

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5061



Introduced by **Representative Manuel Luis T. Lopez**

EXPLANATORY NOTE

No less than President Rodrigo Roa Duterte has vowed to destroy the oligarchs that continue to control the economy and business environment of the Philippines. In an interview with Al Jazeera Network last November 24, 2016, the President said "the only way for deliverance of this country is to remove it from clutches of the few people who hold the power and money." One of the segments where these oligarchs continue to flourish is the charging of unjust, excessive and oppressive parking fees in the establishments that they own and control.

Reforms against this unconscionable practice have already been pushed by some Local Government Units, particularly in Quezon City. In 2011, 3rd District Councilor Allan Benedict S. Reyes, filed an ordinance, which was approved in the same year exempting senior citizens from the payment of parking fees in all commercial establishments and hospitals among others. However, due to the territorial jurisdiction constraint, only residents of Quezon City can avail of this benefit and only commercial establishments in the aforementioned City are included.

This Bill seeks to enhance this Ordinance by providing for an all-inclusive system, which would exempt all patrons and clients of these commercial establishments and institutions from the payment of parking fees upon the meeting of the threshold amount provided in this Act. The scheme that would be implemented is similar to the practice of some establishments in providing for a validation of the parking ticket wherein the fees would be waived upon a minimum amount spent by the patrons and clients. This measure is in line with our mandate of crafting legislation that is pro people and which put their interests above all else.

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


HON. MANUEL LUIS T. LOPEZ
Representative, 1st District, City of Manila

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HOUSE BILL NO. 5061

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AN ACT
EXEMPTING THE PATRONS OR THE CLIENTELLE OF TENANTS AND LESSEES OF SHOPPING MALLS, MARKETS, SHOPS, FAIRS, HOSPITALS AND ALL OTHER SIMILAR ESTABLISHMENTS FROM THE PAYMENT OF PARKING FEES ON A VALIDATION BASIS AND PROVIDING PENALTIES FOR A VIOLATION THEREOF

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Comprehensive Parking
2 Validation Law of 2017."
3

4 **SEC. 2. *Declaration of Policy.*** - The 1987 Constitution provides that "the State shall
5 promote a just and dynamic social order that will ensure the prosperity and independence of the
6 nation and free the people from poverty through policies that provide adequate social services,
7 promote full employment, a rising standard of living, and an improved quality of life for all."
8

9 It further provides that "the goals of the national economy are a more equitable
10 distribution of opportunities, income, and wealth; a sustained increase in the amount of goods
11 and services produced by the nation for the benefit of the people; and an expanding productivity
12 as the key to raising the quality of life for all, especially the underprivileged "..."
13

14 Consistent with these Constitutional Principles, it is the declared policy of the State, to
15 regulate the charging of unjust, unconscionable, and exorbitant parking fees in various
16 establishments where the general public had already availed of the products and services it has
17 offered.
18

19 **SEC. 3. *Definition of Terms.*** - As used in this Act, the following terms are defined as

1 follows:

- 2 a. *Flat Rate*- refers to a fixed fee charged by the covered establishment regardless of
3 the duration the vehicle was parked in its premises.
- 4 b. *Additional hourly charge or fraction thereof*- refers to a fixed amount charged by
5 the covered establishments and institutions for every succeeding hour that the
6 vehicle of the patron remains parked in the premises, which is on top of the initial
7 entry rate charged.
- 8 c. *Covered Establishments and Institutions*- refers to shopping malls, markets, shops,
9 fairs, hospitals and all other commercial establishments charging a separate
10 parking fee from its patrons and clients aside from the services it already
11 provides.
- 12 d. *Independent Parking Enterprises*- any establishment separate and distinct from
13 the covered institutions, which provide parking spaces and charge a
14 corresponding parking fee for its use, which is its primary line of business.
- 15 e. *Tenants or Lessees*- refers to any occupant or business entity operating within the
16 covered establishment or institution and which pay the latter a rental or lease fee.
- 17

18 **SEC. 4. Coverage.** – All shopping malls, markets, shops, fairs, hospitals and all other
19 commercial establishments charging a separate parking fee from its patrons and clients shall be
20 covered by this Act. Independent parking enterprises shall be excluded from the mandatory
21 validation requirement as provided in this Act.

