



New South Wales

Tow Truck Industry Amendment (Fees) Regulation 2016

under the

Tow Truck Industry Act 1998

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

DUNCAN GAY, MLC
Minister for Roads, Maritime and Freight

Explanatory note

The object of this Regulation is to amend certain fees payable under the *Tow Truck Industry Act 1998*, provide for a further maximum fee for certain salvage and provide for different maximum storage fees depending on whether storage is within or outside the Sydney metropolitan area. The amendments accord with the recommendations of the Independent Pricing and Regulatory Tribunal contained in its report, *Review of tow truck fees and licensing in NSW—Final Report December 2014*.

This Regulation is made under the *Tow Truck Industry Act 1998*, including sections 54 and 105 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Tow Truck Industry Amendment (Fees) Regulation 2016*.

2 Commencement

This Regulation commences on 1 July 2016 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Tow Truck Industry Regulation 2008

[1] Clauses 22 and 23 (2)

Omit "\$54" wherever occurring. Insert instead "\$55".

[2] Clause 40C Maximum fees for accident towing work involving light motor vehicles

Omit "\$257" from clause 40C (a). Insert instead "\$235".

[3] Clauses 40C (b) (i), 40D (b) (i) and 40E (2) (b) (i)

Omit "\$6.23" wherever occurring. Insert instead "\$5.10".

[4] Clauses 40C (b) (ii), 40D (b) (ii) and 40E (2) (b) (ii)

Omit "\$3.12" wherever occurring. Insert instead "\$4.20".

[5] Clause 40D Maximum fees for recovery towing work involving light motor vehicles

Omit "\$235" from clause 40D (a). Insert instead "\$155".

[6] Clause 40E Maximum fees for subsequent tows of light motor vehicles

Omit "\$90" from clause 40E (2) (a). Insert instead "\$85".

[7] Clause 40I Maximum fees for accident towing work involving heavy motor vehicles

Omit clause 40I (a) and (b). Insert instead:

- (a) the following amount for the first hour of accident towing work:
 - (i) \$248, for work carried out by an approved Class 3 conventional tow truck,
 - (ii) \$268, for work carried out by an approved Class 4 (A) conventional tow truck,
 - (iii) \$282, for work carried out by an approved Class 4 (B) conventional tow truck,
 - (iv) \$358, for work carried out by an approved Class 4 (C) conventional tow truck, and
- (b) the following amount for every subsequent hour or part of an hour of accident towing work:
 - (i) \$154, for work carried out by an approved Class 3 conventional tow truck,
 - (ii) \$176, for work carried out by an approved Class 4 (A) conventional tow truck,
 - (iii) \$189, for work carried out by an approved Class 4 (B) conventional tow truck,
 - (iv) \$267, for work carried out by an approved Class 4 (C) conventional tow truck, and

[8] Clauses 40I (c) and (d), 40J (c) and (d) and 40O (1) (c)

Omit "\$61" wherever occurring. Insert instead "\$63".

[9] Clause 40J Maximum fees for stolen motor vehicle recovery involving heavy motor vehicles

Omit clause 40J (a) and (b). Insert instead:

- (a) the following amount for the first hour of towing work:
 - (i) \$226, for work carried out by an approved Class 3 conventional tow truck,
 - (ii) \$246, for work carried out by an approved Class 4 (A) conventional tow truck,
 - (iii) \$260, for work carried out by an approved Class 4 (B) conventional tow truck,
 - (iv) \$336, for work carried out by an approved Class 4 (C) conventional tow truck, and
- (b) the following amount for the every subsequent hour or part of an hour of towing work:
 - (i) \$154, for work carried out by an approved Class 3 conventional tow truck,
 - (ii) \$176, for work carried out by an approved Class 4 (A) conventional tow truck,
 - (iii) \$189, for work carried out by an approved Class 4 (B) conventional tow truck,
 - (iv) \$267, for work carried out by an approved Class 4 (C) conventional tow truck, and

[10] Clause 40K

Omit the clause. Insert instead:

40K Stand by rate

The maximum fee that can be charged for standing by to do accident towing work involving a heavy motor vehicle, or towing work involving recovering a heavy motor vehicle that has been stolen and that has not been involved in an accident, is:

- (a) in the case of an approved Class 3 conventional tow truck:
 - (i) \$124 for the first hour of standing by, and
 - (ii) an additional \$77 for each subsequent hour or part of an hour of standing by, or
- (b) in the case of an approved Class 4 (A) conventional tow truck with a dual rear axle:
 - (i) \$134 for the first hour of standing by, and
 - (ii) an additional \$88 for each subsequent hour or part of an hour of standing by, or
- (c) in the case of an approved Class 4 (B) conventional tow truck with a dual rear axle:
 - (i) \$141 for the first hour of standing by, and
 - (ii) an additional \$94.50 for each subsequent hour or part of an hour of standing by, or
- (d) in the case of an approved Class 4 (C) conventional tow truck with a dual rear axle:
 - (i) \$179 for the first hour of standing by, and

- (ii) an additional \$133.50 for each subsequent hour or part of an hour of standing by.

[11] Clause 40N Maximum fees for certain salvage of light motor vehicles

Insert “, or that has been stolen and that has not been involved in an accident,” after “scene of the accident” in clause 40N.

[12] Clause 40N (b) and (c)

Omit “\$61” wherever occurring. Insert instead “\$60”.

[13] Clause 40O Maximum fees for certain salvage of heavy motor vehicles

Omit “\$83” from clause 40O (1) (b). Insert instead “\$85”.

[14] Clause 40P Stand by rate for salvage of heavy motor vehicles

Omit “\$41.50”. Insert instead “\$42.50”.

[15] Clause 40T

Omit clauses 40S and 40T. Insert instead:

40T Maximum storage fees for light motor vehicles

- (1) The maximum fee that can be charged for the storage of a light motor vehicle, not being a motorcycle, damaged as a result of an accident, or recovered after being stolen, and that is awaiting collection by the owner or insurer is:
 - (a) for storage within the Sydney metropolitan area—\$23, or
 - (b) for storage outside the Sydney metropolitan area—\$14, for each 24 hours, or part of 24 hours.
- (2) The maximum fee that can be charged for the storage of a motorcycle damaged as a result of an accident, or recovered after being stolen, and that is awaiting collection by the owner or insurer is:
 - (a) for storage within the Sydney metropolitan area—\$11.50, or
 - (b) for storage outside the Sydney metropolitan area—\$7, for each 24 hours, or part of 24 hours.

[16] Clause 40U Maximum storage fees for heavy motor vehicles

Omit “\$92” from clause 40U (1). Insert instead “\$94”.