

**TWENTIETH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES**  
*First Regular Session*

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25 AUG -7 P3:04

**SENATE**

**S.B. No. 1114**

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**Introduced by SEN. WIN GATCHALIAN**

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**AN ACT  
REGULATING THE SALE OF MOTOR VEHICLES IN METRO MANILA BY  
REQUIRING A PROOF-OF-PARKING SPACE OR FACILITY FROM MOTOR  
VEHICLE BUYERS AS A PREREQUISITE FOR THE PURCHASE OF A MOTOR  
VEHICLE AND REGISTRATION WITH THE LAND TRANSPORTATION OFFICE**

**EXPLANATORY NOTE**

The problem with traffic is not only confined in the big city streets such as EDSA and congestion is not isolated in the vicinity of Manila ports. Unfortunately, motor vehicles continue to occupy even side streets, hindering both foot and vehicular traffic in most streets, in addition to being an eyesore.

Motor vehicle owners should be made responsible to provide a permanent parking space for their private vehicles, whether this is made an integral part of their house or building structure or a leased facility. The street is primarily intended for vehicular or foot traffic and should not be appropriated as personal parking spaces for these vehicles. Any financially-able purchaser of a motor vehicle can be presumed to be able to provide a parking facility for his vehicle.

Thus, this bill aims to instill a culture of responsible vehicle ownership among Filipinos once it becomes a law. It acknowledges that car owners and local government units (LGUs) have a shared responsibility of reclaiming public roads to ease the perennial traffic woes in Metro Manila, especially with the impending rehabilitation of

EDSA and the 'carmaggedon' that may ensue as a result. It mandates individuals and businesses based within Metro Manila to only be allowed to purchase vehicles after the execution of an affidavit confirming that they have acquired, either through purchase or lease, a parking space for the vehicle sought to be purchased.

This bill also mandates the Land Transportation Office, the Metro Manila Development Authority, and LGUs to conduct frequent ocular inspections of major and minor thoroughfares across the National Capital Region to remove illegally parked vehicles and to punish vehicle owners who refuse to comply with the law.

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



**WIN GATCHALIAN**

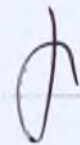
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*Be it enacted by the Senate and the House of Representatives of the Philippines in  
Congress assembled:*

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

3  
4       SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to  
5 protect and promote the right of the people to a higher standard of living in congested  
6 metropolitan areas. The State also recognizes that the use of property bears a social  
7 function, hence it is subject to the duty of the State to intervene when the common  
8 good so requires. Towards this end, the State shall promulgate measures to lessen  
9 traffic congestion, curb the number of private vehicles, provide safe and uncluttered  
10 pathways for pedestrians, and ensure safe and adequate space for vehicular traffic.

1        SEC. 3. *Scope and Application.* – Any person, whether natural or juridical, with  
2 residence or business address in Metro Manila who intends to purchase a motor  
3 vehicle, shall be required to execute an affidavit which shall be acknowledged before  
4 a notary public, attesting to the availability of a permanent parking space or facility or  
5 that a parking space or facility has been leased or procured specifically for the purpose  
6 of parking the motor vehicle intended to be bought before they can purchase a motor  
7 vehicle. Each and every motor vehicle shall require a separate space for parking.

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

10  
11       SEC. 4. *Responsibility of Prospective Buyer of Motor Vehicle.* – No motor vehicle  
12 may be legally conveyed in the absence of a public document duly attested to by the  
13 prospective buyer of a motor vehicle and acknowledged before a notary public, that  
14 a permanent parking space or facility already exists or that a parking space or facility  
15 has been leased or procured for the motor vehicle which is subject of the sale. The  
16 affiant shall be bound by the claims stated in the document and shall be held liable  
17 for untruthful statements made in his affidavit under Articles 171 and 172 of the  
18 Revised Penal Code.

19  
20       SEC. 5. *Role of the Land Transportation Office.* – The LTO shall make as a pre-  
21 requisite in the registration of a motor vehicle the submission of the affidavit attesting  
22 to the availability of a permanent parking space or facility or that a parking space or  
23 facility has been leased or procured specifically for the purpose of parking the motor  
24 vehicle to be purchased.

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

28  
29       SEC. 6. *Local Government Units and Citizen Patrol.* – Any concerned individual  
30 may report to the LTO, Metropolitan Manila Development Authority (MMDA), or the

1 engineering office of the local government unit (LGU) concerned the existence of  
2 motor vehicles which are parked on the streets, alleys or pathways primarily used for  
3 pedestrian and motor vehicle traffic. Authorized personnel of the LTO, MMDA, LGU  
4 engineering office, and law enforcement agencies shall conduct periodic ocular  
5 inspections for the purpose of strictly implementing the provisions of this Act.

6 The LTO, MMDA, or personnel from the LGU concerned shall, *motu proprio* or  
7 upon a complaint, ascertain the veracity of the non-existence of a permanent parking  
8 space or facility for a registered motor vehicle and make the necessary referral to the  
9 Department of Justice for prosecution of the erring party under the applicable  
10 provision of the Revised Penal Code.

11  
12 SEC. 7. *Penalties.* – A motor vehicle registration issued to an owner, whether  
13 natural or juridical, which has been fraudulently obtained from the LTO by making  
14 untrue claims in the public document executed for the purpose of complying with the  
15 requirements under Sections 3 and 4 of this Act, shall be revoked, and the motor  
16 vehicle owner shall be suspended from registering a motor vehicle under his name  
17 for a period of three (3) years and imposed a fine in the amount of Fifty Thousand  
18 Pesos (Php 50,000.00) for every violation of the provisions of this Act.

19 Any officer or employee of the LTO who has allowed the registration of a motor  
20 vehicle without the necessary document required under Section 3 of this Act or with  
21 knowledge of the falsity of the statements in the instrument attesting to the  
22 availability of the permanent parking space or facility for the motor vehicle, shall be  
23 suspended from office for a period of three (3) months without pay.

24 The penalties enumerated herein shall be without prejudice to the liability that  
25 may be incurred under the Revised Penal Code and other existing laws and  
26 ordinances.

27  
28 SEC. 8. *Implementing Rules and Regulations.* – Within ninety (90) days from  
29 the effectivity of this Act, the Department of Transportation, in consultation with the  
30 Department of the Interior and Local Government, MMDA, LTO and representatives

1 from the LGUs in Metro Manila, shall promulgate the rules and regulations for the  
2 effective implementation of this Act.

3 SEC. 9. *Repealing Clause.* – All laws, presidential decrees, executive orders,  
4 memoranda, rules, and regulations contrary to or inconsistent with the provisions of  
5 this Act are hereby repealed, amended or modified accordingly.  
6

7 SEC. 10. *Separability Clause.* – If any part or provision of this Act is declared  
8 unconstitutional or invalid, the remaining parts or provisions not affected shall remain  
9 in full force and effect.  
10

11 SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
12 publication in the *Official Gazette* or in a newspaper of general circulation in the  
13 Philippines.

*Approved,*