



Speech By
Christopher Whiting

MEMBER FOR BANCROFT

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TOW TRUCK AND OTHER LEGISLATION AMENDMENT BILL



Mr WHITING (Bancroft—ALP) (5.37 pm): I rise to commend the bill to the House.

Mr Russo: Keep it relevant.

Mr WHITING: I will keep it relevant, but I will address a couple of issues that have just been raised. In response to saying that we have sat back and twiddled our thumbs on the M1, I point out that when we came into government there was no plan to ready the M1 for the Commonwealth Games. There was nothing.

Mr CRANDON: Mr Deputy Speaker, I rise to a point of order. I ask you to rule on relevance with regard to the member's contribution.

Government members interjected.

Mr DEPUTY SPEAKER: Order, members!

Mr CRANDON: I ask you to rule on relevance in relation to this contribution.

Mr DEPUTY SPEAKER: Members, I will take this opportunity to remind you that when one person is on their feet with a point of order it means silence from the rest of the House; otherwise we will start naming people under the standing orders. Member for Bancroft, I counsel you to stay within the long title of the bill.

Mr WHITING: As I said, I rise to commend this bill to the House. I think we can easily remember why this bill was brought forward. We remember the exposés in the media on the less than fulsome practices in the towing industry we have seen previously. We remember the outpouring of stories from people about what they had experienced. I am one of those people as well.

Last year I was on the Gold Coast for a weekend. My car was towed from a hotel where we had paid for accommodation. I had parked not entirely correctly—they had a tiny sign—but there were no other available car spots in the car park. I wanted secure parking as part of my hotel accommodation as I had two expensive surfboards on top of my car. I may have been partially at fault, but should that have cost me \$660?

Mr Russo: No admissions.

Mr WHITING: I take the interjection from my learned colleague. Part of that extra cost was for having an extra truck—two tow trucks in total—to take away a Prius. What that experience showed me—

Mr Bleijie: You had surfboards on your Prius?

Mr DEPUTY SPEAKER (Mr Stewart): Order! Member for Kawana, your interjections are not being taken.

Mr WHITING: It is great to hear these interjections from the people opposite. We have heard those opposite talking about how terrible congestion is going to be during the games, but I would really like to hear those opposite talking up the Commonwealth Games a bit more when it starts in 28 days.

Mr DEPUTY SPEAKER: Order! Member for Bancroft, I will counsel you once more to remain in the long title of the bill, otherwise I will ask you to resume your seat and we will continue with the debate.

Mr WHITING: Thank you, Mr Deputy Speaker. I saw how easily you will shell over money to get your car back, and I saw how easy it is for a private car park owner to set up a system that routinely separates parkers from their money. It gave me an insight into an industry that has been too easy to exploit over recent years. We all know that this is an industry that was crying out for reform and we have delivered it.

We want to provide protections for motorists to protect them from exploitation. There is currently no regulation of private property towing, and the provisions in this bill will address that. Firstly, as we have heard, employees must meet suitability criteria and they will undergo a criminal history check. The people in this industry have control over a family's most crucial assets and tools of trade, and they know it. They know we will pay extraordinary amounts of money to get the car back. They know we are vulnerable and at times desperate, so it is crucial that we have operators and employees who are of the highest possible character.

Secondly, there will be conduct requirements for those performing private parking towing. They must take reasonable steps to locate the owner. For example, a hotel like the one I stayed at would insist on the paying customer leaving their car registration and a contact number when they book in. It would be far easier for the hotel to call their customer than simply opening the gates and letting the tow trucks in.

Thirdly, if the car owner is found before the car is fully loaded, it can be removed without charge. Fourthly, the maximum charge will be \$250 and that includes three days maximum storage with no extra charges loaded on. An on-site release will cost \$150 if you get there and the car is fully loaded. The maximum charge of \$250 is a long way from \$660. As we have heard in the media, there are times when charges have been way in excess of that.

Fifthly, the penalty for aggressive and intimidating behaviour has rightly been lifted. If you are a rogue operator trying to bully more money from a Queenslander who is trying to get their car back, that can cost them over \$6,000. Combined with the new operator requirements, this also helps keep rogues out of the industry.

Sixthly, this bill limits where vehicles may be towed. We are mandating that the vehicle may be towed only to the nearest approved holding yard of the tow truck licensee. Seventhly, we are saying that there must be towing consent between a property owner and a tow truck licence holder. This means a tow truck licence holder is acting at the request of the private property owner-occupier only. They are not independently monitoring and enforcing the parking conditions on their own initiative.

Finally, I want to say how glad I am to see in this bill an amendment requiring the aggregation of administration fees and toll notices when they are sent to a customer. We have all had constituents coming through our doors with horrendous bills for accumulation of admin charges for tolls—bills that have been vastly inflated by the constant charging of administration fees for each letter sent. Often we found that the person who came to us was not the one who incurred the tolls. Some people may have had an errand or a wayward son or daughter who was taking advantage of a generous parent who either owned the toll charge account or the car. Some people had sold their car to a new owner but had not got the change of ownership papers signed. For those people who have been unfairly hit with constant aggregation of fees for all the letters sent, this brings back fairness. Let us hope other people in those situations do not suffer as these people have. I commend the bill to the House.