

## **BILL ANALYSIS**

Senate Research Center  
82R16954 JE-F

H.B. 2468  
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Business & Commerce  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, some pay-to-park services and valet services do not provide the name and contact information of the owner of the service, which can make it difficult for a patron to contact the party responsible for the service. H.B. 2468 seeks to remedy this situation by amending the Business & Commerce Code to require the receipt or claim ticket that an operator of a pay-to-park or valet parking service provides to a patron to state the service owner's name, address, and telephone number. If the service does not provide a patron with a receipt or claim ticket, 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.

The bill establishes that, for purposes of those requirements, the term "owner" 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. The bill makes its provisions inapplicable to a pay-to-park or valet parking service that is operated by the owner of a restaurant, cafeteria, or other facility principally engaged in selling food for consumption on the premises or by the owner of an inn, hotel, or motel and provided exclusively to patrons of such a public accommodation. The bill makes a pay-to-park or valet parking service that violates the bill's provision subject to a civil penalty not to exceed \$200 for each violation and authorized the attorney general or a county or district attorney to bring an action to recover the civil penalty. The bill defines "pay-to-park service," "public accommodation," and "valet parking service."

H.B. 2468 amends current law relating to providing a patron of a pay-to-park or valet parking service with certain information and provides a civil penalty.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle C, Title, 5, Business and Commerce Code, by adding Chapter 106, as follows:

#### **CHAPTER 106. PAY-TO-PARK AND VALET PARKING SERVICES**

Sec. 106.001. DEFINITIONS. Defines, in this chapter, "pay-to-park service," "public accommodation," and "valet parking service."

Sec. 106.002. APPLICABILITY OF CHAPTER. Provides that this chapter does not apply to a pay-to-park or valet parking service:

(1) operated by the owner of:

(A) a restaurant, cafeteria, or other facility principally engaged in selling food for consumption on the premises; or

(B) an inn, hotel, or motel; and

(2) provided exclusively to patrons of the public accommodation described by Subdivision (1).

Sec. 106.003. REQUIREMENT OF CONTACT INFORMATION. (a) Requires that the receipt or claim ticket that an operator of a pay-to-park or valet parking service provides to a patron state the name, address, and telephone number of the owner of the pay-to-park or valet parking service.

(b) Requires the operator, if a pay-to-park service does not provide a patron with a receipt or claim ticket, to prominently display the name, address, and telephone number of the owner of the pay-to-park service on a sign on or immediately adjacent to the payment receptacle or other device for making payment for the service.

(c) Provides that, for purposes of this section, "owner" 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.

Sec. 106.004. CIVIL PENALTY. Provides that a pay-to-park or valet parking service that violates this chapter is subject to a civil penalty not to exceed \$200 for each violation.

Sec. 106.005. SUIT FOR CIVIL PENALTY. Authorizes the attorney general or a county or district attorney to bring an action to recover a civil penalty imposed under Section 106.004.

SECTION 2. Effective date: September 1, 2011.