

By: Phillips

H.B. No. 2988

A BILL TO BE ENTITLED

AN ACT

relating to providing a patron of a pay-to-park or valet parking service with certain information; providing a civil penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 109 to read as follows:

CHAPTER 109. PAY-TO-PARK AND VALET PARKING SERVICES

Sec. 109.001. DEFINITIONS. In this chapter:

(1) "Pay-to-park service" means 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.

(2) "Valet parking service" means a parking service through which the motor vehicles of patrons of a public accommodation are parked for a fee by a third party who is not an employee of the public accommodation.

(3) "Owner" means a person who owns the pay-to-park or valet parking service. The term does not include the owner of the property on which the pay-to-park or valet parking service is provided unless the service is also owned by the owner of the property.

(4) "Public accommodation" means any:

(A) inn, hotel, or motel;

(B) restaurant, cafeteria, or other facility principally engaged in selling food for consumption on the

1 premises;

2 (C) bar, nightclub, or other facility engaged in
3 selling alcoholic beverages for consumption on the premises;

4 (D) motion picture house, theater, concert hall,
5 stadium, or other place of exhibition or entertainment; or

6 (E) other facility used by or open to members of
7 the public.

8 Sec. 109.002. REQUIREMENT OF CONTACT INFORMATION. (a) The
9 receipt or claim ticket that an operator of a pay-to-park or valet
10 parking service provides to a patron must state the owner's name,
11 address, and telephone number.

12 (b) If a pay-to-park service does not provide a patron with
13 a receipt or claim ticket, the operator shall prominently display
14 the owner's name, address, and telephone number on a sign on or
15 immediately adjacent to the payment receptacle or other device for
16 making payment for the service.

17 Sec. 109.003. CIVIL PENALTY. A pay-to-park or valet
18 parking service that violates this chapter is subject to a civil
19 penalty not to exceed \$200 for each violation.

20 Sec. 109.004. SUIT FOR CIVIL PENALTY. The attorney general
21 or a county or district attorney may bring an action to recover a
22 civil penalty imposed under Section 109.003.

23 SECTION 2. This Act takes effect September 1, 2009.