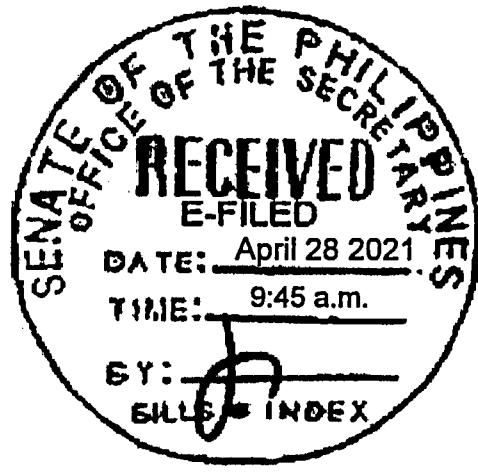


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE
S.B. NO. 2147

(In substitution of SB Nos. 436, 745 and 1000)

Prepared by the Committee on Trade, Commerce and Entrepreneurship with Senators Revilla Jr., Gatchalian, Binay and Pimentel III, as authors thereof.

**AN ACT
REGULATING THE IMPOSITION OF FEES FOR THE USE OF PARKING
SPACES LOCATED WITHIN COMMERCIAL AND BUSINESS
ESTABLISHMENTS, INSTITUTIONS AND OTHER PARKING FACILITIES**

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

1 Section 1. *Short Title.* - This Act shall be known as the "*Parking Fee Regulation*
2 *Act*".

3 Sec. 2. *Declaration of Policy.* - It is the policy of the State to protect the
4 interests and promote the general welfare of the consumer and to establish standards
5 of conduct for business and industry.

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

8 (a) *Business establishments* - include buildings that are used as offices or
9 residential units but open a part or whole of its parking spaces to the
10 public;

11 (b) *Commercial establishments* - shopping malls, supermarkets,
12 restaurants, hotels, wellness centers, trade exhibits, and other similar
13 establishments or activities that sell products and services;

- 1 (c) *Institutions* - learning institutions, hospitals and similar establishments;
2 (d) *Parking area* - parking spaces offered by commercial establishments,
3 business establishments, institutions, and parking facilities as defined in
4 this Act;
5 (e) *Parking cards* - article issued by a parking attendant or a parking
6 machine to the vehicle owner upon entry in the parking area which is
7 made with polyvinyl chloride (PVC) or similar materials;
8 (f) *Parking facilities* - spaces or buildings dedicated primarily for offering
9 parking spaces for a fee such as parking spaces in airports, sea ports,
10 bus terminals and train stations, park and fly, and park and ride;
11 (g) *Pass-thru* - temporary use of the parking area for not more than thirty
12 (30) minutes to drop off or pick up a passenger, to find a parking space,
13 or for any other reason; and
14 (h) *Parking ticket* - document issued by a parking attendant or a parking
15 machine to the vehicle owner upon entry in the parking area which is
16 made with paper, cardboard or any similar materials.

17 **Sec. 4. Coverage.** – This Act shall cover all commercial and business
18 establishments, institutions, and parking facilities that offer to the public, for a fee,
19 the use of parking spaces located within their premises.

20 **Sec. 5. Regulation of Parking Fees.** – Establishments covered under Section 3
21 of this Act are encouraged to provide parking spaces for their customers free of
22 charge. Establishments that will impose parking fees for the use of their parking spaces
23 shall be subject to the following guidelines:

- 24 (a) For all types of cars, the fee shall not be more than fifty pesos (P50.00)
25 for the first eight (8) hours and shall not be more than ten pesos
26 (P10.00) per hour for the succeeding hours;
27 (b) For motorcycles, the fee shall not be more than thirty pesos (P30.00) for
28 the first eight (8) hours and shall not be more than ten pesos (P10.00)
29 per hour for the succeeding hours;
30 (c) For overnight parking for all types of cars, a customer shall be charged
31 a flat rate of two hundred pesos (P200.00) per vehicle which shall cover
32 the period from 12:00 midnight until 8:00 o'clock in the morning.

