



Western Australia

Towing Services Act 2024

Towing Services Regulations 2025

Towing Services Regulations 2025

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Towing Services Regulations 2025

Part 1 — Preliminary

1. **Citation**

These regulations are the *Towing Services Regulations 2025*.

2. **Commencement**

These regulations come into operation on 10 January 2025.

3. **Terms used**

In these regulations —

authorisation statement means a statement required under regulation 34;

authorising person, in relation to an authority to tow, has the meaning given in regulation 30(1)(a)(i);

business hours means the time between 8 am and 5 pm on a day that is not a Saturday, Sunday or public holiday throughout the State;

crash site means a place —

- (a) where a vehicle that has been involved in a vehicle crash is present; and
- (b) that is a place referred to in section 6(2)(a), (b), (c) or (d) of the Act;

identified organisation means an organisation named in the *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021* Schedule 2;

insurance company includes any entity that provides insurance;

member, of an identified organisation, means a person —

- (a) who has been accepted as a member of the organisation, whether informally or through a process set by the organisation; or
- (b) who identifies in any way as belonging to the organisation; or
- (c) whose conduct in relation to the organisation would reasonably lead another person to consider the person to be a member of the organisation;

notifiable occurrence means any of the following —

- (a) a notifiable incident as defined in the *Work Health and Safety Act 2020* section 35;
- (b) an incident that exposes a towing worker or any other person to a serious risk to the person's health or safety;
- (c) an incident involving a tow truck that must be reported to the police under the *Road Traffic Act 1974* section 56(1);
- (d) an incident involving a tow truck that results in —
 - (i) an injury that is treated by an ambulance officer; or
 - (ii) an injured person being treated at a hospital;
- (e) an incident involving damage to, or a mechanical or other fault in, a tow truck that renders the tow truck unsuitable to be used in the conduct of a towing business without substantial or significant mechanical repairs or services;
- (f) an incident involving the conduct of a towing worker while engaged in work for the purposes of a towing business that results in a complaint to the police involving allegations of —
 - (i) assault; or
 - (ii) physical threats or other intimidation;

- (g) an incident involving the conduct of a towing worker while engaged in work for the purposes of a towing business that results in the towing worker being charged with a serious offence;

number plate has the meaning given in the *Road Traffic (Vehicles) Act 2012* section 3(1);

record has the meaning given in the *Criminal Investigation Act 2006* section 3(1);

relevant individual, in relation to an application for a towing business authorisation or a renewal of a towing business authorisation, means —

- (a) if the applicant is an individual — the applicant; or
- (b) if the applicant is a partnership — each partner of the partnership; or
- (c) if the applicant is a company — each director of the company; or
- (d) if the applicant is an incorporated association — each member of the management committee of the association;

relevant towing worker, in relation to a towing service provider, means a towing worker who engages in towing work for the purposes of the towing business conducted by the towing service provider;

restricted name or logo means the name or logo of an entity that —

- (a) is a public entity; or
- (b) is an insurance company; or
- (c) is a roadside assistance provider; or
- (d) provides a vehicle repair service or vehicle hire service;

roadside assistance provider means an entity that provides repair or maintenance services to broken down vehicles at the site of the breakdown;

serious offence means —

- (a) an offence under any of the following provisions of the *Road Traffic Act 1974* —
 - (i) section 54;
 - (ii) section 56(2);
 - (iii) section 59;
 - (iv) section 59A;
 - (v) section 59BA;
 - (vi) section 60;
 - (vii) section 60A;
 - (viii) section 61;
 - (ix) section 63;
 - (x) section 64;
 - (xi) section 64AA;
 - (xii) section 64A;
 - (xiii) section 64AAA;
 - (xiv) section 64AB;
 - (xv) section 64AC;
 - (xvi) section 64B;
 - (xvii) section 64C;
 - (xviii) section 67;
 - (xix) section 67AA;
 - (xx) section 67AB;
 - (xxi) section 67AC;
 - (xxii) section 67AD;
 - (xxiii) section 67A;
- or
- (b) an offence for which the maximum penalty is, or includes, imprisonment for 5 years or more;

stop, in relation to a vehicle, has the meaning given in the *Road Traffic Code 2000* regulation 3(1);

tow truck class means a class of tow truck referred to in the *Road Traffic (Vehicles) Regulations 2014* regulation 414(2) or (2A);

vehicle hire service means a service for —

- (a) the hiring out of a vehicle; or
- (b) the transport of passengers by vehicle;

vehicle repair service means a service for the repair or maintenance of a vehicle;

VIN means a vehicle identification number as defined in the *Road Traffic (Vehicles) Regulations 2014* regulation 3.

[Regulation 3 amended: SL 2026/53 r. 4.]

Part 2 — Towing businesses

Division 1A — Authorisation of towing businesses

[Heading inserted: SL 2026/53 r. 5.]

Subdivision 1 — Applications for towing business authorisations

[Heading inserted: SL 2026/53 r. 5.]

3A. Information to be included in towing business authorisation application (s. 17(4)(e))

For the purposes of section 17(4)(e) of the Act, an application for a towing business authorisation must include the following information —

- (a) the following details of each towing worker who the applicant proposes will engage in towing work for the purposes of the business —
 - (i) name;
 - (ii) Australian driver licence number;
- (b) the following details of each tow truck that the applicant proposes to use in the conduct of the business —
 - (i) make and model;
 - (ii) number plate details;
 - (iii) tow truck class;
- (c) in relation to each storage yard that the applicant proposes to use in the conduct of the business —
 - (i) a description of the premises and the location of the premises; and
 - (ii) evidence that the storage yard complies with Division 2 Subdivision 1;

- (d) whether a relevant individual, a person nominated under section 17(4)(c) of the Act in the application, or a close associate of the applicant —
 - (i) has previously held a towing business authorisation, or an equivalent authorisation in another State or a Territory, that has been cancelled; or
 - (ii) has previously made an application for a towing business authorisation, or an equivalent authorisation in another State or a Territory, that was refused;
- (e) whether a relevant individual, a person nominated under section 17(4)(c) of the Act in the application, or a towing worker referred to in paragraph (a), is a member of an identified organisation.

[Regulation 3A inserted: SL 2026/53 r. 5.]

3B. Documents to be included in towing business authorisation application (s. 17(4)(e))

For the purposes of section 17(4)(e) of the Act, an application for a towing business authorisation must include the following —

- (a) a criminal record check, that is dated no earlier than 3 months before the day on which the application is made, for —
 - (i) each relevant individual; and
 - (ii) each person nominated under section 17(4)(c) of the Act in the application; and
 - (iii) each towing worker referred to in regulation 3A(a);
- (b) any other documents required by the approved form.

[Regulation 3B inserted: SL 2026/53 r. 5.]

3C. Declaration as to persons nominated as responsible officers

The declaration required under section 17(4)(d) of the Act must be made by a relevant individual in relation to the application.

[Regulation 3C inserted: SL 2026/53 r. 5.]

Subdivision 2 — Grant, duration and renewal of towing business authorisations

[Heading inserted: SL 2026/53 r. 5.]

3D. Requirement to have storage yard (s. 19(2)(e))

- (1) For the purposes of section 19(2)(e) of the Act, the CEO must not grant a towing business authorisation unless the CEO is satisfied that —

- (a) the applicant proposes to use at least 1 storage yard in the conduct of the regulated towing business; and
- (b) each storage yard to be used by the applicant in the conduct of the regulated towing business complies with the requirements of Division 2 Subdivision 1.

- (2) For the purpose of determining whether the requirements of Division 2 Subdivision 1 are satisfied in relation to a storage yard, the CEO may require the applicant to give an authorised officer access to the storage yard to inspect the storage yard.

[Regulation 3D inserted: SL 2026/53 r. 5.]

3E. Conditions specifying tow trucks, storage yards and towing workers

- (1) The CEO may impose conditions on a towing business authorisation under section 22(a) of the Act that —
- (a) specify the tow trucks that may be used by the authorised towing service provider in the conduct of a regulated towing business; and

- (b) require that the provider use only the specified tow trucks in the conduct of the regulated towing business.
- (2) The CEO may impose conditions on a towing business authorisation under section 22(a) of the Act that —
 - (a) specify the storage yards that may be used by the authorised towing service provider in the conduct of a regulated towing business; and
 - (b) require that the provider use only the specified storage yards in the conduct of the regulated towing business.
- (3) The CEO may impose conditions on a towing business authorisation under section 22(a) of the Act that —
 - (a) specify the towing workers that may engage in towing work for the purposes of the regulated towing business; and
 - (b) require the authorised towing service provider to ensure that only the specified towing workers engage in towing work for the purposes of the regulated towing business.
- (4) Nothing in this regulation limits the CEO's power to impose conditions under section 22(a) of the Act.

[Regulation 3E inserted: SL 2026/53 r. 5.]

3F. Duration of towing business authorisation (s. 26(1))

- (1) An authorisation document issued to an authorised towing service provider must specify the day on which the authorisation comes into force.
- (2) For the purposes of section 26(1) of the Act, a towing business authorisation granted under section 19 of the Act or regulation 3G(6) —
 - (a) is granted for the period of 12 months beginning on the day on which the authorisation comes into force; and
 - (b) expires at the end of the last day of that period.

[Regulation 3F inserted: SL 2026/53 r. 5.]

3G. Renewal of towing business authorisation

- (1) An authorised towing service provider may apply to the CEO in the approved form for a renewal of the towing business authorisation (the **prior authorisation**).
- (2) An application under subregulation (1) must be made within the period of 2 months ending on the day on which the prior authorisation expires.
- (3) An application under subregulation (1) must include the following —
 - (a) the information referred to in regulation 3A(a) in relation to each towing worker who the provider proposes will engage in towing work for the purposes of the regulated towing business (other than any towing worker specified in a condition on the prior authorisation under regulation 3E(3));
 - (b) the information referred to in regulation 3A(b) in relation to each tow truck that the provider proposes to use in the conduct of the regulated towing business (other than any tow truck specified in a condition on the prior authorisation under regulation 3E(1));
 - (c) the information referred to in regulation 3A(c) in relation to each storage yard that the provider proposes to use in the conduct of the regulated towing business (other than any storage yard specified in a condition on the prior authorisation under regulation 3E(2));
 - (d) if no criminal record check has been given to the CEO for an individual referred to in subregulation (4) or the last criminal record check given to the CEO for an individual referred to in subregulation (4) is dated earlier than 5 years before the day on which the application is made — a criminal record check for the individual that is dated no earlier than 3 months before that day;

- (e) any other documents required by the approved form.
- (4) Subregulation (3)(d) applies to the following —
 - (a) each relevant individual;
 - (b) each responsible officer of the towing service provider;
 - (c) each towing worker who the provider proposes will engage in towing work for the purposes of the regulated towing business.
- (5) The CEO may, by written notice given to the applicant, require the applicant to provide further information relevant to the application that is specified in the notice within the time specified in the notice.
- (6) The CEO must grant a further towing business authorisation to the applicant if —
 - (a) the application is made in accordance with subregulations (1) to (3); and
 - (b) the applicant pays the applicable authorisation fee prescribed under regulation 72B within the period referred to in subregulation (2); and
 - (c) the applicant complies with any notice given under subregulation (5).
- (7) Despite subregulation (6), the CEO —
 - (a) may refuse to grant a further towing business authorisation to the applicant if —
 - (i) the prior authorisation is suspended; or
 - (ii) any of the grounds for making an order suspending or cancelling the prior authorisation under section 29(1) or 30(1) or (4) of the Act apply;and

- (b) must refuse to grant a further towing business authorisation if section 30(2) or (3) of the Act applies in relation to the prior authorisation.
- (8) The authorisation document issued under section 20 of the Act for a further towing business authorisation granted under subregulation (6) must specify —
 - (a) the same authorisation number as the prior authorisation; and
 - (b) the day on which the authorisation comes into force, which must be the day after the day on which the prior authorisation expires.

[Regulation 3G inserted: SL 2026/53 r. 5.]

3H. Surrender of towing business authorisation

- (1) An authorised towing service provider may, by written notice given to the CEO, surrender the towing business authorisation.
- (2) If an authorised towing service provider surrenders a towing business authorisation, the CEO must cancel the authorisation by written notice given to the authorised towing service provider stating the day on which the cancellation takes effect.
- (3) A person who surrenders a towing business authorisation is not entitled to any refund of a fee paid in connection with the authorisation or any part of such a fee.

[Regulation 3H inserted: SL 2026/53 r. 5.]

Subdivision 3 — Responsible officers

[Heading inserted: SL 2026/53 r. 5.]

3I. Responsible officer must be ordinarily resident in Australia (s. 18(f))

For the purposes of section 18(f) of the Act, an individual nominated under section 17(4)(c) of the Act or regulation 3K must be ordinarily resident in Australia.

[Regulation 3I inserted: SL 2026/53 r. 5.]

3J. At least 1 responsible officer to be resident in State

It is a condition of a towing business authorisation that the authorised towing service provider must take all reasonable steps to ensure that at all times there is at least 1 responsible officer of the towing service provider who is a resident of the State.

[Regulation 3J inserted: SL 2026/53 r. 5.]

