



**JUDGE AL CERCONE**

Justice of the Peace  
Precinct 3, Place 1  
Dallas County

**REQUIREMENTS FOR REQUESTING A TOWING/BOOTING HEARING**

Occupations Code § 2308

**Tex. Occ. Code § 2308.453. Jurisdiction.**

A hearing under this chapter shall be in any justice court in:

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

**Tex. Occ. Code § 2308.456. Request for Hearing.**

(a) Except as provided by Subsections (c) and (c-1), 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.

(b) A request for a hearing must contain:

- (1) the name, address, and telephone number of the owner or operator of the vehicle;
- (2) the location from which the vehicle was removed or in which the vehicle was booted;
- (3) the date when the vehicle was removed or booted;
- (4) the name, address, and telephone number of the person or law enforcement agency that authorized the removal or booting;
- (5) the name, address, and telephone number of the vehicle storage facility in which the vehicle was placed;
- (6) 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;
- (7) 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
- (8) if the vehicle was removed from or booted in a parking facility:
  - (A) one or more photographs that show the location and text of any sign posted at the facility restricting parking of vehicles; or
  - (B) a statement that no sign restricting parking was posted at the parking facility.

(c) If notice was not given under Section 2308.454, the 14-day deadline for requesting a hearing under Subsection (a) does not apply, and the owner or operator of the vehicle may deliver a written request for a hearing at any time.

(c-1) The 14-day period for requesting a hearing under Subsection (a) does not begin until the date on which the towing company or vehicle storage facility provides to the vehicle owner or operator the information necessary for the vehicle owner or operator to complete the material for the request for hearing required under Subsections (b)(2) through (6).

(d) A person who fails to deliver a request in accordance with Subsection (a) waives the right to a hearing.