HOUSE
RESEARCH
ORGANIZATION bill analysis   4/19/2011

HB 2468
Phillips
(CSHB 2468 by Quintanilla)

SUBJECT: Requiring contact information on a valet parking claim receipt

COMMITTEE: Business and Industry — committee substitute recommended

VOTE: 7 ayes — Deshotel, Orr, Bohac, Garza, Giddings, Quintanilla, Solomons

                  0 nays

                  2 absent — S. Miller, Workman

WITNESSES: For — Glen Garey, Texas Restaurant Association

                  Against — None

DIGEST: CSHB 2468 would require operators of pay-to-park or valet parking
                  services to display the name, address, and telephone number of the owner
                  of the service on the receipt or claim ticket or at the payment booth.

                  The term "owner" would not apply to the owner of the property where the
                  pay-to-park or valet parking service was provided, unless the service also
                  was owned by the property owner. The bill would not apply to pay-to-park
                  or valet parking services operated by restaurant or hotel owners who
                  provided such services exclusively to their own patrons.

                  The bill would impose a civil penalty not exceeding $200 for each
                  violation. The attorney general or a county or district attorney could bring
                  an action to recover a civil penalty imposed under the bill.

                  The bill would take effect September 1, 2011.

SUPPORTERS
SAY: Every day, citizens trust their vehicles to strangers when they hand over
                  their keys and cars to a valet or pay-to-park service. When something even
                  minor happens to the car, the car owner needs the correct contact
                  information for the person liable. Although the parking attendant would be
                  responsible for the damage, the owner of the service also would be liable,
                  making it necessary to obtain the owner's contact information.

The requirements of CSHB 2468 would be reasonable and not overly burdensome. They would entail a few small administrative measures that would be far outweighed by the time and effort required to ascertain whom to contact if the vehicle was damaged while being parked. Plain or blank claims tickets, which valet parking companies sometimes use when they run out of preprinted claim tickets, can be altered with preprinted stickers or stamped with the contact information if the valet attendant ran out of preprinted tickets. The penalty for a violation would be reasonable because it would be a civil instead of criminal and would ensure that valet business owners complied.

Additionally, business travelers who frequently use these services typically have to submit their parking claims receipts with their expense information. They often need the name and contact information of the owner of the service to provide an accurate expense report.

OPPONENTS
SAY:

The requirements of the bill would be inconvenient and a needless expense and hassle for many small valet parking companies. Many valet parking service owners already print the name and contact information on their claims receipts as a way to advertise their services. However, the civil penalty created by the bill would not be appropriate. If a driver's car is damaged while being parked, the driver can ask for the contact information of the company owner.

Attendants commonly use plain, generic parking claims tickets as back-up when they run out of the preprinted ones. The generic parking tickets are cheaper and more convenient. If the bill were enacted, using these tickets would not be an option unless they were altered in some way to include the required information. A small, start-up valet service often will purchase only the generic parking claims tickets because they are affordable, and adding the required information would be expensive and time-consuming.

Additionally, many corporations use parking claim tickets to advertise their businesses and will offer a valet company these parking tickets for free. In that instance, the valet parking service owner would have to add the required contact information on those parking tickets.

NOTES: The committee substitute differs from the original by providing that the bill would not apply to pay-to-park or valet parking services operated by restaurant or hotel owners who provided such services exclusively to their own patrons.