

## **REQUEST FOR TOW HEARING INSTRUCTIONS\***

Texas Occupations Code Chapter 2308

Subchapter J – Rights of Owners and Operators of Stored Vehicles

**Instructions:** The owner or operator of a vehicle towed and placed in a vehicle storage facility without consent is entitled to a hearing on whether probable cause existed for the removal of the vehicle. A person entitled to a hearing must deliver a written request for the hearing to the Denton County Justice of the Peace Pct. 1, 1 Courthouse Drive at Loop 288, Suite 1100, Denton, TX 76208.

PLEASE NOTE:

**THE RESPONDENT MUST BE A TOW COMPANY OR VEHICLE STORAGE FACILITY**

The request for hearing must be delivered before the 14<sup>th</sup> business day after the date the vehicle was removed and placed in the vehicle storage facility (not counting Saturdays, Sundays and legal holidays). The Request for Hearing must be completed with the specified information. **The county in which the vehicle storage facility is located must be designated.** The Clerk of the Court accepts civil filings **Mondays through Fridays from 8:00 a.m. to 4:30 p.m. A filing fee of \$54 must be paid by cash or money order payable to Denton County JP 1 at the time of filing.**

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

“Parking facility owner” means (a) an owner or operator of a parking facility, including a lessee employee or agent of an owner or operator; (b) a property owners’ association having control under a dedicatory instrument, over assigned or unassigned parking areas; or (c) a property owner having an exclusive right under a dedicatory instrument to use a parking space.

For assistance in obtaining this information, you may call the Texas Department of Transportation, Motor Carrier Contacts, Toll-Free Customer Service at 800-299-1700.