3K. Nomination of additional or replacement responsible officer

- (1) An authorised towing service provider may at any time, by written notice given to the CEO, nominate 1 or more additional individuals who meet the criteria in section 18 of the Act to be responsible officers to represent the provider in the conduct of the regulated towing business.
- (2) An authorised towing service provider may at any time, by written notice given to the CEO, withdraw the nomination of an individual to represent the provider in the conduct of the regulated towing business.
- (3) If an individual who is a responsible officer of an authorised towing service provider ceases to meet the criteria in section 18 of the Act, the provider must, as soon as practicable, give the CEO written notice withdrawing the nomination of the

individual to represent the provider in the conduct of the regulated towing business.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
 - (b) for a body corporate, a fine of \$25 000.
- (4) The nomination of an individual ceases when a notice under subregulation (2) or (3) is given to the CEO.
- (5) If the CEO is satisfied that a responsible officer has ceased to meet the criteria in section 18 of the Act, the CEO may, by written notice given to the authorised towing service provider, state that the nomination ceases.
- (6) A notice given under subregulation (5) takes effect on the day on which the notice is given.
- (7) Subregulation (8) applies if an authorised towing service provider ceases, or becomes aware that the provider will cease, to have either of the following —
 - (a) at least 1 responsible officer who is a resident of the State;
 - (b) if the provider is a body corporate — at least 1 responsible officer who is a director or manager of the body corporate.
- (8) The provider must as soon as practicable give written notice to the CEO nominating 1 or more replacement individuals to represent the authorised towing service provider in conducting the regulated towing business, so that the provider has a responsible officer or officers meeting the criteria in subregulation (7)(a) and (b).

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

- (9) When a nomination under subregulation (1) or (8) is made, the provider must —
- (a) pay the nomination fee prescribed under regulation 72B; and
 - (b) give the CEO a criminal record check for each nominated individual that is dated no earlier than 3 months before the day on which the nomination is made.

Note for this regulation:

Under section 18 of the Act, an individual must meet the criteria in that section in order to be nominated under this regulation to represent the authorised towing service provider in conducting a regulated towing business.

[Regulation 3K inserted: SL 2026/53 r. 5.]

3L. Acceptance of or refusal to accept nomination of additional or replacement responsible officer

- (1) The CEO may accept the nomination of an individual by an authorised towing service provider under regulation 3K(1) or (8) if the CEO is satisfied that the individual meets the criteria in section 18 of the Act.
- (2) The CEO may refuse to accept the nomination of an individual by an authorised towing service provider under regulation 3K(1) or (8) if —
 - (a) the individual has previously held a towing business authorisation, or an equivalent authorisation in another State or a Territory, and that authorisation has been cancelled; or
 - (b) the individual has been charged with a disqualification offence.

- (3) The CEO must refuse to accept the nomination of an individual by an authorised towing service provider under regulation 3K(1) or (8) if —
- (a) each of the following applies —
 - (i) the individual has been convicted of a disqualification offence;
 - (ii) the conviction has not been quashed or set aside;
 - (iii) the disqualification period prescribed under regulation 3M in relation to the disqualification offence has not passed since the conviction;
 - or
 - (b) for a nomination under regulation 3K(8) — the nomination will not result in the provider having a responsible officer or officers meeting the criteria in regulation 3K(7)(a) and (b).
- (4) The CEO must give written notice of the acceptance of or refusal to accept a nomination under regulation 3K(1) or (8) to the authorised towing service provider.

[Regulation 3L inserted: SL 2026/53 r. 5.]

Subdivision 4 — Disqualification

[Heading inserted: SL 2026/53 r. 5.]

3M. Disqualification offences and disqualification periods (s. 150)

Schedule 4 provides for —

- (a) the offences that are disqualification offences in relation to towing service providers, close associates of towing service providers and responsible officers of towing service providers; and

- (b) the disqualification periods for those disqualification offences.

[Regulation 3M inserted: SL 2026/53 r. 5.]

3N. Reinstatement of authorisation if conviction quashed or set aside (s. 151(4))

- (1) This regulation applies if —
 - (a) a towing business authorisation has been cancelled under section 30(2), (3) or (4) of the Act because the towing service provider, or a responsible officer or close associate of the provider, has been convicted of a disqualification offence; and
 - (b) the conviction is quashed or set aside on or before the day on which the authorisation would have expired.
- (2) On application by the provider, the CEO must, by written notice given to the provider, reinstate the authorisation and issue a further authorisation document to the provider specifying the same authorisation number as the cancelled authorisation.
- (3) A reinstated authorisation remains in force until —
 - (a) it is cancelled; or
 - (b) it expires under regulation 3F(2)(b) at the end of the period of 12 months beginning on the day on which it originally came into force.

[Regulation 3N inserted: SL 2026/53 r. 5.]

3O. Requirement to notify CEO of charge or conviction for disqualification offence

If an authorised towing service provider, or a responsible officer or close associate of the provider, is charged with or convicted of a disqualification offence, the provider must give written notice of the charge or conviction to the CEO as soon as practicable after becoming aware of the charge or conviction.

Penalty:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

[Regulation 3O inserted: SL 2026/53 r. 5.]

Subdivision 5 — Changes to information

[Heading inserted: SL 2026/53 r. 5.]

3P. Towing service provider to notify change in circumstances

An authorised towing service provider must give written notice to the CEO, as soon as practicable after becoming aware of the change, if there is a change in any of the information that is given to the CEO —

- (a) in the application for the towing business authorisation; or
- (b) in an application for renewal of the towing business authorisation; or
- (c) under this regulation.

Penalty:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

[Regulation 3P inserted: SL 2026/53 r. 5.]

3Q. Notice of appointment or election of new director or management committee member and criminal record check

- (1) This regulation applies if —
 - (a) an authorised towing service provider that is a company appoints a new director of the company; or
 - (b) an authorised towing service provider that is an incorporated association elects or appoints a new member of the management committee of the association.

- (2) Without limiting regulation 3P, the provider must, as soon as practicable after the appointment or election, give the CEO the following —
- (a) written notice of the appointment or election;
 - (b) a criminal record check for the new director or member (as the case may be) that is dated no earlier than 3 months before the day on which it is given to the CEO;
 - (c) information about whether the new director or member (as the case may be) —
 - (i) has previously held a towing business authorisation, or an equivalent authorisation in another State or a Territory, that has been cancelled; or
 - (ii) has previously made an application for a towing business authorisation, or an equivalent authorisation in another State or a Territory, that was refused;
 - (d) information about whether the new director or member (as the case may be) is a member of an identified organisation.

Penalty for this subregulation: a fine of \$25 000.

[Regulation 3Q inserted: SL 2026/53 r. 5.]

3R. Notice of additional towing worker and criminal record check

- (1) This regulation applies if an authorised towing service provider proposes that an individual who is not a towing worker notified to the CEO under regulation 3A(a) or 3G(3)(a) will engage in towing work for the purposes of the provider's regulated towing business.

- (2) Without limiting regulation 3P, before the individual first engages in towing work for the purposes of the business, the provider must give the CEO —
- (a) written notice of the proposed additional towing worker, including the details referred to in regulation 3A(a)(i) and (ii); and
 - (b) a criminal record check for the individual that is dated no earlier than 3 months before the day on which it is given to the CEO; and
 - (c) information about whether the individual is a member of an identified organisation.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

[Regulation 3R inserted: SL 2026/53 r. 5.]

Subdivision 6 — Offences relating to advertising by towing service providers

[Heading inserted: SL 2026/53 r. 5.]

3S. Offence to offer or advertise towing business unless authorised

A towing service provider must not offer to provide, advertise, or authorise or permit the publication of an advertisement for, a regulated towing business unless the provider is the holder of a towing business authorisation that is in force.

Penalty:

- (a) for an individual, a fine of \$9 000;
- (b) for a body corporate, a fine of \$45 000.

[Regulation 3S inserted: SL 2026/53 r. 26.]

3T. Name or authorisation number of provider must be included in advertising

An authorised towing service provider must not advertise, or authorise or permit the publication of an advertisement for, a regulated towing business unless the advertisement includes at least 1 of the following (as published in the list under section 28 of the Act) —

- (a) the authorisation number of the provider;
- (b) the name of the provider;
- (c) a business name used by the provider in connection with the towing business.

Penalty:

- (a) for an individual, a fine of \$9 000;
- (b) for a body corporate, a fine of \$45 000.

[Regulation 3T inserted: SL 2026/53 r. 5.]

Subdivision 7 — Miscellaneous

[Heading inserted: SL 2026/53 r. 5.]

3U. List of authorised towing businesses (s. 28)

The list of all authorised towing service providers published under section 28 of the Act must include the following information about each provider —

- (a) the authorisation number of the provider;
- (b) the name of the provider;
- (c) each business name used by the provider in connection with the towing business.

[Regulation 3U inserted: SL 2026/53 r. 5.]

Division 1 — Obligations in relation to towing

4. Vehicle used for towing must be licensed tow truck

A towing service provider in relation to a regulated towing business must ensure that each vehicle used to tow vehicles in the conduct of the business is —

- (a) a tow truck (as defined in the *Road Traffic (Vehicles) Regulations 2014* regulation 3) that is classified under regulation 414 of those regulations as —
 - (i) a tow truck of class 1, class 2, class 3 or class 4;
or
 - (ii) a tilt tray tow truck of class 1T, class 2T, class 3T or class 4T;
- and
- (b) the subject of a vehicle licence granted under the *Road Traffic (Vehicles) Act 2012* that is in force.

Penalty:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

5. Towing service provider must ensure towed vehicle is protected from damage

A towing service provider in relation to a regulated towing business must take reasonable steps to ensure that a vehicle towed in the conduct of the business is not damaged, or further damaged, during any of the following —

- (a) the loading of the vehicle onto a tow truck;
- (b) the towing of the vehicle;
- (c) the unloading of the vehicle from a tow truck;
- (d) any storage of the vehicle in a storage yard following the towing.

Penalty:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

6. Towing service provider must ensure personal property is secured

A towing service provider in relation to a regulated towing business must take reasonable steps to ensure that any personal property that is in, or attached to, a vehicle towed in the conduct of the business is kept secure, and protected from being lost, stolen or damaged, during any of the following —

- (a) the loading of the vehicle onto a tow truck;
- (b) the towing of the vehicle;
- (c) the unloading of the vehicle from a tow truck;
- (d) any storage of the vehicle in a storage yard following the towing.

Penalty:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

7. Towing service provider must ensure tow truck is fitted with dashboard camera unit

- (1) A towing service provider in relation to a regulated towing business must ensure that each tow truck used in the conduct of the business is fitted with a dashboard camera unit that —
 - (a) makes visual recordings (with or without audio) with a display resolution of at least 720 p; and
 - (b) has sufficient digital storage to be capable of making each visual recording required to be made under regulation 28(3) and storing the recording until it is provided to the towing service provider under regulation 28(5); and
 - (c) makes visual recordings that continuously display —

- (i) the time and date in Australian Western Standard Time; and
 - (ii) the latitude and longitude coordinates;
 - and
 - (d) is installed with the camera in a front-facing position that enables clear and unobstructed recordings to be made of the forward view through the tow truck's front windscreen.
- (2) Subregulation (1) is specified as a safety standard for a towing service provider.
- (3) A towing service provider that contravenes subregulation (1) commits an offence.
- Penalty for this subregulation:
- (a) for an individual, a fine of \$9 000;
 - (b) for a body corporate, a fine of \$45 000.

[Regulation 7 amended: SL 2026/53 r. 6.]

8. Towing service provider must ensure photographs taken and dashboard camera recordings made

- (1) A towing service provider in relation to a regulated towing business must take reasonable steps to ensure that a relevant towing worker takes, and provides to the towing service provider, the photographs required under regulation 27.
- Penalty for this subregulation:
- (a) for an individual, a fine of \$5 000;
 - (b) for a body corporate, a fine of \$25 000.
- (2) A towing service provider in relation to a regulated towing business must take reasonable steps to ensure that a relevant towing worker complies with the requirements of regulation 28.
- Penalty for this subregulation:
- (a) for an individual, a fine of \$9 000;

- (b) for a body corporate, a fine of \$45 000.

9. Display of restricted name or logo

- (1) A towing service provider in relation to a regulated towing business must ensure that no restricted name or logo is displayed on —
 - (a) a tow truck used for the purposes of the business; or
 - (b) clothing worn by a relevant towing worker while engaging in towing work, or obtaining or attempting to obtain an authority to tow, for the purposes of the business.

Penalty for this subregulation:

- (a) for an individual, a fine of \$9 000;
 - (b) for a body corporate, a fine of \$45 000.
- (2) Subregulation (1) does not apply to the name or logo of the towing service provider.
- (3) Subregulation (1) does not apply if —
 - (a) the restricted name or logo is the name or logo of a public entity; and
 - (b) the public entity has given written consent to the display of the name or logo to the towing service provider.

9A. Towing service provider must maintain telephone number and provide information in relation to vehicles

- (1) A towing service provider in relation to a regulated towing business must —
 - (a) maintain a telephone number for enquiries in relation to the towing of motor vehicles by the towing service provider; and
 - (b) ensure that an individual can be contacted on that telephone number to provide the information referred to in subregulation (2) —

- (i) at all times during business hours; and
- (ii) if a motor vehicle is towed by the towing service provider — at all times when the vehicle is being towed and for at least 30 minutes after the vehicle arrives at the place to which it is authorised to be towed.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
 - (b) for a body corporate, a fine of \$25 000.
- (2) A towing service provider in relation to a regulated towing business must ensure that a person who calls the telephone number referred to in subregulation (1) at a time referred to in that subregulation and claims to be a relevant person for a motor vehicle is given the following information about the vehicle —
- (a) whether the vehicle is being or has been towed by the provider;
 - (b) if the vehicle is being towed as referred to in paragraph (a) — the place to which the vehicle is being towed and the time at which it is expected to arrive at that place;
 - (c) if the vehicle has been towed as referred to in paragraph (a) to a storage yard and has not been released — the storage yard to which the vehicle has been towed.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

[Regulation 9A inserted: SL 2026/53 r. 7.]

