

APPLICATION FOR HEARING ON UNLAWFUL TOWING OR BOOTING

(OCCUPATIONS CODE CHAPTER 2308.456)

The owner or operator of a vehicle that has been removed and placed in a vehicle storage facility or booted without the consent of the owner or operator of the vehicle is entitled to a hearing on whether probable cause existed for the removal and placement or booting. A person entitled to a hearing under this chapter must deliver a written request for the hearing to the court before the 14th day after the date the vehicle was removed and placed in the vehicle storage facility or booted, excluding Saturdays, Sundays, and legal holidays. A hearing under this chapter shall be 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.

Note: A person who fails to deliver a request in accordance with Occupations Code, Section 2308,456 waives the right to a hearing. *All persons should consult the Texas Occupations Code Chapter 2308 for complete information.

THERE IS A \$54.00 FILING FEE AND THIS REQUEST FOR A HEARING MUST CONTAIN THE FOLLOWING INFORMATION

1. OWNER OR OPERATOR OF VEHICLE:

NAME: _____

ADDRESS: _____ CITY: _____ ZIP: _____

PHONE: _____ E-MAIL ADDRESS: _____

2. LOCATION FROM WHICH THE VEHICLE WAS TOWED/BOOTED:

LOCATION NAME: _____

ADDRESS: _____ CITY: _____ ZIP: _____

3. DATE WHEN THE VEHICLE WAS TOWED/BOOTED: _____

4. PERSON OR LAW ENFORCEMENT AGENCY AUTHORIZING REMOVAL OR BOOTING:

(Please list the name and information exactly as it appears on the receipt/notice from the towing/booting company)

NAME: _____

ADDRESS: _____ CITY: _____ ZIP: _____

PHONE: _____ FAX: _____

5. VEHICLE STORAGE FACILITY IN WHICH VEHICLE WAS PLACED:

(Please list the name and information exactly as it appears on the receipt/notice from the towing/booting company)

NAME: _____

ADDRESS: _____ CITY: _____ ZIP: _____

PHONE: _____ FAX: _____

6. TOWING OR BOOTING COMPANY:

(Please list the name and information exactly as it appears on the receipt/notice from the towing/booting company)

NAME: _____

ADDRESS: _____ CITY: _____ ZIP: _____

PHONE: _____ FAX: _____

7. PROVIDE A COPY OF ANY RECEIPT OR NOTIFICATION THAT THE OWNER OR OPERATOR RECEIVED FROM THE TOWING COMPANY OR THE VEHICLE STORAGE FACILITY.

8. WAS THE VEHICLE TOWED FROM OR BOOTED IN A PARKING FACILITY? THIS REQUEST MUST INCLUDE:

- ONE OR MORE PHOTOGRAPHS THAT SHOW THE LOCATION AND TEXT OF ANY SIGN POSTED AT THE FACILITY RESTRICTING PARKING OF VEHICLES; OR
- A STATEMENT THAT NO SIGN RESTRICTING PARKING WAS POSTED AT THE PARKING FACILITY.

THE VEHICLE WAS NOT TOWED FROM OR BOOTED IN A PARKING FACILITY.

DATE

SIGNATURE OF OWNER OR OPERATOR OF VEHICLE