

1992—No. 491

TOW TRUCK ACT 1989—REGULATION

(Relating to the signing of towing authorities)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Tow Truck Act 1989, has been pleased to make the Regulation set forth hereunder.

WAL MURRAY,
Deputy Premier and Minister for Roads.

Commencement

1. This Regulation commences on 16th September, 1992.

Amendment

2. The Tow Truck Regulation 1990 is amended by inserting after clause 7 (3) the following subclause:

(3A) For the purposes of subclause (3), “**person in charge of the motor vehicle**” includes a person who has a written authority, given by the owner or lessee of the motor vehicle before the motor vehicle accident, to sign a towing authority but does not include a person who attends the scene of the motor vehicle accident to obtain, or to attempt to obtain, for himself or herself or for another person, the work of towing or repairing a motor vehicle damaged in that accident.

EXPLANATORY NOTE

Clause 7 of the Tow Truck Regulation 1990 deals with requirements for towing authorities. The clause provides that the appropriate person to sign a towing authority for the towing of a motor vehicle from the scene of a motor vehicle accident is the owner, driver or person in charge of the motor vehicle or, if none of these persons is present and capable of signing the authority, a police officer.

The purpose of this Regulation is to limit the meaning of the expression “person in charge of the motor vehicle” as used in clause 7. The amendment provides that, while the expression does include a person who has been previously authorised in writing by the owner or lessee of the motor vehicle to sign a towing authority, it does not include persons, known as “chasers” or “accident salespersons”, who attend at accidents for the purpose of securing towing or repair work for themselves or other persons.
