

HOUSE BILL NO. 532

1/29 Introduced
1/29 Referred to Judiciary
2/06 Hearing
2/08 Committee Report-Bill Do Pass
2/09 2nd Reading Pass
2/12 3rd Reading pass

Transmitted to Senate

2/13 Referred to Judiciary
3/11 Rereferred to Business & Industry
3/28 Hearing
3/29 Tabled in Committee

1 HOUSE BILL NO. 532 *Thane*
2 INTRODUCED BY *Ristoria Beck*
3 *Jilly*
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO LIMIT THE PENALTIES
5 THAT MAY BE IMPOSED FOR FAILING TO COMPLY WITH THE
6 REGULATIONS OF A PRIVATE PARKING SERVICE TO THE
7 NONINCARCERATION PENALTIES IMPOSED BY THE LOCAL GOVERNMENT
8 IN WHICH THE SERVICE IS PROVIDED; PROVIDING THAT SUCH A
9 VIOLATION IS NOT A VIOLATION OF LOCAL ORDINANCES OR
10 REGULATIONS; PROVIDING THAT VIOLATORS ARE SUBJECT TO CIVIL
11 ACTIONS TO ENFORCE SUCH PENALTIES; AND PROVIDING AN
12 IMMEDIATE EFFECTIVE DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Private parking services -- limitation on
16 penalties. (1) As used in this section the following
17 definitions apply:

18 (a) "Local government" means a municipality, if the
19 private parking service operates parking services within a
20 municipality, or a county, if such services are not operated
21 within a municipality.

22 (b) "Private parking service" means the service of
23 providing areas for parking motor vehicles as defined in
24 61-1-102 by the general public for compensation and includes
25 such services conducted:

1 (i) on private property; or
2 (ii) on public property under contract or agreement
3 with the local government.

4 (2) A private parking service may not adopt penalties
5 for failure to comply with its parking regulations that are
6 different from the penalties imposed for violations of
7 parking regulations or ordinances by the local government
8 where the parking service is located. However, no local
9 government penalties involving incarceration may be adopted
10 by a private parking service.

11 (3) Failure to comply with the parking regulations of
12 a private parking service results in a civil liability by
13 the violator that may be remedied by the private parking
14 service as any other civil action is remedied. A violation
15 of a regulation of a private parking service does not
16 constitute a violation of the parking regulations or
17 ordinances of the local government. In addition to any civil
18 remedies, the private parking service may refuse to provide
19 parking services to violators who have not satisfied their
20 liability to the private parking service.

21 Section 2. Effective date. This act is effective on
22 passage and approval.

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

1 HOUSE BILL NO. 532 *Thorne*
2 INTRODUCED BY *Latoria Beck O'Donnell House - Legal*
3 *Stacy*
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-End-

SECOND READING

HB 532

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 3 *Stelly*
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