

Tow Truck Industry Regulation Consultation
Regulatory Policy, Better Regulation Division
New South Wales Department of Customer Service
2/24 Rawson Place
HAYMARKET NSW 2000

RE; PROPOSED AMENDEMENTS TO NSW TOW TRUCK REGULATION 2019

Thank you for the opportunity to provide feedback in relation to new draft regulations to improve the tow truck licensing, regulation and driver certification.

From the Heavy Recovery Towing and Heavy Towing sector of the industry, I have great trouble alleviating the impression that the regulations are purely together for the car towing industry only, (vehicles under 4500 GVM). Heavy towing continues to struggle under the legislation of car towing criteria and the car smash repair industry.

Heavy towing and recovery should have never been trapped into the car towing legislation. It is very clear that they are two totally different types of operation. The only similarity between the two industries is that it starts and ends in the name only. Having the two together makes the Heavy towing industry very stressful and highly restrictive. I also feel that it is very discriminative towards this side of the industry.

Heavy towing and recovery should never have been included in this legislation and needs to be separated so that they are two different identities.

The definition "Tow Truck" needs to be made a definition. At the present stage it captures anything that is capable of towing anything. The word Tow Truck should be defined to reflect that the vehicle is purpose built as a Tow Truck. This should also reflect in other parts of the traffic act to show that being a purpose built vehicle we are not restricted by just towing anything.

The Heavy Towing and Recovery vehicles must also be compliant with the NHVR and the Traffic act that pertains to Heavy Vehicles. Again we already have a definition within the Roads and traffic Authority as a heavy vehicle and under NHVR Heavy Tow truck class 3. In most cases it is illegal for a heavy tow truck to operate without the permit with the definition of a Class 3 Heavy Tow Truck. Again not falling under the tow truck regulations.

DRIVERS CERTIFICATES

Again another bad element within the act. Heavy towing requires physical manpower with climbing under the trucks, to remove tailshafts, lifting/chains/straps and using specialist equipment. Not standing by the side of the tilt tray using a remote control to load. There is no reason why the Drivers Certificate cannot be displayed somewhere within the heavy vehicle if the situation that stands has to remain.

I also feel that an industry Authority Certificate be created to allow non- licenced Drivers/ younger persons to be able to assist in accident load loss etc legally. This would enable the deployment of workers legally to assist in larger situations that require manpower. It would also help in allowing persons to obtain new skills within the industry, which is greatly needed in the Heavy Towing and Recovery Sector. Again removing the Heavy Tow Trucks from the New South Wales Tow Truck Legislation could also provide more skilled person into the industry.

HOLDING YARD.

25 tonne GCM.

Heavy vehicle tow trucks are purpose built in todays terms Underlifts can only tow heavy vehicles, they are not build to tow cars and incapable of doing so. The single axle underlifts do not meet the required 25 tonne GCM yet we still have to have a holding yard. The yard never get used other than to park employees cars in. The Heavy Towing company still registers the truck as a heavy vehicle but under clause 40 of the Regulation we are required to have a holding yard. Yet under the traffic act it is classed as a Heavy Vehicle. This also puts a huge financial strain once again on the Heavy Towing Industry.

Heavy towing in New South Wales is a very specialized and small part of the towing industry within New South Wales. Being such that even the Heavy Tow Trucks are purpose built, I find it very difficult for the industry to fit into the tow truck regulations as they stand.

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