22

23 **SEC. 5. Parking Validation.** – All patrons of any of the covered establishments shall be
24 exempt from the payment of both the flat rate and additional hourly charge or fraction thereof
25 upon an accumulated or single purchase transaction amounting to at least five hundred pesos
26 (P500). The purchase and validation must be made within the same day in order to be covered
27 by the provisions of this Act.

28

29 **SEC. 6. Creation of the Parking Validation Desk.** – All covered establishments and
30 institutions are hereby mandated to create a centralized parking validation desk, which shall be
31 the primary authority to determine whether the patron or clients have qualified and met the
32 requirements provided in this Act. The said authority has a mandatory duty to grant the patrons
33 the necessary validation of its parking ticket in order for the latter to be exempt from payment of
34 both the flat rate and the additional charge upon meeting the threshold amount.

35

36 **SEC. 7. Procedure.** – In order to avail of the parking validation scheme as mentioned

1 herein, the patron or client must present the official receipt of his purchases and other
2 transactions issued by tenants or lessees, if applicable, of the covered establishments amounting
3 to at least five hundred pesos (P500) whether accumulated or in a single receipt purchase.
4

5 The patron must then proceed to the Parking Validation Desk to obtain an official
6 authentication of the receipt/s in order to be exempted from the payment of the parking fee.
7 Further, the patron shall then be issued a pass or the parking ticket stamped as proof that he/ she
8 has met the threshold amount that needs to be spent in the covered establishments and
9 institutions.
10

11 **SEC. 8. Penalties.** - Failure of the cashier or booth attendant to comply with the
12 provisions of this Act without any sufficient and valid justification shall be punished by
13 imprisonment of not less than 1 day but not more than 30 days or a fine of not less than Five
14 Thousand Pesos (P5,000) but not more than Twenty Thousand Pesos (P20,000) or both.
15

16 If the violator of this Act is the operator, manager, and owner of the covered institution
17 and establishment, the officer involved or in charge shall be punished with imprisonment of not
18 less than 3 months but not more than 1 year or a fine of not less than One Hundred Thousand
19 Pesos (P100,000) but not more than Five Hundred Thousand Pesos (P 500,000).
20

21 In all cases, the manager, operator, and owner of the covered institution or establishment
22 shall be held liable for any violation of this Act and shall suffer the penalties as mentioned in the
23 immediately preceding paragraph.
24

25 **SEC. 9. Transitory Provision.** - All covered establishments and institutions are given a
26 grace period of 60 days to create the necessary logistical and technological requirements such as
27 the creation of the Parking Validation Desk among others. After the lapse of the said period, all
28 covered establishments and institutions must be ready to comply with the provisions and
29 requirements as laid out in this Act.
30

31 **SEC. 10. Implementing Rules and Regulations and Standard Forms.** - Within sixty (60)
32 days from the promulgation of this Act, the necessary rules and regulations for the proper
33 implementation of its provisions shall be formulated by the appropriate government office or
34 agency in coordination with all the stakeholders and covered establishments and institutions.
35

36 **SEC. 11. Repealing Clause.** - All laws, ordinances, executive orders, administrative

1 orders, rules, regulations, decrees, and other issuances or parts thereof, which are inconsistent
2 with the provisions of this Act are hereby revoked, repealed, or modified accordingly.

3
4 **SEC. 12. *Separability Clause.*** - If any provision of this Act is held unconstitutional or
5 invalid, the other provisions not affected thereby shall continue in operation and remain in full
6 force and effect.

7
8 **SEC. 13. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
9 publication in a newspaper of general circulation or the Official Gazette.

10
11 Approved,