




Speech By
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TOW TRUCK BILL

 **Mr WATTS** (Toowoomba North—LNP) (6.22 pm): I rise to make a brief contribution to the Tow Truck Bill 2023. The government states that the bill will be implementing the remaining recommendations from a 2018 independent investigation into the towing industry, and that really is my first point. It has been a long time coming for this legislation to get to the committee and to this House and it was a bit rushed through the committee, so I am a little concerned by that process. I know that there were some submitters who were concerned because they did not feel that they were given adequate time, and we tried to accommodate them. I want to commend the chair. As always, he does a good job on this committee and I know that he is particularly passionate about this because when he does not fix his cars up correctly he needs a tow truck. No, I am sure that his cars are always very roadworthy. This is something that is important because when people need a tow truck they have either had an accident, which is not good, or their car has broken down on a journey and they are stuck in the middle of nowhere. As a father of two daughters, knowing that the industry has solid regulation and legislation around who is appropriate and how they are authorised and how that operates is something that I take some reassurance from.

Ultimately this bill grew out of the restricted parking enforcement and some of the mess that was created around that. It is a shame it has taken a long time and there is one area that needs to be further explored and needs to be much clearer in regulation, and that is how long impounded vehicles can be held for and at what charge, whether that is a police impoundment or other sets of circumstances. This is a significant amount of money for a vehicle that has either been damaged or stolen—and, let us face it, there are a lot of those with this government's crime crisis. Therefore, it is important that we have good regulation around this and I would hope that the regulation will set out in a very clear manner those parking charges and the circumstances and that it will be able to be used by the police and others to ensure that cars are not being held for too long.

The government's stated objective in modernising the existing legislation by introducing this new structure and terminology clearly states the main purpose of the act; clarifies what is considered regulated towing, because there are occasions where people might be moving their own vehicles or other arrangements, so clearly we need to consider what is regulated towing; and clarifies the distinction between operating a tow truck and operating a tow truck business, and that is important as well. We understand that there can be several businesses that are owned by a central business and there is not monopolistic but great control over the industry in certain areas. Everybody is aware that sometimes things can get a bit fiery around the scene of an accident as people are chasing business. These are hardworking drivers who are sitting around waiting for the call-out when someone is in their moment of need, so they are obviously chasing the business pretty hard. Regulating the method they chase that business with and what is appropriate behaviour around how to obtain that business is important.

Another stated objective of the government is to unify industry members under a new designation of accreditation to replace the terms 'licence' and 'certificate'. Anything we can do to bring clarity around who is authorised, how they are authorised and under what set of circumstances and if they are an

appropriate person is all reassuring to know so that people who are stuck on the side of the road—potentially in the dark, in the rain, in the middle of nowhere—know that they have someone who is suitably meeting the requirements of a regulation turning up. I am sure that that will be good. Removing some superfluous provisions is another stated objective, so that is all fine.

There are a couple of areas that were touched on by the deputy chair that I think we could do a better job on. One of those is around EVs, whether it is through regulation or amendments at some point in the future. We know that the number of EVs is growing. We know that they need to be handled and managed differently, so it is very important that we have a methodology of ensuring appropriate training and an appropriate way of hooking up those vehicles when they need to be moved into a position of safety or away from the scene of an accident or if they have been parked illegally or whatever and they are being moved. It is important that they are handled appropriately.

One area of concern for me would be the stakeholders, and I mentioned briefly earlier that multiple stakeholders felt that they had not really been given good notice and enough time to make a decent submission, and where possible we tried to accommodate those. Given the length of time from the initial investigation to the legislation coming into this House, I think the consultation process could have been better. That really highlights that as an industry it probably does need a peak body and maybe it needs some regulation around how to set up that peak body so that it is not dominated by one set of financial interests or another. The industry needs representation. It is always useful for government to have a peak body that it can communicate with that has good, fair, open and transparent access to be able to communicate with its members, and this industry would be no different.

As I say, this is an industry that we all hope we do not need to rely on but from time to time we do. Making sure it is running smoothly, is well represented and has good communication with government to make sure its regulation and legislation is as we would require it is important. Whilst it has taken almost five years to get to this point, we are here now. Some might say the government could have built Cross River Rail in that time, but obviously this minister could not. The insurance industry was not aware of the proposed changes. Insurance companies have a lot of skin in the game, because they are the ones that are often going to be picking up the tab, depending on people's personal circumstances. Again, after such a long period of time, to not have that consultation was disappointing, although we did get an insurer make a submission to the committee and that was useful. I think it would be better with wider consultation. If at any point there are amendments put into this House to try to ensure the regulation is as we want it to be or the legislation needs adapting, a little bit of consultation by the minister and the department with those insurers would be interesting.

There are a couple of potential issues in relation to penalties imposed for damage to vehicles. The industry opposed this, as insurance can be used to protect consumers if their car is damaged by a tow truck. What we do not want to do is increase the clearance times that are taken because tow truck providers are concerned about copping a fine and a penalty as opposed to getting the traffic flowing again and/or making the environment safe. We do not want to see a situation where one accident is compounded by a second accident because of the response in moving that vehicle to a safe situation and making sure the people who are now outside the vehicle are safe. Better consultation, including with the insurance industry, a long hard look at the fees around impoundment and the setting up of a peak body can make this legislation better into the future.