9B. Towing service provider must have insurance

- (1) In this regulation —

authorised insurer means a person authorised under the *Insurance Act 1973* (Cth) section 12 to carry on insurance business in Australia.

- (2) A towing service provider in relation to a regulated towing business must take out and maintain, with an authorised insurer, a policy of insurance to indemnify the provider against liability in respect of any loss or theft of, or damage to —
- (a) a vehicle that is towed or stored by the provider in the conduct of the regulated towing business; and
 - (b) personal property kept in a vehicle described in paragraph (a).

Penalty for this subregulation:

- (a) for an individual, a fine of \$9 000;
- (b) for a body corporate, a fine of \$45 000.

[Regulation 9B inserted: SL 2026/53 r. 7.]

Division 2 — Storage of vehicles

Subdivision 1 — Requirements as to storage yards

[Heading inserted: SL 2026/53 r. 8.]

9C. Security at storage yard

An authorised towing service provider must ensure that a storage yard used in the conduct of the provider's regulated towing business —

- (a) is enclosed by a fence at least 2.1 m in height that is structurally sound and has lockable gates and doors; and
- (b) has flood lighting installed; and
- (c) has a closed-circuit television system or a monitored security alarm system installed.

Penalty:

- (a) for an individual, a fine of \$9 000;

- (b) for a body corporate, a fine of \$45 000.

[Regulation 9C inserted: SL 2026/53 r. 8.]

9D. Signage at storage yard

- (1) In this regulation —
sign includes lettering, symbols or markings, whether displayed on a separate board or panel or painted or affixed directly onto a wall, door or other surface.
- (2) An authorised towing service provider must ensure that a sign that complies with subregulation (3) is installed near the main entrance of each storage yard used in the conduct of the provider's regulated towing business.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
 - (b) for a body corporate, a fine of \$25 000.
- (3) The sign must —
 - (a) be installed in a position clearly visible from the road;
and
 - (b) display the following information —
 - (i) the towing service provider's name, or a business name used by the towing service provider in connection with the regulated towing business;
 - (ii) the authorisation number of the provider;
 - (iii) the telephone number referred to in regulation 9A(1).

[Regulation 9D inserted: SL 2026/53 r. 8.]

9E. Exclusive possession and control of storage yard

- (1) An authorised towing service provider must not use a storage yard in the conduct of a regulated towing business unless the towing service provider —

- (a) is —
 - (i) the registered proprietor of the premises; or
 - (ii) the leaseholder of the premises;and
 - (b) has and retains exclusive possession and control of the whole of the premises.
- (2) Without limiting subregulation (1)(b), an authorised towing service provider must not grant a lease, sublease or licence to, or otherwise confer a right to occupy on, another person in respect of any part of the premises.
- (3) It is a condition of a towing business authorisation that the authorised towing service provider must comply with subregulations (1) and (2).

[Regulation 9E inserted: SL 2026/53 r. 8.]

9F. Areas for storage and release of towed vehicles

- (1) An authorised towing service provider must ensure that the following requirements are met in relation to each storage yard used in the conduct of the provider's regulated towing business —
- (a) the storage yard must include an area that —
 - (i) is adequate to accommodate vehicles towed to the premises; and
 - (ii) is constructed and located in such a way that a vehicle can be released from the area within a reasonable time after a request is made for its release;
 - (b) there must be a suitable area near the entrance to the storage yard (either inside or outside the yard) where vehicles can be parked for release to a relevant person for the vehicle.

- (2) It is a condition of a towing business authorisation that the authorised towing service provider must comply with subregulation (1).

[Regulation 9E inserted: SL 2026/53 r. 8.]

9G. Compliance with local government and planning requirements

- (1) An authorised towing service provider must not use premises as a storage yard in the conduct of a regulated towing business unless all necessary approvals for the use of the premises as a storage yard have been obtained and are in force under —
- (a) the *Local Government Act 1995*; and
 - (b) the *Planning and Development Act 2005*.
- (2) It is a condition of a towing business authorisation that the authorised towing service provider must comply with subregulation (1).

[Regulation 9G inserted: SL 2026/53 r. 8.]

Subdivision 2 — General requirements

[Heading inserted: SL 2026/53 r. 9.]

10. Steps to release vehicle from storage (s. 15)

For the purposes of section 15(3) of the Act, a vehicle is released if the vehicle is left in an accessible position in an area described in regulation 9F(1)(b).

[Regulation 10 amended: SL 2026/53 r. 10.]

11. Moving stored vehicle

- (1) This regulation applies if a vehicle that has been towed in the conduct of a regulated towing business is moved from a storage yard in circumstances referred to in section 16(3)(c) of the Act.

- (2) The towing service provider in relation to the regulated towing business must ensure that notice of the following information is given in accordance with subregulation (3) within 24 hours after the vehicle leaves the storage yard —

- (a) the reason for moving the vehicle;
- (b) the location to which the vehicle has been moved.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

- (3) Notice under subregulation (2) must be given —

- (a) if the towing was authorised under an authority to tow given by a relevant person for the vehicle — to the relevant person in writing; or
- (b) if the towing was authorised under an authority to tow given by a police officer under section 40(3) of the Act — to the Commissioner of Police in a manner approved by the Commissioner of Police; or
- (c) if the towing was authorised by the Commissioner of Main Roads under section 40(4) of the Act — to the Commissioner of Main Roads in a manner approved by the Commissioner of Main Roads; or
- (d) if the towing was otherwise authorised under the *Road Traffic (Administration) Act 2008* or any other written law — to the person who gave the authorisation in writing.

12. Access to stored vehicle and retrieval of personal property

- (1) This regulation applies if a vehicle that has been towed in the conduct of a regulated towing business is stored in a storage yard.
- (2) On request by a relevant person for the vehicle or their agent, the towing service provider in relation to the regulated towing

business must, as soon as practicable but in any event no later than 4 hours after the request is made, ensure that the person is —

- (a) given access to the vehicle; and
- (b) enabled to retrieve personal property from the vehicle.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

- (3) The towing service provider must not impose a charge for doing anything referred to in subregulation (2)(a) or (b).

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

- (4) For the purposes of determining when the 4-hour period referred to in subregulation (2) expires, only time during business hours is to be counted.

Division 3 — Records, reporting and complaints

13. Records to be kept in relation to regulated towing business

- (1A) It is a condition of a towing business authorisation that the authorised towing service provider must comply with the requirements set out in this regulation.
- (1) The authorised towing service provider must, in accordance with this regulation, keep the following records in relation to the provider's regulated towing business —
 - (a) the following details of each towing worker who engages in towing work for the purposes of the business —
 - (i) name;
 - (ii) Australian driver licence number;

- (b) the following details of each tow truck used in the conduct of the business —
 - (i) make and model;
 - (ii) number plate details;
 - (iii) tow truck class;
- (c) the following details in relation to each occasion on which 1 or more individuals attend a crash site for the purposes of the business (whether or not a vehicle is towed from the crash site) —
 - (i) the individuals who attend the crash site;
 - (ii) the location of the crash site;
 - (iii) the tow truck or other vehicle used by the individuals;
 - (iv) the times of arrival and departure;
- (d) the following details in relation to each towing of a vehicle that occurs in the conduct of the business —
 - (i) the places from which, and to which, the vehicle is towed;
 - (ii) details of any storage yard in which the vehicle is stored following the towing, including the location of the storage yard and the times when the vehicle enters and leaves the storage yard;
 - (iii) details of any place to which the vehicle is moved in circumstances referred to in section 16(3)(c) of the Act;
 - (iv) the details referred to in subregulation (2A) in relation to any access by a person to the vehicle while it is stored in a storage yard;
- (e) each completed authority to tow given to the towing service provider under regulation 32(6);
- (f) each completed authorisation statement given to the towing service provider under regulation 35(6);

- (g) a copy of each invoice issued for towing charges and storage charges;
 - (h) each photograph provided to the towing service provider under regulation 27(2);
 - (i) each photograph showing evidence of why it was necessary for a vehicle to be recovered in order to be towed as referred to in regulation 49(3)(b);
 - (j) each visual recording provided to the towing service provider under regulation 28(5).
- (2) A record must be kept under subregulation (1) in the manner and form approved by the CEO.
- (2A) For the purposes of subregulation (1)(d)(iv), the details are —
 - (a) the date and time of access to the vehicle;
 - (b) the name of the person accessing the vehicle;
 - (c) the reason (if any) given by the person for accessing the vehicle.
- (2B) Without limiting subregulation (2) —
 - (a) if a record required to be kept under subregulation (1)(d)(ii) is kept in hard copy, it must be kept at the storage yard to which the vehicle is towed; and
 - (b) if a record required to be kept under subregulation (1)(e) is kept in hard copy, it must be kept —
 - (i) if the vehicle to which the record relates is towed to a storage yard — at the storage yard to which the vehicle is towed; or
 - (ii) if the vehicle to which the record relates is not towed to a storage yard — at a storage yard used in the conduct of the regulated towing business.
- (3) A record must be kept under subregulation (1)(a) for at least 2 years after the day on which the towing worker ceases to

engage in towing work for the purposes of the regulated towing business.

- (4) A record must be kept under subregulation (1)(b) for at least 2 years after the day on which the tow truck ceases to be used for the purposes of the regulated towing business.
- (5) A record must be kept under subregulation (1)(c) for at least 2 years after the day on which the attendance at the crash site occurs.
- (6) A record must be kept under subregulation (1)(d), (e), (f), (g), (h) or (i) for at least 2 years after the day on which the towing to which the record relates occurs.
- (7) A visual recording must be kept under subregulation (1)(j) for at least 3 months after the day on which it is made.

[Regulation 13 amended: SL 2026/53 r. 11.]

14. Reporting of notifiable occurrences

- (1) A towing service provider in relation to a regulated towing business must report to the CEO, in accordance with subregulation (2), any notifiable occurrence that occurs in relation to the regulated towing business.

Penalty for this subregulation:

- (a) for an individual, a fine of \$9 000;
 - (b) for a body corporate, a fine of \$45 000.
- (2) A report under subregulation (1) must be made —
 - (a) as soon as practicable after the towing service provider becomes aware of the notifiable occurrence; and
 - (b) in the manner and form approved by the CEO.

15. Complaints resolution procedure

The towing service provider in relation to a regulated towing business must ensure that —

- (a) a written procedure is prepared that provides for —
 - (i) a simple process by which a customer or other person can make a complaint in relation to any matter relating to the conduct of the regulated towing business; and
 - (ii) complaints to be investigated and resolved within a period that is reasonable in the circumstances;
- and
- (b) the procedure referred to in paragraph (a) is readily accessible by any person who wishes to make a complaint.

Penalty:

- (a) for an individual, a fine of \$12 000;
- (b) for a body corporate, a fine of \$60 000.

16. Records of complaints

- (1) The towing service provider in relation to a regulated towing business must, in accordance with this regulation, keep records of —
 - (a) each complaint made by a person in relation to a matter relating to the conduct of the regulated towing business; and
 - (b) the resolution of those complaints.

Penalty for this subregulation:

- (a) for an individual, a fine of \$12 000;
 - (b) for a body corporate, a fine of \$60 000.
- (2) A record must be kept under subregulation (1) in the manner and form approved by the CEO.
- (3) A record must be kept under subregulation (1) for at least 2 years after the day on which the complaint is made.

17. CEO may require records to be produced or provided

- (1) The CEO or an authorised officer may, by written notice, require a towing service provider to —
 - (a) produce for inspection any records that the towing service provider is required to keep under regulation 13 or 16; or
 - (b) provide copies of any records that the towing service provider is required to keep under regulation 13 or 16.
- (2) A notice under subregulation (1) must specify —
 - (a) the manner in which the records or copies must be produced or provided; and
 - (b) the time within which the records or copies must be produced or provided, which must allow the towing service provider a reasonable period to comply with the notice.
- (3) A notice under subregulation (1)(b) may require the copies of the records to be provided on an ongoing basis at times specified in the notice.
- (4) A person given a notice under subregulation (1) must comply with the notice.

Penalty for this subregulation:

- (a) for an individual, a fine of \$12 000;
- (b) for a body corporate, a fine of \$60 000.

Part 3 — Towing workers

Division 1 — Obligations in relation to towing

18. Towing by most direct route

- (1) This regulation applies to a towing worker who tows a vehicle for the purposes of a regulated towing business.
- (2) The towing worker must tow the vehicle by the most direct route, and without taking longer than is reasonably necessary, to the place to which the vehicle is authorised to be towed.

Penalty for this subregulation: a fine of \$5 000.

19. Towing worker must ensure vehicle is protected from damage

A towing worker must take reasonable steps to ensure that a vehicle towed in the conduct of a regulated towing business is not damaged, or further damaged, during —

- (a) the loading of the vehicle onto a tow truck; or
- (b) the towing of the vehicle; or
- (c) the unloading of the vehicle from a tow truck.

Penalty: a fine of \$5 000.

20. Towing worker must ensure personal property is secured

A towing worker must take reasonable steps to ensure that personal property that is in, or attached to, a vehicle towed in the conduct of a regulated towing business is —

- (a) kept secure; and
- (b) protected from being lost, stolen or damaged.

Penalty: a fine of \$5 000.

21. Requirement to carry Australian driver licence

- (1) This regulation applies to a towing worker who drives a tow truck for the purposes of a regulated towing business.
- (2) The towing worker must, when engaging in towing work for the purposes of the regulated towing business, carry the towing worker's Australian driver licence.

Penalty for this subregulation: a fine of \$5 000.

