



New South Wales

Tow Truck Industry Amendment (Interstate Drivers and Operators) Regulation 2005

under the

Tow Truck Industry Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Tow Truck Industry Act 1998*.

JOHN WATKINS, M.P.,
Minister for Transport

Explanatory note

Clause 69 of the *Tow Truck Industry Regulation 1999* exempts interstate tow truck drivers and operators from the requirements under the *Tow Truck Industry Act 1998* to hold a licence or drivers certificate, except in respect of towing work that starts in this State. The object of this Regulation is to clarify that this clause does not affect the entitlements of interstate drivers and operators who are registered with the Tow Truck Authority under the *Mutual Recognition (New South Wales) Act 1992*. As a consequence, these drivers and operators are permitted to carry out towing work that starts in this State (provided that the towing work is of a type authorised by their licence, permit or other authority).

This Regulation is made under the *Tow Truck Industry Act 1998*, including section 105 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Tow Truck Industry Amendment (Interstate Drivers and Operators) Regulation 2005*.

2 Amendment of Tow Truck Industry Regulation 1999

The *Tow Truck Industry Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 69 Exemption relating to interstate tow truck drivers and operators

Insert after clause 69 (2):

- (3) This clause does not affect any entitlement, under the *Mutual Recognition (New South Wales) Act 1992*, of a person who holds a licence, permit or other authority issued under the law of another State or Territory to drive or operate a tow truck (including in respect of towing work that starts in this State) without holding a licence or drivers certificate under the *Tow Truck Industry Act 1998*.

Note. The *Mutual Recognition (New South Wales) Act 1992* requires the tow truck driver or operator to notify and register with the TTA. The TTA may impose conditions on such registration so that the only towing work that may be carried out is towing work of a type authorised by the interstate licence, permit or other authority held by the tow truck driver or operator.