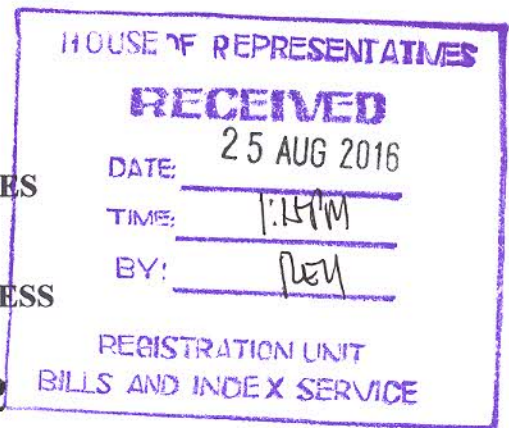


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH (17<sup>TH</sup>) CONGRESS  
First Regular Session

HOUSE BILL NO. 3322



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Introduced by Representative Manuel Monsour T. Del Rosario III

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**EXPLANATORY NOTE**

The Congress has enacted several pieces of legislation aimed at recognizing and protecting the rights of persons with disabilities (PWDs) and providing policies and mechanisms to alleviate their suffering and difficulties. These laws, Republic Act No. 7277 (Magna Carta for the Disabled), Republic Act No. 9442 (amending RA 7277) and their precursor, Batas Pambansa Blg. 344 (Accessibility Law), sought to provide programs, policies and infrastructures to address the plight of PWDs.

In compliance with the aforementioned laws, a number of government and private establishments, buildings and/or structures have provided parking spaces in their premises, supposedly reserved for the exclusive use of PWDs. However, contrary to the exclusive nature of these PWD-reserved parking spaces, the same are being used and occupied by persons who are not disabled to the detriment of PWDs. In some instances the use of the parking spaces is allowed or abetted by the owners, managers, administrators of government and private establishments, buildings and/or structures.

At present, there are no existing laws that penalize the brazen and wanton misuse of these exclusive parking spaces by persons who are not disabled. B.P. Blg. 344, which was enacted in 1982, does not prescribe sanctions for people who use or obstruct parking spaces reserved for PWDs.

In view of the foregoing, there is an urgent need to enact a law that will provide sanctions for those who deprive PWDs of their right to access facilities exclusively reserved for them. Hence, approval of this measure is fervently sought.

  
MANUEL MONSOUR T. DEL ROSARIO III

Republic of the Philippines  
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SEVENTEENTH (17<sup>TH</sup>) CONGRESS  
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**AN ACT PROHIBITING THE USE AND/OR OBSTRUCTION OF PARKING SPACES  
EXCLUSIVELY RESERVED FOR PERSONS WITH DISABILITIES IN ALL  
ESTABLISHMENTS, BUILDINGS, STRUCTURES, BY PERSONS WHO ARE NOT  
DISABLED, AND IMPOSING PENALTIES FOR VIOLATION THEREOF**

**Section 1. *Short Title.*** – This Act shall be known as the “Exclusivity of Parking Spaces Reserved for Persons with Disabilities Act”.

**Section 2. *Statement of Policy.*** – The State recognizes the inherent plight of all persons with disabilities and strives to promote the realization of their rights to participate fully in society and to enjoy the opportunities available to other citizens.

**Section 3. *Definition of Terms.*** – For purposes of this Act, the following terms shall be defined as follows:

- (a) ***Persons with disabilities*** – refer to those suffering from restriction or different abilities as a result of a mental, physical or sensory impairment to perform an activity in the manner or within the range considered normal for a human being; and
- (b) ***Disability*** – refers to: 1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual; 2) a record of such an impairment; or 3) being regarded as having such an impairment.

**Section 4. *Prohibition and Penalties*** – It shall be unlawful for any person who is not disabled to use, block or otherwise obstruct the parking spaces in any government and/or private establishments, buildings and/or structures exclusively reserved for persons with disability.

**Section 5.** It shall likewise be unlawful for any owner, manager, and/or administrator and any person in the employ and/or subordinates of these government and/or private establishments, buildings and/or structures to allow and/or tolerate the use of these reserved parking spaces by persons who are not disabled.

**Section 6.** Any person who violates any of the provisions of this Act shall be punished with imprisonment of not less than six (6) months but not more than one (1) year or a fine of not less than Five thousand pesos (Php5,000.00) but not more than Fifty thousand pesos (Php50,000.00), or both, at the discretion of the court.

**Section 7.** Any corporation, partnership, agency, establishment, or organization that violates any of the provisions of this Act shall be punished with a fine of not less than Fifty thousand pesos (Php50,000.00) but not more than One hundred thousand pesos (Php100,000.00). In addition, the president, manager or administrator, or the person who has charge of the building, establishment or structure shall be liable therefor and shall be imposed the same penalties provided under Section 6 of this Act.

**Section 8. *Implementing Rules and Regulations.*** – The National Council for Disability Affairs, in coordination with other concerned agencies, shall promulgate and issue the Implementing Rules and Regulations within sixty (60) days upon approval of this Act.

**Section 9. *Separability Clause.*** – If any provision or part of this Act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, the remaining sections of this Act or the application of such provision or part hereof to other persons or circumstance shall remain in full force and effect.

**Section 10. *Repealing Clause.*** – All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

**Section 11. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* and/or in two (2) newspapers of general circulation.

Approved.