



Victoria Government Gazette

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Accident Towing Services Act 2007

DETERMINATION OF CHARGES FOR THE TOWING AND STORAGE OF ACCIDENT DAMAGED MOTOR VEHICLES UNDER SECTION 211

1. Purpose

The purpose of this notice is to determine the amounts that may be charged in a controlled area by the providers of accident towing services and the providers of the service of storing accident damaged motor vehicles for the purposes of the **Accident Towing Services Act 2007**.

2. Authorising Provision

This determination is made under section 211 of the **Accident Towing Services Act 2007** ('the ATS Act'). Section 211 provides that the Minister may determine the amounts that may be charged by the providers of accident towing and other services for the provision of those services. Section 212 of the ATS Act provides that the Minister must not make a determination under section 211 unless he or she has received a recommendation from the Essential Services Commission ('the ESC') on the matter and has received a report from VicRoads.

This determination reflects the recommendations in the ESC's 2013 Final Report 'Periodic Review of Accident Towing and Storage Fees'. In its own report, VicRoads supported the recommendations made by the ESC in the 2013 report in relation to the determination of fees under section 211.

3. Commencement

This notice comes into operation on the day it is published in the Victoria Government Gazette.

4. Revocation

The notice published in the Victoria Government Gazette No. S447 on Friday 29 October 2010 entitled 'Determination of Charges for the Towing and Storage of Accident-Damaged Motor Vehicles under section 211' is revoked.

5. Determination

I, Terry Mulder, Minister for Roads, have determined that the following amounts may be charged by towing operators for the towing of accident damaged motor vehicles with a gross vehicle mass of less than 4.0 tonnes from a road accident scene within an area declared to be a controlled area under section 46 of the ATS Act and the storage of those vehicles –

(a) A base fee of \$207.30

The base fee covers the costs of the first 8 kilometres of travel by the tow truck and all other relevant costs of an accident towing business, including but not limited to the costs of –

- (i) removing debris (including any spills);
- (ii) cleaning the tow truck, tools and equipment;
- (iii) waiting time at the road accident scene;
- (iv) taking photographs of the road accident scene;
- (v) telephone calls and completing documentation relating to the towing of an accident damaged vehicle; and
- (vi) releasing the stored vehicle, which may include moving the vehicle to a location at the specified depot to enable it to be collected by the vehicle's owner or another towing operator on the owner's behalf and loading it onto another towing operator's tow truck for the purpose of that collection.

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The base fee also includes an allowance for non-commercial (or unpaid) tows, which are accident towing jobs for which a towing operator has not been paid.

- (b) An additional fee of \$3.30 per kilometre for any travel undertaken by the tow truck beyond the first 8 kilometres and until the tow truck delivers the accident damaged vehicle to the place specified in the authority to tow.
- (c) An after-hours surcharge of \$70.80 ($\$207.30 + \$70.80 = \278.10 total charge for distances less than 8 kilometres) for tows allocated from the road accident scene in the controlled area during the following time periods –
 - (i) Monday 5 pm to Tuesday 8 am;
 - (ii) Tuesday 5 pm to Wednesday 8 am;
 - (iii) Wednesday 5 pm to Thursday 8 am;
 - (iv) Thursday 5 pm to Friday 8 am;
 - (v) Friday 5 pm to Monday 8 am (that is, all weekend); and
 - (vi) Public holidays (all day, midnight to midnight).
- (d) For locked storage of accident damaged motor vehicles following towing from the road accident scene within the controlled area –
 - (i) Motor car, under cover, \$15.90;
 - (ii) Motor cycle, under cover, \$5.30;
 - (iii) Motor car, in locked yard, \$10.70; and
 - (iv) Motor cycle, in locked yard, \$3.40.

All charges in this determination are inclusive of GST.

In order to calculate the distance travelled by the tow truck for the purposes of the base fee and the additional charge for travel beyond the first 8 kilometres, the distance should be measured from the specified depot to the road accident scene and then from the road accident scene to the place specified in the authority to tow.

For the avoidance of doubt, the base fee and the additional charge for travel beyond the first 8 kilometres cover all towing undertaken by the tow truck until the accident damaged vehicle is delivered to the place specified in the authority to tow.

Dated 15 October 2014

TERRY MULDER MP
Minister for Roads

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