[Regulation 21 amended: SL 2026/53 r. 12.]

22. Removal of debris and oil and reporting of hazards

- (1) In this regulation —
main road has the meaning given in the *Main Roads Act 1930* section 6;
responsible authority, in relation to a road, means —
 - (a) if the road is a main road — the Commissioner of Main Roads; or
 - (b) otherwise — the local government of the local government district in which the road is located.
- (2) This regulation applies to a towing worker who tows a vehicle from a crash site for the purposes of a regulated towing business.
- (3) Before towing the vehicle, the towing worker must ensure that, as far as is practicable, any broken glass, debris, oil or other matter that is deposited on a road at the crash site because of the vehicle crash is removed from the road.
Penalty for this subregulation: a fine of \$5 000.
- (4) If there is a hazard on a road caused by the vehicle crash that is not dealt with under subregulation (3) or by the towing of the vehicle, the towing worker must ensure that the responsible

authority for the road is notified of the existence of the hazard as soon as practicable.

Penalty for this subregulation: a fine of \$5 000.

23. Remaining at crash site

- (1) This regulation applies to a towing worker who attends a crash site in a tow truck for the purposes of a regulated towing business.
- (2) The towing worker must not remain, and must ensure that the tow truck does not remain, at the crash site for longer than is reasonably necessary to do the following —
 - (a) ascertain whether another person has obtained an authority to tow in relation to the vehicle and, if not, obtain an authority to tow in relation to the vehicle;
 - (b) if the towing worker obtains an authority to tow in relation to the vehicle — load the vehicle onto the tow truck;
 - (c) comply with any obligations of the towing worker under the Act.

Penalty for this subregulation: a fine of \$5 000.

24. Obstructing authorised officers, emergency workers and persons providing first aid or medical care

- (1) In this regulation —

emergency worker means a member or officer of any of the following —

 - (a) a bush fire brigade as defined in the *Bush Fires Act 1954* section 7(1);
 - (b) a FES Unit as defined in the *Fire and Emergency Services Act 1998* section 3;
 - (c) a permanent fire brigade as defined in the *Fire Brigades Act 1942* section 4(1);

- (d) a private fire brigade as defined in the *Fire Brigades Act 1942* section 4(1);
- (e) an SES Unit as defined in the *Fire and Emergency Services Act 1998* section 3;
- (f) a volunteer fire brigade as defined in the *Fire Brigades Act 1942* section 4(1);
- (g) a VMRS Group as defined in the *Fire and Emergency Services Act 1998* section 3;

first aid or medical care provider means an ambulance officer or other person who provides first aid or medical care at a crash site or attends a crash site for that purpose.

- (2) This regulation applies to a towing worker who attends a crash site for the purposes of a regulated towing business.
- (3) On request by an authorised officer or emergency worker, the towing worker must immediately —
 - (a) move from a place so that the towing worker does not obstruct the performance of a function by an authorised officer or emergency worker at the crash site; or
 - (b) move a tow truck or other vehicle used by the towing worker so that the vehicle does not obstruct the performance of a function by an authorised officer or emergency worker at the crash site.

Penalty for this subregulation: a fine of \$9 000.

- (4) On request by a first aid or medical care provider, the towing worker must immediately —
 - (a) move from a place so that the towing worker does not obstruct the provision of first aid or medical care at the crash site; or
 - (b) move a tow truck or other vehicle used by the towing worker so that the vehicle does not obstruct the provision of first aid or medical care at the crash site.

Penalty for this subregulation: a fine of \$9 000.

- (5) Without limiting subregulations (3) and (4), the towing worker must not engage in any conduct at a crash site that hinders or obstructs —
- (a) the performance of functions by an emergency worker or authorised officer; or
 - (b) the provision of first aid or medical care.

Penalty for this subregulation: a fine of \$9 000.

25. Obstructing loading of vehicle onto other tow truck

- (1) This regulation applies if —
- (a) a towing worker attends a crash site in a tow truck for the purposes of a regulated towing business; and
 - (b) a vehicle is being or has been loaded onto another tow truck at the crash site.
- (2) The towing worker must not stop the towing worker's tow truck in a place where it obstructs —
- (a) the loading of the vehicle onto the other tow truck; or
 - (b) the departure of the other tow truck from the crash site.

Penalty for this subregulation: a fine of \$9 000.

26. Insulting, offensive or threatening language or behaviour

A towing worker in relation to a regulated towing business must not use insulting, offensive or threatening language, or behave in an insulting, offensive or threatening manner —

- (a) at a crash site; or
- (b) while engaging in towing work in a public place or in the sight or hearing of any person in a public place; or
- (c) to an authorised officer exercising a function under the Act or a person assisting an authorised officer in the exercise of a function under the Act.

Penalty: a fine of \$12 000.

Division 2 — Records and reporting

27. Towing worker must take photographs of vehicle

- (1) A towing worker who tows a vehicle in the conduct of a regulated towing business must ensure that the following photographs are taken of the vehicle —
- (a) photographs showing the condition of the vehicle before it is handled by a towing worker for the purposes of being towed or loaded onto a tow truck;
 - (b) photographs showing the condition of the vehicle after it is unloaded from a tow truck at the place to which it is towed.

Penalty for this subregulation: a fine of \$5 000.

- (2) A towing worker must ensure that the photographs taken under subregulation (1) are provided to the towing service provider as soon as practicable but in any event within 48 hours after the photographs are taken.

Penalty for this subregulation: a fine of \$5 000.

28. Towing worker must make dashboard camera recordings

- (1) This regulation applies to a towing worker who drives a tow truck for the purposes of a regulated towing business.
- (2) The towing worker must ensure that, at all times when the towing worker is driving a tow truck for the purposes of the regulated towing business, the dashboard camera unit required to be installed in the tow truck under regulation 7 is —
- (a) in working order; and
 - (b) positioned and configured so that it can make a visual recording that meets the requirements of subregulation (4).

Penalty for this subregulation: a fine of \$9 000.

- (3) On each occasion when the towing worker attends a crash site in a tow truck for the purposes of the regulated towing business, the towing worker must ensure that a continuous visual recording that meets the requirements of subregulation (4) is made using the dashboard camera unit for a period that —
- (a) starts —
 - (i) when the towing worker begins driving to the crash site after becoming aware of the vehicle crash; or
 - (ii) if the tow truck is driven more than 2 km to the crash site after the towing worker becomes aware of the vehicle crash — when the tow truck is at least 2 km from the crash site;
 - and
 - (b) ends —
 - (i) when the tow truck has been driven at least 2 km away from the crash site after the attendance at the crash site; or
 - (ii) if the tow truck is driven less than 2 km to its next destination after the attendance at the crash site — when the tow truck reaches its next destination.

Penalty for this subregulation: a fine of \$9 000.

- (4) The visual recording must —
- (a) record the forward view through the front windscreen of the tow truck; and
 - (b) be clear and unobstructed; and
 - (c) continuously display —
 - (i) the time and date in Australian Western Standard Time; and

- (ii) the latitude and longitude coordinates;
 - and
 - (d) not be affected by electromagnetic interference, or any other interference, that interrupts or reduces the quality of the recording.
- (5) The towing worker must ensure that a visual recording made under subregulation (3) is provided to the towing service provider in relation to the relevant towing business as soon as practicable but in any event within 48 hours after the recording is made.

Penalty for this subregulation: a fine of \$9 000.

29. Reporting of notifiable occurrences

- (1) A towing worker must report to the CEO, in accordance with subregulation (2), any notifiable occurrence that occurs in relation to the towing worker while the towing worker is —
 - (a) engaging in towing work for the purposes of a regulated towing business; or
 - (b) obtaining or attempting to obtain an authority to tow for the purposes of a regulated towing business.

Penalty for this subregulation: a fine of \$9 000.

- (2) A report under this regulation must be made —
 - (a) as soon as practicable after the towing worker becomes aware of the notifiable occurrence; and
 - (b) in the manner and form approved by the CEO.

Part 4 — Authorisation to tow vehicle

Division 1 — Authority to tow

30. Information to be included in authority to tow (s. 40)

- (1) For the purposes of section 40(2)(a) or (b) of the Act, an authority to tow authorising the towing of a vehicle for the purposes of a regulated towing business must —
 - (a) be signed by —
 - (i) the relevant person for the vehicle, or the police officer, who gives the authority to tow (the **authorising person**); and
 - (ii) the towing worker who obtains the authority to tow;
 - and
 - (b) include the matters required under subregulation (2).
- (2) An authority to tow must include the following —
 - (a) the time and date when the authority to tow is signed by the authorising person and towing worker;
 - (b) the place from which the vehicle is authorised to be towed;
 - (c) the address of the place to which the vehicle is authorised to be towed;
 - (d) a statement to the effect that, if it is not possible to tow the vehicle to that address due to unforeseen circumstances, the towing of the vehicle to another appropriate location is authorised and obligations under these regulations apply;
 - (e) the following information about the towing service provider for the regulated towing business —
 - (i) name and (if applicable) business name;
 - (ii) principal business address in the State;

- (iii) telephone number;
 - (iv) Australian Company Number or Australian Business Number (if applicable);
- (f) the following information about the tow truck to be used in towing the vehicle —
 - (i) make and model;
 - (ii) number plate details;
 - (iii) tow truck class;
- (g) the following information about the vehicle to be towed —
 - (i) make and model;
 - (ii) number plate details or, if there is no number plate, VIN, engine identification number or individual chassis identification number;
 - (iii) category of vehicle;
- (h) the name and telephone number of the towing worker who will drive the tow truck to be used in towing the vehicle;
- (i) information about the towing charges and storage charges payable;
- (j) if the towing charges payable include an amount for the recovery of the vehicle as referred to in regulation 49(2)(b)(iii) — the justification for charging that amount;
- (k) if the authorising person is a relevant person for the vehicle — the relevant person's name, telephone number and driver's licence number (if applicable);
- (l) if the authorising person is a police officer — the name and registered number of the police officer;
- (m) any other information required by the approved form.

31. Towing service provider must provide authority to tow forms

- (1) In this regulation —

authority to tow form means the approved form for an authority to tow.

- (2) The towing service provider in relation to a regulated towing business must ensure that each relevant towing worker is provided with authority to tow forms to enable the towing worker to comply with the obligations under section 40 of the Act and regulation 32.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

32. Towing worker must make and distribute copies of authority to tow

- (1) This regulation applies if a towing worker obtains an authority to tow a vehicle in the conduct of a regulated towing business.

- (2) The towing worker must make 3 copies of the original signed authority to tow, each of which must show the signatures of the authorising person and towing worker.

Penalty for this subregulation: a fine of \$9 000.

- (3) Each of the original signed authority to tow and the 3 copies is a **completed authority to tow** for the purposes of this regulation.

- (4) Before the towing worker starts to tow the vehicle, the towing worker must give 1 completed authority to tow to the authorising person.

Penalty for this subregulation: a fine of \$9 000.

- (5) Before the towing worker starts to tow the vehicle, the towing worker must either —

- (a) place 1 completed authority to tow in the vehicle in a position where it is protected from being lost or damaged; or
- (b) attach 1 completed authority to tow to the vehicle in a manner that protects it from being lost or damaged.

Penalty for this subregulation: a fine of \$9 000.

- (6) The towing worker must ensure that 1 completed authority to tow is given to the towing service provider in relation to the regulated towing business as soon as practicable but in any event within 48 hours after the authority to tow is signed by the authorising person.

Penalty for this subregulation: a fine of \$9 000.

- (7) The towing worker must retain 1 completed authority to tow for at least 2 years after the authority to tow is signed by the authorising person.

Penalty for this subregulation: a fine of \$9 000.

33. Towing worker must notify person if vehicle cannot be towed to authorised place

- (1) This regulation applies if —

- (a) an authority to tow has been given authorising the towing of a vehicle to an address by a towing worker; and
- (b) it is not possible to tow the vehicle to that address due to unforeseen circumstances; and
- (c) the towing worker tows the vehicle to another appropriate location (as referred to in regulation 30(2)(d)).

- (2) The towing worker must, as soon as practicable but in any event within 4 hours after the vehicle arrives at the other location, give notice in accordance with subregulation (3) of —
- (a) the location to which the vehicle has been towed; and
 - (b) the reason why it was not possible to tow the vehicle to the address referred to in subregulation (1)(a).

Penalty for this subregulation: a fine of \$9 000.

- (3) Notice under subregulation (2) must be given —
- (a) if the authority to tow was given by a relevant person for the vehicle — to the relevant person in writing; or
 - (b) if the authority to tow was given by a police officer under section 40(3) of the Act — to the Commissioner of Police in a manner approved by the Commissioner of Police.

Division 2 — Authorisation by Commissioner of Main Roads

34. Authorisation statement must be completed if authorisation given by Commissioner of Main Roads

- (1) This regulation applies if the Commissioner of Main Roads authorises the towing of a vehicle under section 40(4) of the Act.
- (2) The towing worker who is to drive the tow truck to be used in towing the vehicle must complete an authorisation statement in accordance with this regulation before starting to tow the vehicle.

Penalty for this subregulation: a fine of \$12 000.

- (3) The authorisation statement must —
- (a) be in the approved form; and
 - (b) be signed by the towing worker; and
 - (c) include the matters required under subregulation (4).

