

## **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, 401 W. Hickory St. Suite 227, Denton, TX 76208.

The request for hearing must be delivered before the 14<sup>th</sup> 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 filings **Mondays through Fridays from 8:00 a.m. to 5:00 p.m. A filing fee of \$41 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.

**Request for Tow Hearing**

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

CAUSE NO. \_\_\_\_\_

\_\_\_\_\_  
Petitioner § IN THE JUSTICE COURT

V. § PRECINCT NO. ONE

\_\_\_\_\_  
Defendant § DENTON COUNTY, TEXAS

Owner of Vehicle \_\_\_\_\_

Location where vehicle was towed from \_\_\_\_\_

Name, address and phone # of party who authorized removal of the vehicle

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Email \_\_\_\_\_

**Request for Hearing Under Chapter 2308, Texas Occupations Code  
(Rights of Owners and Operators of Stored Vehicles)**

Name of Vehicle Operator \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip Code \_\_\_\_\_

Cell \_\_\_\_\_ Work \_\_\_\_\_ Home \_\_\_\_\_

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

Email Address \_\_\_\_\_

Color \_\_\_\_\_ Make \_\_\_\_\_ Year \_\_\_\_\_ Model \_\_\_\_\_

Description of Vehicle \_\_\_\_\_

Date Vehicle was towed \_\_\_\_\_ License #/State \_\_\_\_\_

Location from which vehicle was towed \_\_\_\_\_

Name of Parking Facility \_\_\_\_\_

Person or Law Enforcement Agency Authorizing Removal \_\_\_\_\_

Name: \_\_\_\_\_

Address \_\_\_\_\_

City, State Zip \_\_\_\_\_

Telephone \_\_\_\_\_

**County in which the Vehicle Storage Facility is located:**  DENTON

*Towing Company that Removed the Vehicle* \_\_\_\_\_

Name: \_\_\_\_\_

Address \_\_\_\_\_

City, State Zip \_\_\_\_\_

Telephone \_\_\_\_\_

*(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 the Vehicle Storage Facility
- If the Vehicle was removed from a parking facility) I have attached photograph(s) that show the location text 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 \$ \_\_\_\_\_

\_\_\_\_\_  
Printed name of Owner/Operator

\_\_\_\_\_  
Signature or Owner/Operator of Vehicle



**Notice of Hearing Date, Time and Location**

YOU ARE NOTIFIED that a hearing is scheduled on \_\_\_\_\_ at \_\_\_\_\_ m.

At 401 W Hickory St., Ste 227, at the corner of Carroll Blvd and W Mulberry, Denton County, Texas

ISSUED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CLERK OF THE COURT,  
PCT. ONE,  
DENTON COUNTY, TEXAS