

Wood County Justice Courts

Request for Tow or Boot Hearing

Texas Occupations Code Chapter 2308, Subchapter J – Rights of Owners and Operators of Stored Vehicles

Instructions: The owner or operator of a vehicle towed without consent and placed in a vehicle storage facility, or booted without consent, is entitled to a hearing on whether probable cause existed for the removal or booting of the vehicle. Any Justice Court in the County in which the vehicle was towed or booted may hear the case. A person entitled to request a hearing must deliver a written request for the hearing before the 14th day after the date the vehicle was removed and placed in the vehicle storage facility or booted (not counting Saturdays, Sundays, and legal Holidays), or the right to a hearing is waived. The Request for Hearing form must be completed with specified information.

At the time of filing, a fee of \$46.00 must be paid by cash, credit card, cashier's check, or money order payable to the Wood County Justice of the Peace, Precinct 1.

****You must attach a copy of the Receipt from the Towing Company or Vehicle Storage Facility.**

Tow Trucks, Operators, Vehicle Storage Facilities and Booting Companies are licensed by the Texas Department of Licensing and Regulation. For questions, complaints, or additional information, got to <http://www.license.state.tx.us/towing/towing.htm> or call the TDLR at 800-803-9202.

“Parking Facility” means public or private property used for restricted or paid vehicle parking. The term includes: a restricted space on a portion of an otherwise unrestricted parking facility; and a commercial parking lot, a parking garage, and a parking area serving or adjacent to a business, church, school, home that charges a fee for parking, apartment complex, property governed by a property owners’ association, or government-owned property leased to a private person, including a portion of the right-of-way of a public roadway that is leased by a governmental entity to the parking facility owner and the area between the facility’s property line abutting a county or municipal public roadway and the center line of the roadway’s drainage way or the curb of the roadway, whichever is farther from the facility’s property line.

Request for Hearing under Chapter 2308, Texas Occupations Code (Rights of Owners and Operators of Stored or Booted Vehicles)

1. OWNER OR OPERATOR OF VEHICLE:

Name: _____

Address: _____

City/State/Zip: _____

Daytime Telephone: _____ Cell: _____ Fax: _____

Email Address: _____

The person requesting the hearing is the ____ owner ____ operator of the vehicle

2. VEHICLE DESCRIPTION

Make: _____ Model: _____ Year: _____

License Plate – State: _____ Number: _____

3. DATE AND LOCATION FROM WHICH THE VEHICLE WAS TOWED/BOOTED:

Date towed or booted: _____

Location from which vehicle was towed or booted: _____

4. PERSON, PARKING FACILITY OWNER OR LAW ENFORCEMENT AGENCY AUTHORIZING REMOVAL OR BOOTING:

Name: _____

Address: _____

City/State/Zip: _____

Daytime Telephone: _____ Fax: _____

5. VEHICLE STORAGE FACILITY IN WHICH THE VEHICLE WAS PLACED

Name: _____

Address: _____

City/State/Zip: _____

Daytime Telephone: _____ Fax: _____

6. TOWING / BOOTING COMPANY THAT REMOVED THE VEHICLE OR INSTALLED THE BOOT ON THE VEHICLE

Name: _____

Address: _____

City/State/Zip: _____

Daytime Telephone: _____ Fax: _____

(Please check the appropriate information)

- I paid the costs of the tow and storage in the amount of \$_____.
- I received a receipt for payment from the Towing Company or the Vehicle Storage Facility.
- I received notification of my rights following the removal of the Vehicle from the Vehicle Storage Facility.
- I have attached a copy of the receipt and/or of the notification of rights to this Request for Hearing.
- No notice of rights following the towing and storage of the Vehicle was given to me by the Towing / Storage Facility.
- (If the Vehicle was removed from a parking facility) I have attached photograph(s) that show the location of signs posted restricting the parking of vehicles at the parking facility.
- No signs restricting parking were posted at the parking facility.
- I was charged or paid a towing charge greater than the amount authorized. I paid a Towing Charge of \$_____.

***Describe the circumstances of the tow:**

Signed on: _____

Signature of Owner/Operator of Vehicle

Sworn to and subscribed before me on the ____ day of _____, 20____.

Notary Public / Court Clerk