

BILL ANALYSIS

C.S.H.B. 2468
By: Phillips
Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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. C.S.H.B. 2468 seeks to remedy this situation by requiring the name and contact information of the owner of certain such services to be provided on a receipt or, if no receipt is available, prominently posted.

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. 2468 amends 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. The bill requires the operator of a pay-to-park service, if the service does not provide a patron with a receipt or claim ticket, to prominently display the service 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 a pay-to-park or valet parking service that violates the bill's provisions 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 the civil penalty. 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 defines "pay-to-park service," "public accommodation," and "valet parking service."

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2468 contains a provision not included in the original making 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 that is provided exclusively to patrons of such a public accommodation. The substitute differs from the original in nonsubstantive ways.