1 Vehicles that will enter the parking premises at 6:00 o'clock in the
2 morning shall be charged the standard rate;

3 (d) For overnight parking for motorcycles, a customer shall be charged a flat
4 rate of one hundred pesos (P100.00) per motorcycle which shall cover
5 the period of 12:00 midnight until 8:00 o'clock in the morning.
6 Motorcycles that will enter the parking premises at 6:00 o'clock in the
7 morning shall be charged the standard rate for motorcycles;

8 (e) For valet services, a fee not exceeding one hundred pesos (P100.00)
9 may be charged in addition to the standard parking fee;

10 (f) For pass-thru, a grace period of thirty (30) minutes shall be given to a
11 customer wherein no fee shall be charged;

12 (g) For commercial establishments where customers go to purchase items
13 or where the customers pay fees to enjoy the services, facilities or
14 amenities offered by the establishment, the parking fee shall be waived
15 upon presentation of a valid proof of purchase or payment through a
16 single or accumulated receipts of at least one thousand pesos (P
17 1,000.00): *Provided*, That paying customers who park for more than
18 three (3) hours may be charged the standard rate after the third hour.

19 (h) For lost or damaged parking tickets, a maximum fee of one hundred
20 pesos (P100.00) in addition to the parking fees applicable to the vehicle
21 owner may be imposed; and,

22 (i) For lost or damaged parking cards, a maximum fee of two hundred pesos
23 (P200.00) in addition to the parking fees applicable to the vehicle owner
24 may also be imposed.

25 **Sec. 6. *Granting of Discounts, Promotions, Lower Rates and Free Parking.* –**

26 This Act does not prevent parking area owners from providing their parking spaces for
27 free. Granting of discounts, promotions, and lower rates to the vehicle owners are also
28 allowed.

29 **Sec. 7. *Issuance of Parking Receipt.* –** Customers shall be issued a receipt upon
30 entering or exiting a parking facility. A parking receipt must contain the effective date,
31 time, and the plate number of the motor vehicle concerned.

1 **Sec. 8. *Information on Parking Rates.*** – The rates as provided in this Act shall
2 be displayed in the entrance and other conspicuous areas of the parking area.

3 **Sec. 9. *Prohibition on Invoking Waiver of Liability.*** – Establishments shall
4 maintain and provide security in the parking spaces of their establishments. When
5 parking fees are collected by establishments from their customers for the use of
6 parking spaces, these establishments shall be responsible for the safety of its patrons
7 and shall be prohibited from invoking the waiver of liability in case of loss of property
8 or damage to the customer's motor vehicle. *Provided,* That the prohibition shall
9 likewise apply to operators of buildings or vacant lots that are devoted primarily for
10 use as parking spaces.

11 **Sec. 10. *Penalties.*** – Commercial or business establishments, institutions, or
12 parking facilities that will violate the provisions of this Act shall pay the fine of one
13 hundred thousand pesos (P100,000.00) per violation, or be punished by the
14 suspension and/or revocation of their license to operate, or both, upon the discretion
15 of the court.

16 **Sec. 11. *Implementing Rules and Regulations.*** – The Department of Trade and
17 Industry (DTI), in consultation with the Department of Interior and Local Government
18 (DILG) and other concerned government agencies shall issue the necessary rules and
19 regulations for the effective implementation of this Act within sixty (60) days from its
20 effectivity.

21 **Sec. 12. *Review.*** – The DTI, DILG, and other concerned government agencies,
22 in consultation with the owners of the parking areas and other stakeholders shall
23 review the parking rates set forth under this Act every two (2) years, and shall
24 recommend changes based on relevant economic indicators.

25 **Sec. 13. *Separability Clause.*** – Should any provision or part of this Act be
26 declared unconstitutional or invalid, the other provisions and parts hereof, insofar as
27 they are separable from the invalid ones, shall remain in full force and effect.

28 **Sec. 14. *Repealing Clause.*** – All laws, decrees, orders, issuances rules and
29 regulations or parts thereof which are inconsistent with this Act are hereby repealed
30 or modified accordingly.

1 Sec. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its
2 publication in the *Official Gazette* or in at least two (2) newspapers of general
3 circulation.

4 *Approved,*