

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**

**EIGHTEENTH CONGRESS**

First Regular Session

**3260**

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



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Introduced by **HONORABLE WES T. GATCHALIAN**

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**AN ACT**

**REGULATING THE SALE AND REGISTRATION OF MOTOR VEHICLES IN  
METROPOLITAN AREAS BY REQUIRING A PROOF-OF-PARKING SPACE OR  
FACILITY FROM MOTOR VEHICLE BUYERS AS A PRE REQUISITE FOR THE  
PURCHASE OF A MOTOR VEHICLE AND REGISTRATION WITH THE LAND  
TRANSPORTATION OFFICE**

**EXPLANATORY NOTE**

Traffic congestion is one of the most ubiquitous problems plaguing the everyday lives of Filipinos. It stems not only from the inevitable effects of poor urban planning, but lack of discipline from Filipinos themselves. Parking in roadsides has been part of contemporary tradition. With the improvement of Filipinos' quality of life comes the ability to purchase more motor vehicles without taking into consideration its corresponding parking spaces. This further clutters national roads and highways including its pathways.

Any act of one to achieve convenience should not result in greater inconvenience to others. If we want our roads to be decongested, this practice of improper parking should no longer be condoned. The roads and streets are intended for vehicular and foot traffic and it should be used for that purpose only. This bill seeks to instill responsibility and accountability to motor vehicle owners by mandating them to provide appropriate parking spaces for the vehicles they have and want to purchase.

Under this bill, Local Government Units will be expected to review their respective traffic codes and adopt measures that are consistent with the objectives of this mandate. Moreover, they are enabled to invest in parking infrastructures or

provide incentives for private capital to participate in building the infrastructure for off-street parking and long-term lease. Meanwhile, the Land Transportation Office will be required to verify the public document submitted by the registrant or purchaser attesting to the existence of the parking facility.

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



**HON. WES T. GATCHALIAN**

Representative, 1st District of Valenzuela

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

1       SECTION 1. **Short Title.** - This Act shall be known as the "Proof-of-Parking  
2   Space Act."

3       SEC. 2. **Declaration of Policy.** - It is hereby declared the policy of the State  
4   to protect and promote the right of the people to a balanced and healthful ecology.  
5   The State also recognizes that the use of property bears a social function, hence it  
6   is subject to the duty of the State to intervene when the common good so requires.  
7   Towards this end, the State shall promulgate measures to lessen traffic congestion,  
8   curb the number of private vehicles, and provide safe and uncluttered national  
9   roads and highways including its pathways where people may freely walk through  
10   space for ongoing human and vehicular traffic.

11       SEC. 3. **Scope and Application.** - Any person, whether natural or juridical,  
12   with residence or business address in the Metropolitan Areas who intends to  
13   purchase or register a motor vehicle, shall be required to execute an affidavit which  
14   shall be acknowledged before a notary public, attesting to the availability of a  
15   permanent parking space or facility or that a parking space or facility has been  
16   leased or procured specifically for the purpose of parking the motor vehicle



1 intended to be bought before they can purchase a motor vehicle. Each and every  
2 motor vehicle shall require a separate space for parking.

3 The affidavit executed by the prospective buyer of motor vehicles shall be  
4 presented to the Land Transportation Office (LTO) as a pre-requisite for  
5 registration.

6 SEC. 4. **Definition of Terms** – as used in this Act, the following words shall  
7 mean:

8 a. *Affidavit* shall mean, a written statement of facts voluntarily made by an affiant  
9 under an oath or affirmation administered by a person authorized to do so by  
10 law. It shall include a photograph of the garage, the Original Certificate of Title  
11 or Transfer Certificate of Title or the Condominium Certificate of Title,  
12 whichever is the case, pertinent to the proof of parking space. The affiant may  
13 also present a tax declaration or a certified true copy of the lease agreement of  
14 the parking space.

15 b. *Motor Vehicle* as defined under R.A. 4136 shall mean any vehicle propelled by  
16 any power other than muscular power using the public highways, but excepting  
17 road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers,  
18 graders, fork-lifts, amphibian trucks, and cranes if not used on public  
19 highways, vehicles which run only on rails or tracks, and tractors, trailers and  
20 traction engines of all kinds used exclusively for agricultural purposes.

21 Trailers having any number of wheels, when propelled or intended to be  
22 propelled by attachment to a motor vehicle, shall be classified as separate  
23 motor vehicle with no power rating.

24 This Act shall not include motorcycles and other two-wheeled vehicles.

25 SEC. 5. **Responsibility of Prospective Buyer of Motor Vehicle.** - No motor  
26 vehicle may be legally purchased or registered in the absence of a public document  
27 duly attested to by the prospective buyer of a motor vehicle and acknowledged  
28 before a notary public, that a permanent parking space or facility already exists for  
29 the motor vehicle which is subject of the sale. The affiant shall be bound by the  
30 claims stated in the document and shall be held liable for untruthful statements  
31 made in his affidavit under Articles 171 and 172 of the Revised Penal Code, in  
32 addition to the penalties imposed by this Act.

