

**NetChoice** *Promoting Convenience, Choice, and Commerce on The Net*

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Sen. Paul A Sarlo, Chair  
Senate Budget and Appropriations  
New Jersey State Senate

June 24, 2018

**RE: Opposition to S2783, Removing Consumer Protections for Ticket Use**

Dear Chairman Sarlo and members of the committee:

We respectfully ask that you not advance S2783 without more comprehensive consumer protections.

S2783 removes critical protections for the access to and use of event tickets. For example, S2783 removes the existing consumer protections requiring venues to “*create a method for season ticket holders and other ticket holders to lawfully sell back tickets to the venue for events they will not be able to attend.*”<sup>1</sup>

Without additional consumer protections on the right to transfer or give-away tickets as they choose, S2783’s removal of these consumer protections harms New Jersey fans.

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*Couple S2783’s removal of required buyback of tickets with restrictions on transfer and you leave New Jersey fans exposed with tickets they can neither transfer nor sell back.*

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We have seen primary ticket sellers and venues begin restricting the ability of fans to transfer their tickets how they want.

For example, Ticketmaster’s “Credit Card Entry” tickets which requires a fan to present the credit card used to buy the ticket and a government-issued identification card for the person who bought the ticket. Venues using these restricted tickets could deny admission to fans whose credentials do not match the original ticket buyer, as seen in the attached restrictions displayed on Ticketmaster’s website.

Unfortunately, existing law does nothing to protect citizens and businesses who can’t even give away tickets to friends, family, or clients, because the purchaser’s name won’t match the ticketholder. Parents could be forced to accompany their teenagers to the event gate to show ID of the ticket *purchaser*, rather than allowing the teen to present their ticket to the usher.

While Ticketmaster sometimes gives the option to transfer a ticket, it requires a complex interaction with Ticketmaster and may require payment of yet another “convenience fee.”

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<sup>1</sup> Section 11 of P.L.2001, c.394 (C.56:8-35.3).

With restricted tickets, fans who give their tickets to family or friends have to escort them to the venue doors. And a ticketholder who cannot attend cannot easily sell or even give away his tickets.

Couple S2783's removal of required buyback of tickets with restrictions on transfer and you leave New Jersey fans exposed with tickets they can neither transfer nor sell back.

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*If S2783 is enacted fans could be left with tickets that they can't give away due to restrictions on transfer and tickets for which the venue must no longer accept returns.*

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Consider, a fan who must miss a concert due to a family emergency. If S2783 is enacted, this fan could be left with tickets that they can't give away due to restrictions on transfer and tickets for which the venue must no longer accept returns.

S2783 removes key consumer protections and leaves fans at the whims of venues and primary ticket sellers. We respectfully ask that you not advance S2783 and instead consider a comprehensive set of measures to advance laws on the use of tickets while protecting fans.

Sincerely,

Carl Szabo

Vice President and General Counsel, NetChoice

**NetChoice** is a trade association of e-Commerce and online businesses. [www.netchoice.org](http://www.netchoice.org)

## From TicketMaster's Website

### **Q. How does it work?**

A. Instead of receiving tickets ahead of the event, the credit card used to make the purchase will serve as the customer's ticket. **To attend the show, the customer just presents the credit card used to purchase the ticket(s) and a valid, government issued ID (such as a driver's license, state ID or passport). The gate attendant will swipe the credit card and since all the seats are assigned to a single credit card, your entire party must enter the venue at the same time.**

...

### **Q. What if I'm not going to the show, but I purchased the tickets?**

A. **If you bought the tickets for a friend or family member, you will need to take them to the entry gate and still present your credit card and government issued ID.**

### **Q. What if I want to buy tickets for someone else in another state and can't get to the venue for the day of the event?**

A. To ensure that the tickets remain in the hands of the fan, paperless ticketing requires that that cardholder who purchased the tickets presents their credit card at the door for admission. **We would advise you to have the person, who will be attending the show, purchase the tickets themselves with their credit card and then you can reimburse them.**

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### **Q. What if I don't have or I lose my credit card before the event?**

A. If you do not have a credit card with the same account number as the one used to make the purchase, you will need to go to the box office will call window on the day of the event for alternative handling of your situation. In this case, please be sure to bring a print out of your confirmation email or online order history and your government issued ID. **The box office will verify that the name associated with the order matches the name on the government issued ID. If they do not match, entry will be denied.** In all other cases, entry without your credit card will be at the discretion of each venue.

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### **Q: What if I purchased the tickets, but my spouse is going to the event?**

A: **Your spouse must be an authorized user of the credit card, and must present the credit card along with their government issued ID to gain entry.<sup>2</sup>**

### **I bought tickets for friends – can we get in separately?**

**If you bought for a group you gotta enter as a group, UNLESS Ticket Transfer is available for your event. To check, just click the order number under Order History in My Account and look for the Transfer Tickets button.<sup>3</sup>**

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<sup>2</sup> <http://www.ticketmaster.com/mileycyrus/faq.html> (emphasis added)

<sup>3</sup> <http://www.ticketmaster.com/creditcardentry> (emphasis added)