- (4) The authorisation statement must include the following —
- (a) that the Commissioner of Main Roads has authorised the towing of the vehicle under section 40(4) of the Act;
 - (b) the place from which the vehicle is authorised to be towed;
 - (c) a description of the towing that is authorised;
 - (d) the following information about the towing service provider for the regulated towing business —
 - (i) name and (if applicable) business name;
 - (ii) principal business address in the State;
 - (iii) telephone number;
 - (iv) Australian Company Number or Australian Business Number (if applicable);
 - (e) the following information about the tow truck to be used in towing the vehicle —
 - (i) make and model;
 - (ii) number plate details;
 - (iii) tow truck class;
 - (f) the following information about the vehicle to be towed —
 - (i) make and model;
 - (ii) number plate details or, if there is no number plate, VIN, engine identification number or individual chassis identification number;
 - (iii) category of vehicle;
 - (g) the name and telephone number of the towing worker who will drive the tow truck to be used in towing the vehicle;
 - (h) information about the towing charges and storage charges payable;

- (i) if the towing charges payable include an amount for the recovery of the vehicle as referred to in regulation 49(2)(b)(iii) — the justification for charging that amount;
- (j) any incident number communicated to the towing worker in relation to the authorisation by the Commissioner of Main Roads;
- (k) any other information required by the approved form.

35. Towing worker must make and distribute copies of authorisation statement

- (1) This regulation applies if a towing worker in relation to a regulated towing business completes an authorisation statement under regulation 34(2).
- (2) The towing worker must make 3 copies of the original signed authorisation statement, each of which must show the signature of the towing worker.

Penalty for this subregulation: a fine of \$9 000.

- (3) Each of the original signed authorisation statement and the 3 copies is a **completed authorisation statement** for the purposes of this regulation.
- (4) If a relevant person for the vehicle is present at the place from which the vehicle is to be towed, the towing worker must give 1 completed authorisation statement to the relevant person before starting to tow the vehicle.

Penalty for this subregulation: a fine of \$9 000.

- (5) The towing worker must give 1 completed authorisation statement to the Commissioner of Main Roads as soon as practicable but in any event within 72 hours after the authorisation statement is signed by the towing worker.

Penalty for this subregulation: a fine of \$9 000.

- (6) The towing worker must give 1 completed authorisation statement to the towing service provider in relation to the regulated towing business as soon as practicable but in any event within 48 hours after the authorisation statement is signed by the towing worker.

Penalty for this subregulation: a fine of \$9 000.

- (7) The towing worker must retain 1 completed authorisation statement for at least 2 years after the authorisation statement is signed by the towing worker.

Penalty for this subregulation: a fine of \$9 000.

[Regulation 35 amended: SL 2026/53 r. 13.]

Division 3 — Obtaining authority to tow

36. Application of Division

This Division applies in relation to obtaining, or attempting to obtain, an authority to tow authorising the towing of a vehicle for the purposes of a regulated towing business.

37. Authority to tow must be obtained only by tow truck driver present with suitable tow truck

An individual must not obtain, or attempt to obtain, an authority to tow authorising the towing of a vehicle from a crash site if any of the following requirements is not satisfied —

- (a) the individual must be a towing worker who drives a tow truck (the **suitable tow truck**) that —
 - (i) is of a tow truck class that is suitable to be used to tow the vehicle; and
 - (ii) is immediately available to be used to tow the vehicle;
- (b) the individual must be present at the crash site;
- (c) the suitable tow truck must be stopped at the crash site;

- (d) the tow truck to be used in towing the vehicle must be the suitable tow truck.

Penalty: a fine of \$12 000.

38. False, misleading or altered authorities to tow

- (1) An individual must not include in an authority to tow any information that the individual knows to be false or misleading in a material particular.

Penalty for this subregulation: a fine of \$12 000.

- (2) An individual must not make any alteration to an authority to tow after it has been signed.

Penalty for this subregulation: a fine of \$12 000.

39. Obtaining authority to tow using force, threats, intimidation, offensive behaviour or persistent soliciting

- (1) An individual must not use force or threats, or engage in behaviour that could reasonably be expected to intimidate another person, in obtaining or attempting to obtain an authority to tow.

Penalty for this subregulation: a fine of \$12 000.

- (2) An individual must not, in obtaining or attempting to obtain an authority to tow —

- (a) use insulting or offensive language; or
- (b) behave in an insulting or offensive manner.

Penalty for this subregulation: a fine of \$12 000.

- (3) An individual must not engage in persistent soliciting in obtaining or attempting to obtain an authority to tow.

Penalty for this subregulation: a fine of \$12 000.

40. Obtaining authority to tow from person to whom first aid or medical care is being provided

An individual must not obtain, or attempt to obtain, an authority to tow from a relevant person for a vehicle while first aid or medical care is being provided to the person at a crash site.

Penalty: a fine of \$12 000.

41. Obtaining authority to tow by fraudulent behaviour

(1) In this regulation —

fraudulent behaviour, engaged in by an individual, includes the following —

- (a) using a trick or false pretence;
- (b) making a statement that the individual knows is false or misleading in a material particular;
- (c) displaying or using a document that the individual knows is false or misleading in a material particular.

(2) An individual must not engage in fraudulent behaviour in obtaining, or attempting to obtain, an authority to tow.

Penalty for this subregulation: a fine of \$12 000.

42. Obtaining authority to tow by holding out association with public entity, insurance company or roadside assistance provider

An individual commits an offence if —

- (a) in obtaining or attempting to obtain an authority to tow, the individual engages in any conduct that would cause a reasonable person to believe that the individual is acting —
 - (i) for or on behalf of a public entity, insurance company or roadside assistance provider; or

- (ii) under an arrangement with a public entity, insurance company or roadside assistance provider;

and

- (b) the individual is not acting as referred to in paragraph (a)(i) or (ii).

Penalty: a fine of \$12 000.

43. Soliciting for vehicle repair or hire services

- (1) An individual commits an offence if —

- (a) the individual obtains or attempts to obtain an authority to tow from a relevant person for a vehicle; and

- (b) the individual —

- (i) touts or solicits for any business from the relevant person in relation to a vehicle repair service or vehicle hire service; or
- (ii) provides, or offers to provide, the relevant person with a quotation in relation to a vehicle repair service or vehicle hire service; or
- (iii) obtains or attempts to obtain any agreement or authorisation from the relevant person in relation to the provision of a vehicle repair service or vehicle hire service;

and

- (c) the conduct referred to in paragraph (b) occurs —

- (i) while obtaining or attempting to obtain the authority to tow; or
- (ii) if the vehicle is towed — at any time before the vehicle is unloaded from the tow truck following the towing.

Penalty for this subregulation: a fine of \$9 000.

- (2) Subregulation (1)(b) does not apply to the individual making a booking with an on-demand booking service for the use of an on-demand vehicle to transport a person away from a crash site, or to conduct engaged in for the purposes of making such a booking, if the individual does not receive any valuable thing (as defined in section 68(1) of the Act) in consideration of the making of the booking.
- (3) In subregulation (2) —
on-demand booking service and **on-demand vehicle** have the meanings given in the *Transport (Road Passenger Services) Act 2018* section 4(1).

44. Display of restricted name or logo

- (1) An individual must not display a restricted name or logo while attending a crash site for the purposes of obtaining or attempting to obtain an authority to tow a vehicle.
Penalty for this subregulation: a fine of \$9 000.
- (2) Without limiting subregulation (1), an individual displays a name or logo for the purposes of that subregulation if the name or logo is displayed on —
 - (a) a tow truck used by the individual; or
 - (b) clothing worn by the individual.
- (3) Subregulation (1) does not apply to the name or logo of the towing service provider (the **relevant towing service provider**) that conducts the regulated towing business for the purposes of which the individual obtains, or attempts to obtain, the authority to tow.
- (4) Subregulation (1) does not apply if —
 - (a) the restricted name or logo is the name or logo of a public entity; and

- (b) the public entity has given written consent to the display of the name or logo to the relevant towing service provider.

45. Individual prohibited from obtaining authority to tow must not hinder or obstruct others

An employee or agent of a towing service provider present at a crash site who is prohibited from obtaining or attempting to obtain an authority to tow under regulation 37 must not engage in any conduct that hinders or obstructs another individual present at the crash site from —

- (a) obtaining, or attempting to obtain, an authority to tow; or
- (b) engaging in towing work after an authority to tow is obtained.

Penalty: a fine of \$9 000.

Part 5 — Charges for towing and storage

Division 1 — Preliminary

46. Terms used

In this Part —

GST has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth) section 195-1;

light vehicle —

- (a) has the meaning given in the *Road Traffic (Vehicles) Act 2012* section 3(1); but
- (b) does not include a motor cycle;

motor cycle has the meaning given in the *Road Traffic (Vehicles) Regulations 2014* regulation 3;

owner, in relation to a vehicle, means a person entitled to immediate possession of the vehicle;

Perth and Peel means the area comprising —

- (a) the metropolitan region described in the *Planning and Development Act 2005* Schedule 3; and
- (b) the Peel region described in the *Planning and Development Act 2005* Schedule 4 item 6;

recovery, in relation to a vehicle to be towed, means the retrieval of the vehicle for the purpose of loading it onto a tow truck in circumstances in which it is reasonably necessary to use specialised equipment or specialist personnel.

47. Factors to be considered in determining whether towing charge or storage charge is unreasonable

- (1) Without limiting the factors that may be considered in determining whether a towing charge is unreasonable for the

purposes of regulation 50 or 52, the following factors that are relevant must be considered —

- (a) the day on which the service is provided;
- (b) the time at which the service is provided;
- (c) the time taken to provide the service;
- (d) the distance travelled during the provision of the service;
- (e) any administration costs incurred in the provision of the service;
- (f) the amount that would be charged for the same or a similar service by other persons conducting a towing business in the same geographical area.

(2) Without limiting the factors that may be considered in determining whether a storage charge is unreasonable for the purposes of regulation 55 or 57, the following factors that are relevant must be considered —

- (a) the costs of operating the storage yard, having regard to —
 - (i) the cost of land where the storage yard is located; and
 - (ii) the security measures at the storage yard; and
 - (iii) the manner in which vehicles are stored at the storage yard;
- (b) any administration costs incurred in the provision of the service;
- (c) the amount that would be charged for the same or a similar service by other persons operating a storage yard in the same geographical area.

Division 2 — Towing charges

Subdivision 1 — Vehicle towed from within Perth and Peel

48. Application of Subdivision

This Subdivision applies to the imposition of towing charges in relation to a vehicle towed in the conduct of a regulated towing business if the vehicle is towed from a place within Perth and Peel.

49. Towing charge for light vehicle or motor cycle must not exceed maximum amount

- (1) A person must not impose a towing charge in relation to a light vehicle or a motor cycle that exceeds the maximum amount that applies under subregulation (2).

Penalty for this subregulation:

- (a) for an individual, a fine of \$12 000;
 - (b) for a body corporate, a fine of \$60 000.
- (2) The maximum amount that may be charged for the towing of a light vehicle or a motor cycle is the sum of —
- (a) \$523; and
 - (b) each of the following additional amounts (if any) that is applicable in the circumstances —
 - (i) if the vehicle is towed for more than 50 km — an amount equal to \$4.75 for each kilometre or part of a kilometre more than 50 km;
 - (ii) if the vehicle is towed at a time that is not during business hours — \$149;
 - (iii) if an amount for the recovery of the vehicle may be charged under subregulation (3) — an additional amount for the recovery that is reasonable.

- (3) For the purposes of subregulation (2)(b)(iii), an amount for the recovery of a vehicle may be charged only if —
 - (a) it is necessary for the vehicle to be recovered in order for it to be towed; and
 - (b) photographs are taken showing evidence of why it is necessary for the vehicle to be recovered in order for it to be towed.
- (4) A maximum amount determined under subregulation (2) includes any GST payable.
- (5) For the purposes of subregulation (2)(b)(ii), the time at which a vehicle is towed is the time at which the authorisation to tow the vehicle is given.
- (6) Without limiting the factors that may be considered in determining whether an amount charged for the recovery of a vehicle is reasonable for the purposes of subregulation (2)(b)(iii), the following factors that are relevant must be considered —
 - (a) the specialised equipment used in the recovery;
 - (b) the specialist personnel used in the recovery;
 - (c) the time taken to recover the vehicle.

[Regulation 49 amended: SL 2026/53 r. 14.]

50. Towing charge for heavy vehicle must not be unreasonable

A person must not impose a towing charge in relation to a heavy vehicle that is unreasonable.

Penalty:

- (a) for an individual, a fine of \$12 000;
- (b) for a body corporate, a fine of \$60 000.

Subdivision 2 — Vehicle towed from outside Perth and Peel

51. Application of Subdivision

This Subdivision applies to the imposition of towing charges in relation to a vehicle towed in the conduct of a regulated towing business if the vehicle is towed from a place outside Perth and Peel.

52. Towing charge must not be unreasonable

A person must not impose a towing charge that is unreasonable.

Penalty:

- (a) for an individual, a fine of \$12 000;
- (b) for a body corporate, a fine of \$60 000.

Division 3 — Storage charges

Subdivision 1 —Storage of vehicle towed within, out of or into Perth and Peel

53. Application of Subdivision

This Subdivision applies to the imposition of storage charges in relation to a vehicle towed in the conduct of a regulated towing business if the vehicle is —

- (a) towed from a place within Perth and Peel to —
 - (i) another place within Perth and Peel; or
 - (ii) a place outside Perth and Peel;
- or
- (b) towed from a place outside Perth and Peel to a place within Perth and Peel.

54. Storage charge for light vehicle or motor cycle must not exceed maximum amount

- (1) In this regulation —
day means a period of 24 hours.
- (2) A person must not impose a storage charge in relation to a light vehicle or a motor cycle that exceeds the maximum amount that applies under subregulation (3).

