

07 October 2019

**SENATOR AQUILINO PIMENTEL III**

Chairperson

Committee on Trade, Commerce, and Entrepreneurship

Senate of the Philippines

GSIS Financial Complex, Roxas Boulevard

Pasay City, Philippines

Dear **Senator Pimentel**:

We are pleased to submit the Department's position on the following Senate Bills, entitled:

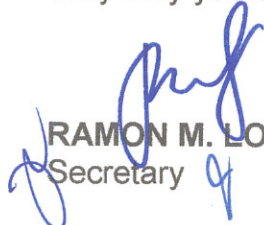
**Senate Bill No. 368**                      **An Act Regulating the Sale of Motor Vehicles in Metro Manila by Requiring a Proof-of-Parking Space or Facility From Motor Vehicle Buyers as a Prerequisite for the Purchase of a Motor Vehicle and Registration with the Land Transportation Office**

**Senate Bill No. 679**                      **An Act Requiring Parking Space from Motor Vehicle Buyers in Metropolitan Areas as a Pre-Requisite for the Purchase of a Motor Vehicle and Registration with the Land Transportation Office (LTO)**

This is without prejudice to the Department's submission of additional inputs.

With my best regards.

Very truly yours,

  
**RAMON M. LOPEZ**  
Secretary



**OFFICE OF THE SECRETARY**

DTI Position on

- Senate Bill No. 368**      **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**
- Senate Bill No. 679**      **An Act Requiring Parking Space from Motor Vehicle Buyers in Metropolitan Areas as a Pre-Requisite for the Purchase of a Motor Vehicle and Registration with the Land Transportation Office (LTO)**

The Department supports the objectives of the proposed legislations to regulate the sale of motor vehicles<sup>1</sup> in Metro Manila and in other highly urbanized cities in the country as a means to ease vehicular traffic, provide safe and unobstructed walkways, and clear public and private roads from parked motor vehicles. We express our reservations, however, on the provisions of the bills requiring any person, whether natural or juridical, purchasing a motor vehicle to secure an affidavit attesting to the availability of a parking space or facility.

The implementation of this additional requirement is viewed to be detrimental to the Ease of Doing Business (EODB) initiative of the government as it may cause efficiency issues through delays in processing and an increase in bureaucratic red tape that provides for a possible area of corruption.

In this regard, the Department upholds the continuing relevance of specific provisions of Republic Act (RA) No. 4136 or the Land Transportation and Traffic Code that sufficiently address the objectives of the proposed legislations, to wit:

- **SEC. 46. Parking prohibited in specified places. - No driver shall park a vehicle, or permit it to stand, whether attended or unattended, upon a highway in any of the following places:**
  - (a) *Within an intersection*
  - (b) *On a crosswalk*
  - (c) *Within six meters of the intersection of curb lines.*
  - (d) *Within four meters of the driveway entrance to any fire station.*
  - (e) *Within four meters of fire hydrant*
  - (f) *In front of a private driveway*

---

<sup>1</sup> Section 3 (a) Article II of RA No. 4136 defines motor vehicles as any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes.

(g) On the roadway side of any vehicle stopped or parked at the curb or edge of the highway

(h) At any place where official signs have been erected prohibiting parking; and

- **SEC. 52.** *Driving or parking on sidewalk.* - No person shall drive or park a motor vehicle upon or along any sidewalk, path or alley not intended for vehicular traffic or parking.

However, in recognition of the passage of this law more than half a century ago, the Department recommends amending its penal provisions for stricter adherence among motor vehicle owners. We find the following specific penalties against the violation of the acts mentioned above no longer appropriate or stiff enough as deterrence:

- **SEC. 56.** *Penalty for violation.* The following penalties shall be imposed for violations of this Act:

xxx

(g) *Violation of Section thirty-two, thirty-four (a), (b) and (b-1), thirty-five and forty-six a fine not exceeding one hundred pesos: Provided, however, That in the case of violation of Section 34 (b) the vehicle or vehicles affected may not be allowed to operate unless the requirements provided in this section are complied with.*

(h) *Violations of Sections forty-nine, fifty and fifty-two, a fine not exceeding fifty pesos.*

While the decongestion of streets, highways, and walkways remains as a priority, the Department reiterates its view that stricter enforcement of the stipulations under RA No. 4136 may address the objectives of the proposed bills without detriment to the government's EODB initiative and recommends imposing stiffer penalties for the violation of traffic and parking rules and regulations to address both compliance and congestion issues.

*Rafael Yaptinchay*

**Bureau of Trade and Industrial Policy Research**

**07 October 2019**

Ref: BTIPR-102019-88

/avmr *mf*