

FILING A TOW HEARING

JURISDICTION:

A tow hearing is a hearing in justice court requested by an owner or operator whose vehicle was towed or booted without their consent. The purpose of the hearing is to determine whether the vehicle should have been towed or booted and whether either party owes the other any money.

VENUE:

The hearing shall be held in any justice court in:

- the county from which the motor vehicle was towed; or
- for booted vehicles, the county in which the parking facility is located.

Wherever the vehicle was parked is the county where the hearing will be held. Also note that the hearing can be anywhere in the county, regardless of precinct.

Occupations Code § 2308.453.

FILING SUIT:

The responsibility for filling out your request for Hearing and information sheet rests with you.

The person whose car was towed or booted must request a hearing within **14** business days of the towing or booting, or they waive their right to a hearing.

A request for a hearing must contain:

- the name, address, and telephone number of the owner or operator of the vehicle;
- the location from which the vehicle was removed or in which the vehicle was booted;
- the date when the vehicle was removed or booted;
- the name, address, and telephone number of the person or law enforcement agency that authorized the removal or booting;
- the name, address, and telephone number of the vehicle storage facility in which the vehicle was placed;
- the name, address, and telephone number of the towing company that removed the vehicle or of the booting company that installed a boot on the vehicle;
- a copy of any receipt or notification that the owner or operator received from the towing company, the booting company, or the vehicle storage facility; and
- if the vehicle was removed from or booted in a parking facility:
 - o one or more photographs that show the location and text of any sign posted at the facility restricting parking of vehicles; or
 - o a statement that no sign restricting parking was posted at the parking facility.

Occupations Code § 2308.456

The filing fee is \$54.00

REPRESENTATION:

In Tow Hearing, either of the parties may represent themselves or be represented by their authorized agents in justice court or be represented by an attorney.

LEGAL QUESTIONS WILL NOT BE ANSWERED BY THIS OFFICE

CAUSE NO. _____

PLAINTIFF

v.

DEFENDANT
TEXAS

§
§
§
§
§
§
§

IN THE JUSTICE COURT

PRECINCT ____

COUNTY,

WRITTEN REQUEST FOR HEARING – VEHICLE TOWED/BOOTED

I am the ☐ owner ☐ operator of the following vehicle: _____
_____.

The vehicle was ☐ towed ☐ booted and I request a hearing to determine if (*check all that apply*):

- ☐ Probable cause existed to tow or boot the vehicle.
- ☐ The charges for the towing/booting were correct.
- ☐ The charges for the storage of the vehicle were correct.

Name, address, and telephone number: _____

_____.

Location from which vehicle was removed or in which vehicle was booted: _____
_____.

Date of towing/booting: _____.

Name, address, and telephone number of the person or law enforcement agency that
authorized the towing/booting: _____

_____.

Name, address, and telephone number of the vehicle storage facility in which the vehicle was
placed: _____

_____.

Name, address, and telephone number of the towing/booting company: _____

_____.

The following are attached:

Copies of any receipts or notifications received from the towing/booting company or the vehicle storage facility.

One of the following (*if the vehicle was towed from/booted in a parking facility*):

One or more photographs that show the location and text of any sign posted at the facility restricting parking of vehicles.

A statement that no sign restricting parking was posted at the parking facility.

SIGNATURE: _____

DATE: _____