

## **BILL ANALYSIS**

C.S.H.B. 2988  
By: Phillips  
Business & Industry  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Some pay-to-park and valet services do not provide the name and contact information of the service owner, which can be problematic for a patron who needs to contact the person ultimately responsible for the service.

C.S.H.B. 2988 requires the name and contact information of the owner of a pay-to-park service or valet parking service to be provided on a receipt that an operator of such a service provides, or prominently displayed if no receipt is available.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2988 amends the Business & Commerce Code to require the receipt or claim ticket that an operator of a pay-to-park service or valet parking service provides to a patron to state the owner's name, address, and telephone number. The bill requires the operator to prominently display the owner's name, address, and telephone number on a sign on or immediately adjacent to the payment receptacle or other device for making payment for the service if a receipt or claim ticket is not provided by the pay-to-park service. The bill establishes that a pay-to-park or valet parking service that violates these provisions is subject to a civil penalty not to exceed \$200 for each violation, and authorizes the attorney general or a county or district attorney to bring an action to recover such a penalty.

C.S.H.B. 2988 defines "pay-to-park service," "valet parking service" and "public accommodation." The bill defines "owner" as the person who owns the pay-to-park or valet parking service and specifies that the term does not include the owner of the property on which the service is provided unless the service is also owned by the owner of the property.

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2988 adds definitions not in the original for "owner" and "public accommodation," and removes a definition from the original for "operator." The substitute differs from the original by explicitly defining the term "valet parking service," whereas the original assigns the term's meaning to its usage in the Transportation Code, and by defining "pay-to-park service" to mean a business that provides a place to park the motor vehicles of patrons of a public accommodation in a garage, lot, or other facility for a fee, rather than a garage, a lot or other facility that provides a place to park a motor vehicle for a fee as in the original.

C.S.H.B. 2988 differs from the original by requiring the contact information of the owner, rather than the operator of the service as in the original, to be provided on the receipt or claim ticket. The substitute differs from the original by specifying that the owner's contact information is required to be displayed on a sign on or immediately adjacent to the payment receptacle or other device for making payment for the service where a receipt or claim ticket is not provided, rather than on the payment receptacle as in the original.