



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

House Bill No. 827

Introduced by Rep. AURELIO "DONG" D. GONZALES, JR.

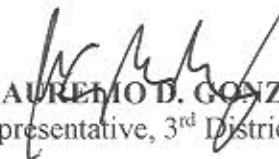
EXPLANATORY NOTE

The traffic problems which undoubtedly appear to worsen everyday do not only exist in Metro Manila. These worsening traffic problems have already cascaded in our expressways, particularly the so-called NLEX and SLEX, thereby defeating the purpose for the construction of these expressway. The number of vehicles which ply our roadways appear to increase by the hundreds every month. The increase in the volume of motor vehicles plying our NLEX and SLEX is further exacerbated by the proliferation of business establishments along our NLEX and SLEX which also invariably serve as magnets for the traveling public. In the course of their exiting the NLEX and SLEX to avail the services of these business establishments, the flow of motor vehicles invariably slows down and sometimes extend to no less than 500 meters long.

The worsening traffic problems are particularly true in the NLEX, particularly in the section within the San Fernando City exit in Pampanga wherein the pileup of motor vehicles sometimes extend to a kilometer long on weekends because of the presence of two (2) malls there, which attracts large number of customers, particularly on weekends. It is of course a fact, and this is beyond debate, that worsening traffic problems result to billions of pesos on wasted fuel every year; valuable times wasted on the road, which is beyond recovery because time lost can never be regained, plus the pollution of the environment caused by the carbon monoxide and

other elements generated by the slow moving motor vehicles resulting in the incomplete combustion of their fuel and extended time on the roadway.

In the view of the foregoing considerations, it is necessary that we come up with a legislation that will contribute in easing the traffic problems by regulating the future construction of malls, sport centers, convention centers and trade exhibiting centers in such a way that they will not unduly interfere in the flow of motor vehicle traffic along our expressways.


AURELIO D. GONZALES, JR.
Representative, 3rd District of Pampanga



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**AN ACT PROHIBITING THE CONSTRUCTION OF MALL, SPORTS CENTER,
CONVENTION CENTER AND EXHIBITION CENTER WITHIN A THREE
KILOMETER RADIUS FROM THE EXIT AND ENTRANCE OF AN EXPRESSWAY
TO PREVENT TRAFFIC CONGESTION THEREIN AND PROVIDING PENALTIES
THEREFOR**

Section 1. This Act shall be known as the Anti Expressway Motor Vehicle Traffic Congestion Act.

Section 2. It shall be unlawful for any person, natural or juridical, to build or construct a mall, sports center or other structures designed for the congregation or gathering of people within a three (3) kilometer radius from an existing expressway.

Section 3. Definition of Mall – A mall is herein defined as a large retail complex containing a variety of stores, dining places and other business establishments housed in a series of constructed or adjacent buildings. Further, it may also be housed in a single building with a parking area, open or covered, that can accommodate at least one thousand motor vehicles, whether intended for passenger use or for delivery of goods at any given time.

Section 4. Definition of Sports Center – A sports center is defined as a building where people can perform different types of indoor or outdoor sports. It is primarily designed and intended for the holding of sports event intended where the audience are charged entrance fees and can accommodate at least ten thousand (10,000) people at a single sporting event. It also includes a

parking area, open or covered, which can accommodate at least one thousand (1,000) motor vehicles, whether intended for passenger use or for delivery of various equipment.

Section 5. Definition of Convention Center – A convention center is defined herein as a large building that is designed to hold a convention where individuals and groups gather together to promote and share common interest. It has a sufficient floor area to accommodate at least five thousand (5,000) attendees at any given time. It typically has at least one (1) auditorium, one (1) concert hall, one (1) lecture hall, one (1) meeting room, and one (1) conference room; and has a parking area, open or covered which can accommodate at least one thousand (1,000) motorized vehicles, whether intended for passenger use or for delivery of various equipment.

Section 6. Definition of Exhibition Center – An exhibition center is defined herein as a very large venue suitable for major or non-major trade shows. It can accommodate at least five thousand (5,000) people at any given time and has a parking facility, open or covered, which can accommodate at any given time at least one thousand (1,000) motor vehicles, whether intended for passenger use or for transport of goods.

Section 7. Building officials which have jurisdiction over the place where the mall, sports center, convention center or exhibition center are strictly enjoined to desist in issuing the permits required under the Philippine National Building Code and its Implementing Rules and Regulations for the construction of the structures/facilities mentioned herein if the same, as constructed, will be within the three (3) meter radius from the entrance or exit of an existing expressway.

Section 8. Penal Clause – Violations of this Act shall be penalized with imprisonment of not less than one (1) month and one (1) day, but not more than six (6) months and one (1) day or a fine of not less than Five Hundred Thousand Pesos (Php500,000.00), or both imprisonment and fine at the discretion of the court. This is without prejudice to the imposition of administrative penalty to the offending public official(s) as may be provided under existing laws, rules and regulations.

The above-mentioned penalties of imprisonment or fine or both shall likewise be imposed on the owner of the mall sports center, convention center or exhibition center. In case the owner of the structure or facility is a corporation, the officers of the corporation shall be held liable for the violation of this Act. In case, the owner of the structure or facility is a partnership, all the partners shall be held liable for the violation of this Act.

Section 9. Repealing Clause – Any and all acts, administrative issuances and rules and regulations inconsistent herewith are hereby repealed accordingly.

Section 10. Separability Clause – In case any provision of this Act is declared invalid or unconstitutional, the other provisions not affected by the declaration shall remain valid and subsisting.

Section 11. Effectivity Clause – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in a newspaper of national circulation.