Penalty for this subregulation:

- (a) for an individual, a fine of \$12 000;
(b) for a body corporate, a fine of \$60 000.
- (3) The maximum amount that may be charged for the storage of a light vehicle or a motor cycle is the sum of —
- (a) a charge of —
- (i) if the vehicle is a light vehicle — \$27 for each day or part of a day during which the vehicle is stored; or
- (ii) if the vehicle is a motor cycle — \$13.50 for each day or part of a day during which the vehicle is stored;
- and
- (b) an administration charge of \$95.
- (4) A maximum amount determined under subregulation (3) includes any GST payable.

[Regulation 54 amended: SL 2026/53 r. 15.]

55. Storage charge for heavy vehicle must not be unreasonable

A person must not impose a storage charge in relation to a heavy vehicle that is unreasonable.

Penalty:

- (a) for an individual, a fine of \$12 000;

- (b) for a body corporate, a fine of \$60 000.

Subdivision 2 — Storage of vehicle towed outside Perth and Peel

56. Application of Subdivision

This Subdivision applies to the imposition of storage charges in relation to a vehicle towed in the conduct of a regulated towing business if the vehicle is towed from a place outside Perth and Peel to another place outside Perth and Peel.

57. Storage charge must not be unreasonable

A person must not impose a storage charge that is unreasonable.

Penalty:

- (a) for an individual, a fine of \$12 000;
(b) for a body corporate, a fine of \$60 000.

Division 4 — Liability for and payment of charges

58. Liability for towing charges and storage charges

- (1) If an authority to tow a vehicle is given by a relevant person for the vehicle, that relevant person is liable to pay the towing charges, and any storage charges, payable in accordance with the Act.
- (2) If a police officer gives an authority to tow a vehicle under section 40(3) of the Act —
- (a) the police officer or the State is not liable to pay any towing charges or storage charges; and
- (b) the owner of the vehicle is liable to pay the towing charges, and any storage charges, payable in accordance with the Act.

- (3) If the Commissioner of Main Roads authorises the towing of a vehicle under section 40(4) of the Act —
- (a) the Commissioner or the State is not liable to pay any towing charges or storage charges; and
 - (b) the owner of the vehicle is liable to pay the towing charges, and any storage charges, payable in accordance with the Act.

59. Payment of towing charges and storage charges

- (1) In this regulation —

payment method means a method of paying charges, including —

- (a) cash; and
- (b) electronic funds transfer at point of sale; and
- (c) online credit or debit card payment; and
- (d) an electronic bill payment system; and
- (e) direct transfer to a nominated account (whether identified using the bank and account details or using another identifier such as a mobile phone number, email address or Australian Business Number);

payment record means a record, including an electronic record, showing that a direct transfer has been made to a nominated account.

- (2) This regulation applies in relation to towing charges and storage charges payable in relation to a vehicle that has been towed in the conduct of a regulated towing business.
- (3) The towing service provider must, as soon as practicable on request by a relevant person for the vehicle or their agent, but in any event within 4 hours after the request is made, give the requesting person an invoice —
- (a) setting out the amount of the charges; and

- (b) giving details of the payment methods by which the charges can be paid.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
 - (b) for a body corporate, a fine of \$25 000.
- (4) For the purposes of determining when the 4-hour period referred to in subregulation (3) expires, only time during business hours is to be counted.

- (5) The towing service provider must take all reasonable steps to enable the charges to be paid.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
 - (b) for a body corporate, a fine of \$25 000.
- (6) Without limiting subregulation (5), the towing service provider must allow the charges to be paid by at least 2 different payment methods.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
 - (b) for a body corporate, a fine of \$25 000.
- (7) The towing service provider must not allow payment of the charges by direct transfer to a nominated account unless the towing service provider accepts the production of a payment record as evidence of the charges having been paid for the purpose of releasing the vehicle from storage, without requiring the funds to have cleared.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$25 000.

Part 6 — Safety standards

60. Personal protective equipment

- (1) In this regulation —

personal protective equipment means anything used or worn by a person to minimise risk to the person's health and safety;

PPE standards means the document entitled Personal Protection Equipment for Towing Workers Standards 2024, published on the Department's website as at 10 January 2025.

- (2) A towing worker must use personal protective equipment in accordance with the PPE standards at any time when the towing worker —

- (a) is doing any of the following for the purposes of a regulated towing business —

- (i) engaging in towing work;
- (ii) unloading a vehicle from a tow truck;
- (iii) obtaining, or attempting to obtain, an authority to tow a vehicle;

and

- (b) is not inside a vehicle.

- (3) Subregulation (2) is specified as a safety standard for a towing worker.

- (4) A towing worker who contravenes subregulation (2) commits an offence.

Penalty for this subregulation: a fine of \$5 000.

- (5) A towing service provider in relation to a regulated towing business that fails to ensure that a relevant towing worker complies with subregulation (2) commits an offence.

Penalty for this subregulation:

- (a) for an individual, a fine of \$5 000;

- (b) for a body corporate, a fine of \$25 000.

60A. Towing worker must hold current driver licence

- (1) A towing worker must hold an Australian driver licence that is in force and not suspended at all times when the towing worker is doing any of the following for the purposes of a regulated towing business —
 - (a) engaging in towing work;
 - (b) unloading a vehicle from a tow truck;
 - (c) obtaining, or attempting to obtain, an authority to tow a vehicle.
- (2) Subregulation (1) is specified as a safety standard for a towing worker.
- (3) A towing worker who contravenes subregulation (1) commits an offence.
Penalty for this subregulation: a fine of \$5 000.
- (4) A towing service provider in relation to a regulated towing business that fails to ensure that a relevant towing worker complies with subregulation (1) commits an offence.
Penalty for this subregulation:
 - (a) for an individual, a fine of \$5 000;
 - (b) for a body corporate, a fine of \$25 000.

[Regulation 60A inserted: SL 2026/53 r. 16.]

61. Driving, stopping or parking tow truck in prohibited manner

- (1) In this regulation each of the following terms has the meaning given in the *Road Traffic Code 2000* regulation 3(1) —
 - carriageway***
 - emergency stopping lane***
 - median strip***

Painted island

Park

Traffic island

- (2) A towing worker who drives a tow truck for the purposes of a regulated towing business must not drive the tow truck in an emergency stopping lane unless the driving is necessary —
 - (a) to avoid a collision; or
 - (b) to stop in the lane in circumstances referred to in the *Road Traffic Code 2000* regulation 150; or
 - (c) because the tow truck is disabled.
- (3) A towing worker who drives a tow truck for the purposes of a regulated towing business must not drive the tow truck on or over a median strip, traffic island or painted island in a manner that is prohibited under the *Road Traffic Code 2000* regulation 119.
- (4) A towing worker who drives a tow truck for the purposes of a regulated towing business must not stop or park the tow truck on or near a carriageway in a manner that is prohibited under the *Road Traffic Code 2000* Part 12.
- (5) Subregulations (2), (3) and (4) do not apply if the towing worker is loading a vehicle onto the tow truck in circumstances referred to in the *Road Traffic Code 2000* regulation 287(1).
- (6) Each of subregulations (2), (3) and (4) is specified as a safety standard for a towing worker.
- (7) A towing worker who contravenes subregulation (2), (3) or (4) commits an offence.

Penalty for this subregulation: a fine of \$9 000.

Part 7 — Information

62. Law enforcement officials (s. 70)

For the purposes of the definition of **law enforcement official** in section 70 of the Act, each of the following is a law enforcement official —

- (a) the Australian Border Force Commissioner as defined in the *Australian Border Force Act 2015* (Commonwealth) section 4(1);
- (b) the Commissioner as defined in the *Australian Federal Police Act 1979* (Commonwealth) section 4(1);
- (c) the Commissioner as defined in the *Corruption, Crime and Misconduct Act 2003* section 3(1);
- (d) the Public Sector Commissioner, but only when the Public Sector Commissioner is performing functions under the *Corruption, Crime and Misconduct Act 2003*;
- (e) the Commissioner (however designated) of the police force of another State or of the Northern Territory.

63. Relevant authorities (s. 70)

- (1) In this regulation —

Commissioner for Consumer Protection means the person designated under the *Fair Trading Act 2010* section 55(2);

Metropolitan Redevelopment Authority means the body established by the *Metropolitan Redevelopment Authority Act 2011* section 4(1);

Road Safety Commissioner means the person employed in the department of the Public Service principally assisting in the administration of the *Road Safety Council Act 2002* in the position of Road Safety Commissioner for Western Australia;

Western Australian Planning Commission means the body established by the *Planning and Development Act 2005* section 7(1);

WorkSafe Commissioner means the person appointed under the *Work Health and Safety Act 2020* Schedule 1 Division 1.

- (2) For the purposes of paragraph (b) of the definition of **relevant authority** in section 70 of the Act, the following persons are prescribed —
- (a) the chief executive officer of Austroads Ltd (ACN 136 812 390) (the **Austroads chief executive**) or an officer or agent of Austroads Ltd who is nominated by the Austroads chief executive to the CEO;
 - (b) the chief executive officer of a local government or a person employed in the local government who is nominated by the chief executive officer to the CEO;
 - (ba) the chair of the board of the Western Australian Planning Commission or a person employed in the department of the Public Service principally assisting in the administration of the *Planning and Development Act 2005* who is nominated by the chair to the CEO;
 - (bb) the chief executive officer of the Metropolitan Redevelopment Authority or a person employed in the department of the Public Service principally assisting in the administration of the *Metropolitan Redevelopment Authority Act 2011* who is nominated by the chief executive officer to the CEO;
 - (c) the Commissioner for Consumer Protection or a person employed in the department of the Public Service principally assisting in the administration of the *Fair Trading Act 2010* who is nominated by the Commissioner for Consumer Protection to the CEO;
 - (d) the Commissioner, as defined in the *Taxation Administration Act 1953* (Commonwealth) section 2(1), or a member of the staff mentioned in section 4A of that Act who is nominated by the Commissioner to the CEO;
 - (e) the managing director, as defined in the *Insurance Commission of Western Australia Act 1986* section 3, or

an officer or employee of the Insurance Commission of Western Australia who is nominated by the managing director to the CEO;

- (f) the Road Safety Commissioner or a person employed in the department of the Public Service principally assisting in the administration of the *Road Safety Council Act 2002* who is nominated by the Road Safety Commissioner to the CEO;
 - (g) the WorkSafe Commissioner or a person employed in the department of the Public Service principally assisting in the administration of the *Work Health and Safety Act 2020* who is nominated by the WorkSafe Commissioner to the CEO.
- (3) A nomination under subregulation (2) must be in writing signed by the person making the nomination.
- (4) A person mentioned in subregulation (2)(a) to (g) whose nomination to the CEO is revoked is, when the revocation takes effect, no longer prescribed for the purposes of paragraph (b) of the definition of **relevant authority** in section 70 of the Act.

[Regulation 63 amended: SL 2026/53 r. 17.]

64. Information that CEO must disclose to Commissioner of Police (s. 77(1))

For the purposes of section 77(1)(b) of the Act, the following information is information that must be disclosed to the Commissioner of Police —

- (a) information obtained by the CEO in the administration of the Act that relates to the suspected commission of an offence for which the maximum penalty is, or includes, imprisonment for 5 years or more;
- (b) information obtained by the CEO in the administration of the Act that relates to the suspected commission of an

offence under the *Road Traffic Act 1974* section 60 or 61;

- (c) information obtained by the CEO in the administration of the Act that relates to the suspected commission of an offence under the *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021* or the *Criminal Organisations Control Act 2012*.

65. Information that CEO may disclose to relevant authority (s. 79)

- (1) In this regulation —

planning legislation means any of the following —

- (a) the *Hope Valley-Wattleup Redevelopment Act 2000*;
- (b) the *Metropolitan Redevelopment Authority Act 2011*;
- (c) the *Local Government Act 1995*;
- (d) the *Planning and Development Act 2005*;
- (e) the *Swan Valley Planning Act 2020*;
- (f) without limiting the application of the *Interpretation Act 1984* section 46(1) to paragraphs (a) to (e), a plan or scheme referred to in paragraph (c), (d), (f), (g), (i) or (j) of the definition of **scheme** in the *Environmental Protection Act 1986* section 3(1).

- (2) For the purposes of section 79(1)(b) of the Act, the following information is information that may be disclosed to a relevant authority —

- (a) in relation to a relevant authority described in regulation 63(2)(b), (ba) or (bb) — information obtained by the CEO in the administration of the Act in relation to any matter that the CEO considers may be capable of being the subject of any complaint, investigation or proceedings under planning legislation;
- (b) in relation to a relevant authority described in regulation 63(2)(c) — information obtained by the CEO

in the administration of the Act in relation to any matter that the CEO considers may be capable of being the subject of any complaint, investigation or proceedings under consumer protection legislation;

- (c) in relation to a relevant authority described in regulation 63(2)(d) — information obtained by the CEO in the administration of the Act in relation to any matter that the CEO considers may be capable of being the subject of any complaint, investigation or proceedings under Commonwealth tax legislation;
- (d) in relation to a relevant authority described in regulation 63(2)(g) — information obtained by the CEO in the administration of the Act that the CEO considers relates to an incident in which a towing worker or any other person is exposed to a serious risk to the person's health or safety.

[Regulation 65 inserted: SL 2026/53 r. 18.]

Part 8 — Infringement notices and enforcement

66. Prescribed offences and modified penalties

- (1) The offences described in Schedule 1 are offences for which an infringement notice may be issued under the *Criminal Procedure Act 2004* Part 2.
- (2) The modified penalty specified opposite an offence in Schedule 1 is the modified penalty for that offence for the purposes of the *Criminal Procedure Act 2004* section 5(3).

