

By: Neave

H.B. No. 625

A BILL TO BE ENTITLED

1 AN ACT

2 relating to notice and request for a hearing regarding a vehicle  
3 that has been towed or booted.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2308.455, Occupations Code, is amended  
6 to read as follows:

7 Sec. 2308.455. CONTENTS OF NOTICE. The notice under  
8 Section 2308.454 must include:

9 (1) a statement of:

10 (A) the person's right to submit a request within  
11 60 [~~14~~] days for a court hearing to determine whether probable cause  
12 existed to remove, or install a boot on, the vehicle;

13 (B) the information that a request for a hearing  
14 must contain;

15 (C) any filing fee for the hearing; and

16 (D) the person's right to request a hearing in  
17 any justice court in:

18 (i) the county from which the vehicle was  
19 towed; or

20 (ii) for booted vehicles, the county in  
21 which the parking facility is located;

22 (2) the name, address, and telephone number of the  
23 towing company that removed the vehicle or the booting company that  
24 booted the vehicle;

1           (3) the name, address, telephone number, and county of  
2 the vehicle storage facility in which the vehicle was placed;

3           (4) the name, street address including city, state,  
4 and zip code, and telephone number of the person, parking facility  
5 owner, or law enforcement agency that authorized the removal of the  
6 vehicle; and

7           (5) the name, address, and telephone number of each  
8 justice court in the county from which the vehicle was towed or, for  
9 booted vehicles, the county in which the parking facility is  
10 located, or the address of an Internet website maintained by the  
11 Office of Court Administration of the Texas Judicial System that  
12 contains the name, address, and telephone number of each justice  
13 court in that county.

14           SECTION 2. Sections [2308.456\(a\)](#), (c), and (c-1),  
15 Occupations Code, are amended to read as follows:

16           (a) Except as provided by Subsections (c) and (c-1), a  
17 person entitled to a hearing under this chapter must deliver a  
18 written request for the hearing to the court before the 60th [~~14th~~]  
19 day after the date the vehicle was removed and placed in the vehicle  
20 storage facility or booted, excluding Saturdays, Sundays, and legal  
21 holidays.

22           (c) If notice was not given under Section [2308.454](#), the  
23 60-day [~~14-day~~] deadline for requesting a hearing under Subsection  
24 (a) does not apply, and the owner or operator of the vehicle may  
25 deliver a written request for a hearing at any time.

26           (c-1) The 60-day [~~14-day~~] period for requesting a hearing  
27 under Subsection (a) does not begin until the date on which the

1 towing company or vehicle storage facility provides to the vehicle  
2 owner or operator the information necessary for the vehicle owner  
3 or operator to complete the material for the request for hearing  
4 required under Subsections (b)(2) through (6).

5         SECTION 3. The changes in law made by this Act to Sections  
6 [2308.455](#) and [2308.456](#), Occupations Code, apply only to a notice or a  
7 request for a hearing in connection with a vehicle that is towed or  
8 booted on or after the effective date of this Act. A notice or a  
9 request for a hearing in connection with a vehicle that is towed or  
10 booted before the effective date of this Act is governed by the law  
11 in effect when the vehicle was towed or booted, and the former law  
12 is continued in effect for that purpose.

13         SECTION 4. This Act takes effect September 1, 2019.