

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **3313**

HOUSE OF REPRESENTATIVES	
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Introduced by: **HON. GUS S. TAMBUNTING**

EXPLANATORY NOTE

Pay parking is very common nowadays. Malls, airports, hotels and other business establishments have begun to operate pay parking areas for the use of their consumers/customers. But upon close scrutiny of your parking tickets, a fine line can be seen. Mostly stipulate that they have no liability for any loss or damage a vehicle incurs while parked in their premises. This practice is very disadvantageous to the paying public considering that they are paying for the use of the parking space.

It is the policy of the state to preserve public interest and with this in mind, something has to be done to correct this ongoing practice of bias towards the paying public.

This bill aims to protect the interest of the public by regulating pay parking areas and their owners/service providers/operators and ensure the protection and safety of the vehicles that are parked in their premises for the benefit of their clients. By doing so, the rights and interests of both parties will be protected and both will also equally benefit.

It is for these reason that the passage of this legislation is earnestly sought.


GUS S. TAMBUNTING

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AN ACT
REGULATING THE CONDUCT OF BUSINESS BETWEEN PARKING STATION
PROPRIETORS AND THEIR CUSTOMERS AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress as assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “The Parking Proprietors Regulations Act of 2016.”

SECTION 2. *Objective.* – To re-define and regulate contractual agreements, terms, or conditions which has been traditionally used within the commercial parking industry and recognize the rights of the paying public.

SECTION 3. *Definition of Terms.* - For the purposes of this Act, the following terms are hereby defined:

1. *OPERATORS/OWNERS* - commercial owners and operators of parking space.
2. *FEE/FEES* - predetermined charges for the use of parking space.
2. *PAY PARKING* - commercial usage of available space.
4. *FREE PARKING* - usage of available space for free parking purposes.
5. *REGULATED COMMERCIAL PARKING STATION* - regulated parking areas.
6. *CERTIFICATE TO OPERATE* - certification issued for the said purpose.
7. *ONE STOP SHOP OFFICE* - issuing regulatory office created by the local government unit.

SECTION 4. *Coverage.* – Any private land conveniently located and may be used as commercial parking stations.

SECTION 5. *Conduct of Commercial Parking Station.* – The following stipulations may be considered to provide a basic framework for an agreement. However, agreements are not limited to these terms but shall clearly stipulate the following:

1. Parties to the agreement;
2. Parking where agreement applies;

3. Period of agreement;
4. Fees, charges and other cost;
5. Signs, fencing, gates and other structures, physical improvement that may be carried out;
6. The obligation to maintain the standard required including the security of vehicle parked;
7. Who is to be liable for any damages of loss which may arise from parking in the parking station;
8. Liability for cost, damages of loss incurred by the operator as a consequence of parking;
9. Revenue from parking;
10. Regulations and law enforcement.

SECTION 6. *Accessibility.* – It is mandatory for the creation of parking spaces for persons with disability and allocation of specific slots for them and our senior citizens.

SECTION 7. *Revenue.* – The Local Government which has jurisdiction over the commercial parking station shall impose the necessary administrative fee and other charges necessary for the said purpose.

SECTION 8. *One Stop Processing.* – The Local Government in coordination with the Office of the Treasurer's Office located in the seat of local government shall maintain a one-stop-shop concept office where the issuance of a certificate to operate as a commercial parking station and processing of such as well as regulation shall be maintained.

SECTION 9. *Implementing Rules and Regulation.* – The Department of the Interior and Local Government, Philippine National Police, Metropolitan Manila Development Authority and other agencies and office concerned shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 10. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SECTION 11. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,