67. Approved officers and authorised officers

- (1) In this regulation —
towing services authorised officer means an authorised officer as defined in section 85(1) of the Act.
- (2) Each towing services authorised officer is an authorised officer for the purposes of the *Criminal Procedure Act 2004* Part 2 in relation to infringement notices issued under that Part for an offence prescribed under regulation 66(1).
- (3) An authorised officer who is a police officer can show that the authorised officer is authorised to issue infringement notices by showing the officer's Certificate of Authority (as defined in the *Police Force Regulations 1979* regulation 901A).
- (4) An authorised officer who is not a police officer can show that the authorised officer is authorised to issue infringement notices by showing the officer's identity card issued under section 85(3) of the Act.
- (5) The CEO may, in writing, appoint a public service officer who is not a towing services authorised officer to be an approved officer for the purposes of the *Criminal Procedure Act 2004* Part 2 in relation to infringement notices issued under that Part for an offence prescribed under regulation 66(1).

68. Entry warrants (s. 96(2))

For the purposes of section 96(2) of the Act, the following information must be included in an application for an entry warrant —

- (a) the applicant's official details (as defined in section 95(1) of the Act);
- (b) the premises in relation to which the warrant is being sought;
- (c) the purpose for which the entry to the premises is required;
- (d) the grounds on which the applicant considers that entry to the premises is necessary;
- (e) a statement to the best of the applicant's knowledge about whether an application for an entry warrant for the same premises has been made under section 96 of the Act within the previous 72 hours and, if so, whether or not a warrant was issued.

69. Forms

For the purposes of the *Criminal Procedure Act 2004* Part 2 and sections 102(3) and 107(3) of the Act, the forms set out in Schedule 2 are prescribed in relation to the matters specified in those forms.

Part 9 — Miscellaneous

70. Application of obligations if towing worker is also towing service provider

- (1) This regulation applies if an individual (the **relevant individual**) who is a towing worker in relation to a regulated towing business is also the towing service provider in relation to that business.
- (2) Any requirement imposed on the relevant individual by these regulations to give or provide a document, photograph or recording to the towing service provider is taken to be satisfied if the relevant individual retains the document, photograph or recording in their capacity as towing service provider.

71. Giving of documents generally

- (1) This regulation does not apply in relation to an order to produce issued under section 107 of the Act.
- (2) A document required or permitted under this Act to be given by the CEO or an authorised officer to a person may be given to the person by —
 - (a) giving it to the person personally; or
 - (b) sending it by prepaid post (including document exchange) addressed to the person —
 - (i) to an address provided by the person to the CEO for the giving or service of documents; or
 - (ii) if the person has not provided an address as described in subparagraph (i) — to the last known address of the person;or
 - (c) leaving it at the person's usual or last known place of residence or business; or

- (d) if the person has provided an email address or fax number for the giving or service of documents — emailing it or faxing it (as applicable) to that email address or fax number; or
 - (e) if the person has not provided an email address or fax number as described in paragraph (d) — emailing it or faxing it to an email address or fax number (as applicable) —
 - (i) appearing on recent correspondence addressed by or on behalf of the person to the CEO; or
 - (ii) otherwise notified to the CEO by the person; or
 - (iii) published by the person;or
 - (f) communicating it in some other way agreed with the person; or
 - (g) in the case of a corporation or of an association of persons (whether incorporated or not) — by delivering or leaving the document or posting it as a letter, addressed in each case to the corporation or association, at its principal place of business or principal office in the State.
- (3) A document required or permitted under this Act to be given by the CEO or an authorised officer to a partnership may be given by giving it to any member of the partnership in accordance with subregulation (2).
- (4) The use of a particular method for giving a document to a person does not prevent the giving of other documents to the same person in a different way.

72. Time when documents taken to be given

- (1) In the absence of proof to the contrary, a document that is emailed or faxed to a person in accordance with regulation 71(2)(d) or (e) or delivered to or left for a person in

r. 72A

accordance with regulation 71(2)(g) is taken to be given on the next business day after the document was emailed, faxed, delivered or left.

- (2) In the absence of proof to the contrary, a document that is sent by prepaid post is taken to be given —
- (a) if the document is sent to an address within Australia — at the time the document would have been delivered in the ordinary course of the post; or
 - (b) if the document is sent to an address outside Australia — 11 business days after the day on which the document was posted.

[Regulation 72 amended: SL 2026/53 r. 19.]

72A. Review of decisions (s. 139)

The following decisions are prescribed for the purposes of paragraph (i) of the definition of **reviewable decision** in section 139 of the Act —

- (a) a decision under regulation 3G(7)(a)(ii) to refuse to grant a further towing business authorisation because a ground under section 29(1) of the Act applies;
- (b) a decision under regulation 3K(5) to give a notice stating that the nomination of an individual ceases;
- (c) a decision under regulation 3L(2) to refuse to accept a nomination of an individual to represent a towing service provider in conducting a regulated towing business.

[Regulation 72A inserted: SL 2026/53 r. 20.]

72B. Fees

The fees set out in Schedule 3 are payable in relation to the matters referred to in that Schedule.

[Regulation 72B inserted: SL 2026/53 r. 20.]

72C. Waiver of fees

- (1) The CEO may, by written notice given to a person, waive payment of the whole or a part of a fee prescribed under these regulations by the person if the CEO considers that it is appropriate in the circumstances to do so.
- (2) The CEO may, by notice published in the *Gazette*, waive payment of the whole or a part of a fee prescribed under these regulations by a class of persons if the CEO considers that it is appropriate in the circumstances to do so.

[Regulation 72C inserted: SL 2026/53 r. 20.]

Part 10 — Transitional provisions

Division 1 — Transitional provisions for *Towing Services Regulations 2025*

[Heading inserted: SL 2026/53 r. 21.]

73. Term used: commencement day

In this Division —

commencement day means 10 January 2025.

[Regulation 73 amended: SL 2026/53 r. 22.]

74. Towing charges and storage charges in accordance with agreement entered into before commencement day

- (1) Part 5 Division 2 does not apply in relation to a towing charge imposed in accordance with an agreement entered into before commencement day.
- (2) Part 5 Division 3 does not apply in relation to a storage charge imposed in accordance with an agreement entered into before commencement day.

75. Photographs and signatures must not be disclosed before coming into operation of s. 78(3) of Act

During the period beginning on commencement day and ending immediately before the coming into operation of section 78(3) of the Act, photographs and signatures provided in connection with the grant of Australian driver licences must not be disclosed under section 78 of the Act.

Division 2 — Transitional provisions for *Towing Services Amendment Regulations 2026*

[Heading inserted: SL 2026/53 r. 23.]

76. Temporary exemption from s. 13 of Act and r. 3S for regional towing service providers

(1) In this regulation —

South West region means the region described in the *Planning and Development Act 2005* Schedule 4 item 8.

(2) During the period commencing on 1 September 2026 and ending on 30 September 2026, a person who conducts a regulated towing business principally in the South West region is exempt from section 13 of the Act and regulation 3S.

(3) During the period commencing on 1 September 2026 and ending on 31 October 2026, a person who conducts a regulated towing business principally in any of the following regions is exempt from section 13 of the Act and regulation 3S —

- (a) the Gascoyne region described in the *Planning and Development Act 2005* Schedule 4 item 1;
- (b) the Goldfields-Esperance region described in the *Planning and Development Act 2005* Schedule 4 item 2;
- (c) the Great Southern region described in the *Planning and Development Act 2005* Schedule 4 item 3;
- (d) the Kimberley region described in the *Planning and Development Act 2005* Schedule 4 item 4;
- (e) the Mid West region described in the *Planning and Development Act 2005* Schedule 4 item 5;
- (f) the Pilbara region described in the *Planning and Development Act 2005* Schedule 4 item 7;
- (g) the Wheatbelt region described in the *Planning and Development Act 2005* Schedule 4 item 9.

[Regulation 76 inserted: SL 2026/53 r. 23.]

77. Application of r. 13 during transitional period

- (1) In this regulation —
- transitional period***, for a towing service provider in relation to a regulated towing business, means the period that —
- (a) begins on 1 July 2026; and
 - (b) ends immediately before the first towing business authorisation granted to the provider comes into force.
- (2) Regulation 13 applies to a towing service provider in relation to a regulated towing business during the transitional period for the provider as if the amendments made by the *Towing Services Amendment Regulations 2026* regulation 11(1), (2)(a) and (3) had not been made.

[Regulation 77 inserted: SL 2026/53 r. 23.]

Schedule 1 — Prescribed offences and modified penalties

[r. 66]

Offence			Modified penalty for individual	Modified penalty for body corporate
Offences under the <i>Towing Services Regulations 2025</i>				
1A.	r. 9C	Failure to ensure compliant security at storage yard	\$1 800	\$9 000
1B.	r. 9D(2)	Failure to ensure compliant signage at storage yard	\$1 000	\$5 000
1.	r. 11(2)	Failure to give notice of moving of stored vehicle	\$750	\$3 750
[2 deleted]				
3.	r. 17(4)	Failure to comply with notice requiring records to be produced or provided	\$1 800	\$9 000
4.	r. 21(2)	Failure to carry Australian driver licence	\$750	
5.	r. 24(3)	Failure to move, or move vehicle, so that authorised officer or emergency worker is not obstructed	\$1 350	
6.	r. 24(4)	Failure to move, or move vehicle, so that provision of first aid or medical treatment is not obstructed	\$1 350	
7.	r. 25(2)	Stopping tow truck in manner that obstructs loading	\$1 350	

Offence			Modified penalty for individual	Modified penalty for body corporate
		of vehicle onto or departure of other tow truck		
8.	r. 27(1)	Failure to ensure photographs taken of towed vehicle	\$750	
9.	r. 28(2)	Failure to ensure dashboard camera unit working and able to make compliant recording	\$1 350	
10.	r. 31(2)	Failure to ensure towing worker provided with authority to tow forms	\$750	\$3 750
11.	r. 32(7)	Failure to retain authority to tow	\$1 350	
12.	r. 35(7)	Failure to retain authorisation statement	\$1 350	
13.	r. 37	Obtaining of authority to tow by individual other than towing worker present with suitable tow truck	\$1 800	
14.	r. 44(1)	Display of restricted name or logo	\$1 350	
15.	r. 59(3)	Failure to give invoice	\$750	\$3 750
16.	r. 60(4)	Contravention of safety standard: use of PPE	\$750	

Offence			Modified penalty for individual	Modified penalty for body corporate
17.	r. 61(7)	Contravention of safety standard: prohibited driving and stopping	\$1 350	
Offence under the <i>Towing Services Act 2024</i>				
18.	s. 40(2)	Towing vehicle without authorisation	\$1 800	

[Schedule 1 amended: SL 2025/78 r. 4; SL 2026/53 r. 24.]

Form 1

Schedule 2 — Forms

[r. 69]

Form 1 — Infringement notice

<i>Towing Services Act 2024</i>		Infringement notice no.
Infringement Notice		
Alleged offender	Name	
	Address	
Alleged offence	Date or period	
	Place	
	Written law contravened	
	Details of offence	
Date	Date of notice	
Issuing officer	Name	
	Office	
	Signature	
Modified penalty	\$_____	
TAKE NOTICE	It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty to the Approved Officer within 28 days after the date of this notice.	

	If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act, some or all of the following action may be taken — your driver's licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver's licence or vehicle licence, your vehicle may be immobilised or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold. If you want this matter to be dealt with by prosecution in court, sign and date here: _____ / ____ /20 and post this notice to the Approved Officer at the address below within 28 days after the date of this notice.	
How to pay	In person	<i>[Insert details for paying in person]</i>
	By post	<i>[Insert details for paying by post]</i>
	Online	<i>[Insert details for paying online]</i>
	By telephone	<i>[Insert details for paying by telephone]</i>

Form 2

Form 2 — Withdrawal of infringement notice

<i>Towing Services Act 2024</i>		Withdrawal no.
Withdrawal of infringement notice		
Alleged offender	Name	
	Address	
Details of infringement notice	Infringement notice no.	
	Date of issue	
	Date or period	
	Place	
	Written law contravened	
	Details of offence	
Approved Officer withdrawing notice	Name	
	Office	
	Signature	
Date	Date of withdrawal	

Withdrawal of infringement notice <i>[*Delete whichever is not applicable]</i>	The above infringement notice issued against you for the above alleged offence has been withdrawn. If you have already paid the modified penalty for the alleged offence, you are entitled to a refund. 1. Your refund is enclosed. or 2. If you have paid the modified penalty but a refund is not enclosed, you may claim your refund by signing and dating this notice and posting it to: Approved Officer — <i>Towing Services Act 2024</i> <i>[Insert address]</i>		
Your signature		Date	

Form 3

Form 3 — Entry warrant

<i>Towing Services Act 2024</i>			
Entry warrant			
To	Authorised officers under the <i>Towing Services Act 2024</i> .		
Application	The applicant has applied under the <i>Towing Services Act 2024</i> s. 96 to me, a magistrate, for an entry warrant.		
Applicant's details	Official details (see <i>Towing Services Act 2024</i> s. 95(1))		
Purposes mentioned in <i>Towing Services Act 2024</i> s. 86 for which entry is required			
Suspected contravention(s) of Act (if applicable)	Provision(s)		
Warrant	This warrant authorises you to enter the premises described below and exercise the powers in the <i>Towing Services Act 2024</i> Part 6 Division 2 Subdivision 2.		
Premises to be entered			
Execution period	This warrant must be executed within _____ day(s) after the date it is issued.		
Issuing details	Name of magistrate		
	Date	Time	

Magistrate's signature	Issued by me on the above date and at the above time.					
	Magistrate					
Execution details	Start	Date:	Time:	End	Date:	Time:
	Occupier present? Yes/No					
	Entry audiovisually recorded? Yes/No					
Person executing this warrant	Name					

Form 4

Form 4 — Order to produce

<i>Towing Services Act 2024</i> Order to produce business records				
To				
Application	The applicant has applied under the <i>Towing Services Act 2024</i> s. 106 to me, a Justice of the Peace, for an order to produce business records.			
Applicant's details	Official details (see <i>Towing Services Act 2024</i> s. 95(1))			
	Contact details			
Business records to be produced	Description of records	Version to be produced		
Order	You are ordered to produce the version of the record or records described above at the place described below on or before [date].			
Warning	It is an offence not to obey this order without a reasonable excuse.			
Where records to be produced				
Issuing details	Name of JP			
	Date		Time	
JP's signature	Issued by me on the above date and at the above time.			
	Justice of the Peace			

Service details	On <i>[date]</i> I served a copy of this order on the person to whom it is addressed by:	
	Signature of server	
Server's details	Name	
	Contact details	

Schedule 3 — Fees

[r. 72B]

[Heading inserted: SL 2026/53 r. 25.]

