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H.B. 489
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Dell'Aquila and Rogers

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SUMMARY

- Prohibits a parking fee collection service from selling the personal data of consumers.
- Requires a parking fee collection service to destroy all records of personal data from a consumer within 30 days after the end of the consumer's parking session.
- Exempts financial institutions and government entities from the bill's requirements.
- Specifies that a violation of the bill is a first degree misdemeanor.

DETAILED ANALYSIS

The bill prohibits a parking fee collection service from selling the personal data of its consumers to a third party. It also requires the service to destroy all records of personal data from a consumer within 30 days after the consumer's parking session has ended.¹ This applies when a consumer pays parking fees to a parking fee collection service via a parking meter, parking kiosk, online application, or other payment method. A parking fee collection service generally includes an entity, other than a government entity, that collects or assists in collecting parking fees and personal data related to transactions for the payment of parking fees. Personal data includes all of the following:

- Consumer's name;
- Birth date;
- Electronic email address;
- Telephone number;

¹ A parking session is the time during which a motor vehicle is parked in a particular location that requires payment of parking fees. R.C. 4521.11(A)(5).

- Driver’s license information;
- Make and model of a motor vehicle;
- Motor vehicle license plate information;
- Location data of a parked motor vehicle; and
- Amount of time a motor vehicle was parked in a particular location.²

The penalty for a violation of the bill’s prohibitions is a first degree misdemeanor, which generally is punishable by a jail term of up to 180 days and a fine of up to \$1,000. The bill’s provisions apply regardless of any terms and conditions between the parking fee collection service and a consumer.³

The bill does not apply to financial institutions and, as indicated above, to government entities. A financial institution is any bank, savings and loan association, savings bank, or credit union, affiliate or subsidiary of a bank, specified registrants, or person registered as a mortgage lender under certain circumstances. A governmental entity is the state, a state agency, a political subdivision, the federal government or any federal agency, or any unit, organization, instrumentality, officer, employee, or member of any of the foregoing.⁴

HISTORY

Action	Date
Introduced	04-16-24

ANHB0489IN-135/sb

² R.C. 4521.11(A) and (B).

³ R.C. 4521.11(C) and (E); R.C. 2929.24 and 2929.28, not in the bill.

⁴ R.C. 4521.11(A)(2), (3), and (4) and (D). Regarding the definition of “financial institution, the bill cites incorrectly to R.C. 1349.86. The correct reference is R.C. 1349.45.