

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
QUEZON CITY

EIGHTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 6495



---

Introduced by REPRESENTATIVES ENRICO A. PINEDA,  
MICHAEL ODYLON L. ROMERO, PhD., ROWENA NIÑA O. TADURAN and  
JOCELYN P. TULFO

---

EXPLANATORY NOTE

In September 2009, the Supreme Court of the Philippines promulgated a Decision relative to the collection of parking fees of commercial establishments. The Supreme Court ruling states that "the State would be acting beyond the bounds of police power if allowed to stop mall owners from collecting parking fees; and that the State also cannot impose the same prohibition by generally invoking police power, since said prohibition amounts to a taking of respondents' property without payment of just compensation."

Section 6, Article XII of the Constitution, on the other hand, provides that "The use of property bears a social function, and all economic agents shall contribute to the common good. Individuals and private groups, including corporations, cooperatives, and similar collective organizations, shall have the right to own establish, and operate economic enterprises, subject to the duty of the State to promote distributive justice and to intervene when the common good so demands."

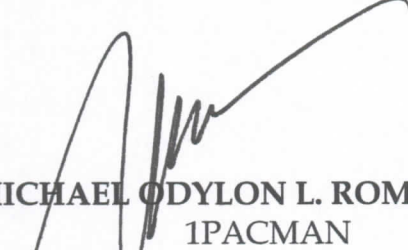
This bill aims to address the concerns of business establishments and administrators of paid parking facilities, the general public and the government by establishing a specific standard that is beneficial for all the stakeholders. With the continuing rise of sales of private vehicles resulting to bigger demands for parking spaces, and the growth of business enterprises in the country, especially in Metro Manila, other highly urbanized cities, and provinces; it is imperative to enact a law to regulate the parking fees being collected and to make owners or administrators of paid parking

facilities accountable, in view of improving the safety and security of these establishments for the benefit of the people.

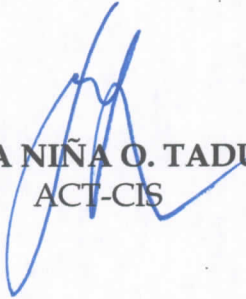
In view of the foregoing, the immediate passage of this bill is earnestly sought.




**ENRICO A. PINEDA**  
1PACMAN



**MICHAEL ODYLON L. ROMERO, PhD**  
1PACMAN



**ROWENA NIÑA O. TADURAN**  
ACT-CIS



**JOCELYN P. TULFO**  
ACT-CIS



REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
QUEZON CITY

EIGHTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 6495

---

Introduced by REPRESENTATIVES ENRICO A. PINEDA,  
MICHAEL ODYLON L. ROMERO, PhD., ROWENA NIÑA O. TADURAN and  
JOCELYN P. TULFO

---

**AN ACT REGULATING THE IMPOSITION OF PARKING FEES SHOPPING  
MALLS, HOTELS, HOSPITALS AND SIMILAR ESTABLISHMENTS AND  
PRESCRIBING PENALTIES THEREFOR**

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

**Section 1.** This Act shall be known as "Paid Parking Regulation Act".

**Section 2. Declaration of Policy.** It is the policy of the State to protect the interests and general welfare of consumers. Toward this end, the State shall promulgate measures that will protect consumers who avail of parking facilities offered by business operators from unreasonable parking rates and fees. The State shall likewise establish standards in the operation of parking spaces and facilities.

**Section 3. Coverage of this Act.** This Act shall cover all parking facilities that charges parking fees to all kinds of motor vehicles, including but not limited to, parking spaces in shopping malls, restaurants, supermarket, schools, hospitals, hotels, vacant lots and buildings or structures that are solely devoted for use as parking, and other similar commercial establishments.

**Section 4. Regulation of Parking Fees.** The Department of Trade and Industry (DTI) shall establish a standard parking rate in consultation with all the stakeholders and consumer groups or organizations, with consideration to the number of parking slots being offered to the public; the reasonable return of investment; inflation rate; consumer price index; and the maintenance and security of parking facilities. The DTI shall review the standard parking rates every three (3) years.

**Section 5. Security and Safety of Parking Facilities.** The Department of Interior and Local Government (DILG) shall establish a safety and security standard that shall uniformly followed by parking facilities covered under this Act. Parking facilities covered by this Act are required, at the minimum, to install Closed-Circuit Television (CCTV) cameras and hire security personnel commensurate to the number of parking slots offered to the public. The DILG and the Local Government Units are required to inspect parking facilities and their operations on a yearly basis.

**Section 6. Prohibition on Invoking of Waiver of Liability.** Business establishment and parking facilities imposing parking fees are prohibited from invoking the waiver of

liability in case of loss or damage to vehicles parked in their parking spaces, *Provided*, that the said damage or loss was not caused by another client using the parking facility.

**Section 7. Penalties.** The following are the penalties that may be imposed upon any owner or person responsible over the administration of shopping malls, hotels, restaurants, supermarket, schools, hospitals, hotels, vacant lots and buildings or structures that are solely devoted for use as parking, and other similar commercial establishments imposing parking fees:

- a) Non-Compliance to the security and safety standards as provided by Section 5 of this Act:
  - a.1) 1<sup>st</sup> Offense – Suspension of business permit and parking facility operations.
  - a.2) 2<sup>nd</sup> Offense – Suspension of business permit and parking facility operation and a fine of Fifty Thousand Pesos (Php 50,000.00).
  - a.3) 3<sup>rd</sup> Offense – Revocation of business permit and closure of the parking facility, and a fine of One Hundred Thousand Pesos (Php 100,000.00).
- b) Overpriced parking fees/rates. Any owner or person responsible over the administration of shopping malls, hotels, restaurants, supermarket, schools, hospitals, hotels, vacant lots and buildings or structures that are solely devoted for use as parking, and other similar commercial establishments shall pay the fine of One Hundred Thousand Pesos (Php 100,000.00) per customer charged with an overpriced parking fees/rates.

**Section 8. Implementing Rules and Regulations.** The DTI, in consultation with the DILG shall promulgate the implementing rules and regulations for the effective implementation of this Act within two (2) months from its effectivity.

**Section 9. Separability Clause.** If any part or provision of this Act shall be declared unconstitutional, the other parts or provisions hereof which are not affected thereby, shall continue in full force and effect.

**Section 10. Repealing Clause.** All laws, executive orders, decrees, instructions, rules and regulations contrary to or inconsistent with any provision of this Act are hereby amended, repealed or modified accordingly.

**Section 11. Effectivity Clause.** This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

*Approved,*