Table

	Description of fee	Fee
1.	Application fee for towing business authorisation (s. 17(4)(f) of the Act)	\$931
2.	Authorisation fee for towing business authorisation (s. 19(2)(g) of the Act and r. 3G(6)(b))	\$1 915
3.	Fee for nomination of additional or replacement person to represent authorised towing service provider (r. 3K(9)(a))	\$151
4.	Application fee for variation of conditions of towing business authorisation (s. 23(2)(c) of the Act)	\$61

[Schedule 3 inserted: SL 2026/53 r. 25.]

Schedule 4 — Disqualification offences and disqualification periods: towing business authorisations

[r. 3M]

[Heading inserted: SL 2026/53 r. 25.]

1. Disqualification offences and disqualification periods: towing service providers, responsible officers and close associates

- (1) Each offence described in column 1 of the Table is prescribed as a disqualification offence for each of the following —
 - (a) towing service providers;
 - (b) responsible officers of towing service providers;
 - (c) close associates of towing service providers.
- (2) If particular circumstances are set out opposite a disqualification offence in column 2 of the Table, the offence is a disqualification offence only in those circumstances.
- (3) The disqualification period that applies to a disqualification offence is the period set out opposite that offence in column 3 of the Table.
- (4) A reference in column 1 of the Table to a penalty of imprisonment for which an offender is liable is a reference to the maximum penalty of imprisonment that could be imposed on an individual convicted of the offence (or, in the case of a summary conviction, to the maximum penalty of imprisonment that could be imposed on an individual on summary conviction) regardless of the penalty actually imposed and whether a fine could also, or alternatively, be imposed.
- (5) A reference in column 2 of the Table to a 2nd or subsequent conviction is a reference to a conviction for the disqualification offence referred to in column 1 of the Table that occurs within 20 years after a prior conviction for that offence.

Table

Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
<i>Children and Community Services Act 2004</i>			
1.	Offence under the <i>Children and Community Services Act 2004</i> s. 192(1) or (2)		Permanent
<i>Classification (Publications, Films and Computer Games) Enforcement Act 1996</i>			
2.	Offence under the <i>Classification (Publications, Films and Computer Games) Enforcement Act 1996</i> s. 60(1), (2), (3) or (4) (as in force before the repeal of s. 60 on 28 August 2010) or s. 101(1)		Permanent
<i>The Criminal Code</i>			
3.	Offence under <i>The Criminal Code</i> Chapter IX, XI, XVI, XXII, XXV, XXVIA, XXVIII to XXXIIIB, s. 343, Chapter XXXVI to XLI, XLIVA, XLVI, XLIX, LI, LIII or LV if an offender is liable to a penalty of imprisonment for more than 3 years		Permanent
4.	Offence under <i>The Criminal Code</i> Chapter IX, XI, XVI, XXII, XXVA, XXVIA, XXVIII to XXXIIIB, XXXVI		5 years

Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
	to XLI, XLIVA, XLVI or XLIX to LIII if an offender is liable to a penalty of imprisonment for more than 18 months but no more than 3 years		
5.	Offence under <i>The Criminal Code</i> Chapter IX, XI, XVI, XXII, XXIX, XXX, XXXIII to XXXIIIB, XXXVII, XLIVA, XLIX, L or LIII if an offender is liable to a penalty of imprisonment for no more than 18 months		12 months
6.	Offence under <i>The Criminal Code</i> s. 552, 553, 555A, 556, 558, 560, 562, 563A or 563B if an offender is liable to a penalty of imprisonment for more than 3 years	Only if the offence relates to an offence referred to in item 3, 4 or 5 of this Table	Permanent
7.	Offence under <i>The Criminal Code</i> s. 552, 553, 555A, 556, 558, 560 or 562 if an offender is liable to a penalty of imprisonment for more than 18 months but no more than 3 years	Only if the offence relates to an offence referred to in item 3, 4 or 5 of this Table	5 years
8.	Offence under <i>The Criminal Code</i> s. 552, 553, 555A, 556, 558, 560 or 562 if an offender is liable to a penalty of	Only if the offence relates to an offence referred to in	12 months

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Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
	imprisonment for no more than 18 months	item 3, 4 or 5 of this Table	
9.	Offence under <i>The Criminal Code</i> s. 80O, 80P or 80Q	Conviction on indictment	Permanent
10.	Offence under <i>The Criminal Code</i> s. 80O, 80P or 80Q	Summary conviction	5 years
11.	Offence under <i>The Criminal Code</i> s. 80Z		12 months
12.	Offence under <i>The Criminal Code</i> s. 82 or 83		Permanent
<i>Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021</i>			
13.	Offence under the <i>Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021</i> s. 17(1)	Conviction on indictment	Permanent
14.	Offence under the <i>Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021</i> s. 17(1)	Summary conviction	5 years
15.	Offence under the <i>Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021</i> s. 20, 25(2), 33(1), 42(1) or 46		12 months
<i>Criminal Organisations Control Act 2012</i>			

Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
16.	Offence under the <i>Criminal Organisations Control Act 2012</i> s. 99(1) or 102(1)	Conviction on indictment	Permanent
17.	Offence under the <i>Criminal Organisations Control Act 2012</i> s. 99(1) or 102(1)	Summary conviction	5 years
18.	Offence under the <i>Criminal Organisations Control Act 2012</i> s. 99(3), 103(2) or 107(2) or (3)		5 years
19.	Offence under the <i>Criminal Organisations Control Act 2012</i> s. 104, 105 or 108		12 months
20.	Offence under the <i>Criminal Organisations Control Act 2012</i> s. 106	Conviction on indictment	Permanent
21.	Offence under the <i>Criminal Organisations Control Act 2012</i> s. 106	Summary conviction	5 years
<i>Firearms Act 1973</i> , as in force before the <i>Firearms Act 2024</i> section 440 came into operation			
22.	Offence under the <i>Firearms Act 1973</i> (as in force before the <i>Firearms Act 2024</i> s. 440 came into operation) if an offender is liable to a penalty of imprisonment for more than 5 years		Permanent

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Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
23.	Offence under the <i>Firearms Act 1973</i> (as in force before the <i>Firearms Act 2024</i> s. 440 came into operation) if an offender is liable to a penalty of imprisonment for more than 2 years but no more than 5 years		10 years
24.	Offence under the <i>Firearms Act 1973</i> (as in force before the <i>Firearms Act 2024</i> s. 440 came into operation) if an offender is liable to a penalty of imprisonment for at least 12 months but no more than 2 years		12 months
<i>Firearms Act 2024</i>			
25.	Offence under the <i>Firearms Act 2024</i> if an offender is liable to a penalty of imprisonment for more than 5 years		Permanent
26.	Offence under the <i>Firearms Act 2024</i> if an offender is liable to a penalty of imprisonment for more than 2 years but no more than 5 years		10 years
27.	Offence under the <i>Firearms Act 2024</i> (other than an		12 months

Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
	offence under s. 39(7) of that Act) if an offender is liable to a penalty of imprisonment for at least 12 months but no more than 2 years		
<i>Misuse of Drugs Act 1981</i>			
28.	Indictable offence under the <i>Misuse of Drugs Act 1981</i> if an offender is liable to a penalty of imprisonment for more than 5 years		Permanent
29.	Indictable offence under the <i>Misuse of Drugs Act 1981</i> if an offender is liable to a penalty of imprisonment for no more than 5 years		10 years
30.	Simple offence under the <i>Misuse of Drugs Act 1981</i>		12 months
<i>Occupational Safety and Health Act 1984</i> , as in force before the <i>Work Health and Safety Act 2020</i> section 278 came into operation			
31.	Offence under the <i>Occupational Safety and Health Act 1984</i> s. 19A(1), 21A(1), 21C(1), 22A(1), 23AA(1), 23B(1) or 23H(1) (as in force before the <i>Work Health and Safety Act 2020</i> s. 278 came into operation)		Permanent

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Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
32.	Offence under the <i>Occupational Safety and Health Act 1984</i> s. 19A(2), 21A(2), 21C(2), 22A(2), 23AA(2), 23B(2) or 23H(2) (as in force before the <i>Work Health and Safety Act 2020</i> s. 278 came into operation)		5 years
33.	Offence under the <i>Occupational Safety and Health Act 1984</i> s. 19A(3), 21A(3), 21C(3), 22A(3), 23AA(3), 23B(3) or 23H(3) (as in force before the <i>Work Health and Safety Act 2020</i> s. 278 came into operation)	2 nd or subsequent conviction only	12 months
<i>Prostitution Act 2000</i>			
34.	Offence under the <i>Prostitution Act 2000</i> s. 16(1) or (2), 17(1) or 18(1)		Permanent
<i>Restraining Orders Act 1997</i>			
35.	Offence under the <i>Restraining Orders Act 1997</i> s. 61(1), (1A) or (2a)		5 years
36.	Offence under the <i>Restraining Orders Act 1997</i> s. 62F(1A) or (3)		12 months

Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
<i>Weapons Act 1999</i>			
37.	Offence under the <i>Weapons Act 1999</i> if an offender is liable to a penalty of imprisonment for more than 3 years		10 years
38.	Offence under the <i>Weapons Act 1999</i> if an offender is liable to a penalty of imprisonment for more than 2 years but no more than 3 years		5 years
39.	Offence under the <i>Weapons Act 1999</i> if an offender is liable to a penalty of imprisonment for at least 12 months but no more than 2 years		12 months
<i>Work Health and Safety Act 2020</i>			
40.	Offence under the <i>Work Health and Safety Act 2020</i> s. 30A(1) or (3) or 31(1) or (2)		Permanent
41.	Offence under the <i>Work Health and Safety Act 2020</i> s. 32(1)		5 years

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Item	Column 1 Disqualification offence	Column 2 Circumstances	Column 3 Disqualification period
42.	Offence under the <i>Work Health and Safety Act 2020</i> s. 33	2 nd or subsequent conviction only	12 months
Laws of Commonwealth, other States or Territories			
43.	Offence under a law of the Commonwealth, another State or a Territory that is constituted by conduct that is substantially the same as the conduct constituting an offence described in items 1 to 42 (the local offence)		The disqualification period prescribed for the local offence

[Schedule 4 inserted: SL 2026/53 r. 25.]

Notes

This is a compilation of the *Towing Services Regulations 2025* and includes amendments made by other written laws. For provisions that have come into operation see the compilation table.

Compilation table

Citation	Published	Commencement
<i>Towing Services Regulations 2025</i>	SL 2025/5 8 Jan 2025	10 Jan 2025 (see r. 2)
<i>Towing Services Amendment Regulations 2025</i>	SL 2025/78 28 May 2025	r. 1 and 2: 28 May 2025 (see r. 2(a)); Regulations other than r. 1 and 2: 29 May 2025 (see r. 2(b))
<i>Towing Services Amendment Regulations 2026</i>	SL 2026/53 30 Apr 2026	Pt. 1: 30 Apr 2026 (see r. 2(a)); Pt. 2: 1 Jul 2026 (see r. 2(b)); Regulations other than Pt. 1 and 2: 1 Sep 2026 (see r. 2(c))

Defined terms

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
Austroads chief executive	63(2)
authorisation statement	3
authorised insurer.....	9B(1)
authorising person.....	3, 30(1)
authority to tow form	31(1)
business hours	3
carriageway	61(1)
commencement day	73
Commissioner for Consumer Protection	63(1)
completed authorisation statement.....	35(3)
completed authority to tow	32(3)
crash site	3
day.....	54(1)
emergency stopping lane.....	61(1)
emergency worker.....	24(1)
first aid or medical care provider	24(1)
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insurance company	3
light vehicle.....	46
local offence.....	Sch. 4 cl. 1(5)
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median strip.....	61(1)
member	3
Metropolitan Redevelopment Authority	63(1)
motor cycle	46
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on-demand booking service	43(3)
on-demand vehicle	43(3)
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park	61(1)
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relevant towing service provider	44(3)
relevant towing worker	3
responsible authority	22(1)
restricted name or logo.....	3
Road Safety Commissioner.....	63(1)
roadside assistance provider	3
serious offence	3
sign.....	9D(1)
South West region.....	76(1)
stop.....	3
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towing services authorised officer	67(1)
tow truck class	3
traffic island	61(1)
transitional period	77(1)
vehicle hire service	3
vehicle repair service	3
VIN	3
Western Australian Planning Commission	63(1)
WorkSafe Commissioner	63(1)

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