Act is held  
11 invalid or unconstitutional, the remaining parts or provisions not affected shall  
12 remain in full force and effect.

13 SEC. 9. **Repealing Clause.** - All laws, executive orders, presidential  
14 decrees or issuances, letter of instruction, administrative orders, rules, and  
15 regulations contrary to or inconsistent with the provisions of this Act are  
16 hereby repealed, amended, or modified accordingly.

17 SEC. 10. **Effectivity Clause.** - This Act shall take effect fifteen (15) days  
18 after its publication in the *Official Gazette* or in a newspaper of general  
19 circulation.

Approved,