33 SEC. 6. **Role of the Land Transportation Office.** - The LTO shall make as

1 a pre-requisite in the registration of a motor vehicle the submission of the affidavit  
2 attesting to the existence of a permanent parking space or facility by the buyer or  
3 vendee of the motor vehicle that it has confirmed the existence of a permanent  
4 parking space or facility for the motor vehicle to be purchased. The requirement for  
5 registration shall likewise apply to motor vehicles purchased prior to the effectivity  
6 of this Act. The affidavit of proof of parking shall be necessary when these motor  
7 vehicles renew their registration with the LTO.

8 The document must be kept on file and the same shall be produced when  
9 there exists a claim or evidence to the contrary that the parking space or facility  
10 attested therein does not exist.  
11

12 SEC. 7. **Role of the LGU** – In order to ensure an integrated manner of  
13 operationalizing the provisions of this Act and Section 46 of R.A. 4136, as well as  
14 to avoid conflicting policies and programs in the management of vehicular traffic,  
15 LGUs shall hereafter review their respective traffic codes and adopt measures that  
16 are consistent with the objectives of this Act.

17 Further, the LGUs are hereby enabled to invest in infrastructure for parking  
18 space, either by itself or provide incentives for private capital to participate in  
19 building the infrastructure for off-street parking and long-term lease, consistent  
20 with their power to create their own sources of revenue, as well as their proprietary  
21 capacity to apply their resources in furtherance of developing self-reliant  
22 communities.

23 SEC. 8. **Complaint Management** - Any concerned individual may report to  
24 the Public Order and Safety Office of the Local Government Unit (LGU) concerned,  
25 the LTO, Metropolitan Manila Development Authority (MMDA) of the existence of  
26 motor vehicles which are parked on the streets, alleys or pathways primarily used  
27 for pedestrian and motor vehicle traffic. Authorized personnel of the Public Order  
28 and Safety Office of the LGU, LTO, MMDA, and law enforcement agencies shall  
29 conduct periodic ocular inspection for the purpose of strictly implementing the  
30 provisions of this Act.

31 The LTO, MMDA, or personnel from the LGU concerned shall, *motu proprio* or  
32 upon a complaint, ascertain the veracity of the existence of a permanent parking  
33 space or facility for a registered motor vehicle.

34 A prima facie presumption of non-compliance with the provisions of this Act



1 shall exist against the owner of the motor vehicle when it is found parked outside  
2 the declared parking space for three (3) times.

3 SEC. 9. **Penal Provisions.** - Any violation of the provisions of this Act, shall  
4 suffer the corresponding penalties as herein provided:

5 a. Any person, whether natural or juridical, who makes  
6 untruthful claims on the availability of a parking space or  
7 facility in his affidavit to obtain a motor vehicle registration  
8 shall be imposed the revocation of the motor vehicle  
9 registration and suspended from registering any motor vehicle  
10 under his name for a period of three (3) years, in addition to  
11 the fine of Fifty Thousand Pesos (P50,000.00).

12 b. Any officer or employee of the LTO who has allowed the  
13 registration of a motor vehicle without the necessary document  
14 required under Section 3 of this Act or with knowledge of the  
15 falsity of the statements in the instrument attesting to the  
16 availability of the permanent parking space or facility for the  
17 motor vehicle, shall be suspended from office for a period of  
18 three (3) months without pay.

19 The penalties enumerated herein shall be without prejudice to the liability  
20 that may be incurred under the Revised Penal Code and other existing laws.

21 SEC. 10. **Transitory Provision** - At the earliest possible time, the  
22 government shall expropriate idle or abandoned lands, for the construction of low-  
23 cost parking facilities. The government may likewise provide incentives for private  
24 capital to invest in building these infrastructures for lease to car owners. Provided,  
25 however, that the cost for the rent of these spaces shall be regulated to afford  
26 equal access by the public either for short-term or long-term use.

27 SEC. 11. **Appropriations** - The funding requirement necessary to  
28 implement the provisions of this Act shall be included in the budget of the DILG  
29 and the DOTR in the year following its enactment.

30 SEC. 12. **Implementing Rules and Regulations.** - Within ninety (90) days  
31 from the effectivity of this Act, the Department of Transportation, in consultation  
32 with the Department of Interior and Local Government, MMDA, LTO and a  
33 representative from the League of Cities in the Philippines (LCP), shall promulgate

1 the rules and regulations for the effective implementation of this Act.

2 SEC. 13. **Repealing Clause.** - All laws, presidential decrees, executive  
3 orders, memoranda, rules, and regulations contrary to or inconsistent with the  
4 provisions of this Act are hereby repealed, amended or modified accordingly.

5 SEC. 14. **Separability Clause.** - If any part or provision of this Act is  
6 declared unconstitutional or invalid, the remaining parts or provisions not affected  
7 shall remain in full force and effect.

8 SEC. 14. **Effectivity.** - This Act shall take effect fifteen (15) days after its  
9 publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*