



Tow Truck Driver Register - Scrap Metal Exemption Authority

(under clause 25 of the Tow Truck Industry Regulation 2008)

Authority holder:		Authority no.:	
Business address:		Start / finish date:	From:
			To:

Name	Start date	End date

Under clause 25A of the Tow Truck Industry Regulation 2008

A person who carries on a business as a tow truck operator is exempt from the requirement under section 15 of the Act to hold a licence if:

- (a) the only towing work that tow trucks used in the business engage in is the collection of motor vehicles for conveyance to a scrap metal facility (that is, no tow trucks are used in towing work that involves the collection of motor vehicles for conveyance to a facility for repair, reuse or resale, either in their original form or as parts), and
- (b) the person holds an exemption authority that is in force, and
- (c) the person complies with the conditions in subclause 25A(2).

An exemption authority is subject to all of the conditions listed under clause 25A(2) of the Tow Truck Industry Regulation 2008.

A person who holds an exemption authority is guilty of an offence if any condition of the exemption authority is contravened.

Maximum penalty: 25 penalty units

An exemption authority is subject to the following conditions [extracted from clause 25A(2)]:

- (f) a list of all drivers who drive a tow truck used in the business must be maintained at the place of business specified in the exemption authority,
- (g) that list of drivers must be made available to an authorised officer or police officer on request,
- (h) only persons who are on that list of drivers may drive a tow truck used in the business,
- (i) each driver who drives a tow truck used in the business must be informed of the conditions that the exemption authority is subject to (that is, the conditions set out in subclause (1) (a) and this subclause),
- (j) NSW Fair Trading must be notified in writing:
 - (i) of any proposed change in the particulars specified in the exemption authority, at least 7 days before the proposed change occurs, and
 - (ii) of the name of any driver who is proposed to drive a tow truck used in the business, in addition to the drivers nominated in the application for an exemption authority,
 - (iii) of the registration number, make and model of any tow truck proposed to be operated in the course of the applicant's business in addition to any tow truck nominated in the application for an exemption authority,
- (n) each such record must be maintained at the place of business specified in the exemption authority for 5 years,