

# Towing from an accident scene

## Your rights

### Your rights and responsibilities

This leaflet outlines your rights when your vehicle needs to be towed after an accident. The tow truck driver must give you this leaflet prior to you signing any documentation.

An accident damaged vehicle must be moved so that it does not cause a hazard. If your vehicle cannot be driven from the accident scene, you must arrange for the vehicle to be towed and pay for this service. In metropolitan Melbourne, the fees for accident towing are set (see VicRoads' website) and the tow truck driver is not permitted to charge any more than this fee.

If the accident happens in metropolitan Melbourne, the Mornington Peninsula or Geelong, a tow truck will be allocated by an accident allocation centre and the tow truck driver issued with an allocation number. In other areas, depending on the severity of the accident, the police may allocate a tow truck or you may need to choose an accident towing service.

### Accident tow truck

Only certain tow trucks are permitted to tow a vehicle involved in an accident. These trucks will have 'TOW' or 'HTT' (heavy vehicles only) number plates.

### Signing the 'Authority to Tow'

Your vehicle cannot be towed until you, as the owner or driver, have signed the 'Authority to Tow'. The Authority to Tow sets out the towing and salvage services provided, including costs.

If you are unable to sign the Authority to Tow, a police or VicRoads officer will sign on your behalf. You will still be required to pay for the service.

### Salvage

Salvage is when your vehicle needs to be moved onto the road or road related area (nature strip, footpath), or into an upright position, or both so that it can be towed by the tow truck.

The Authority to Tow will detail the salvage work undertaken. The driver is also required to take photos of the salvage operation. Copies of the photos can be obtained from the tow truck operator free of charge.

### Seeking advice

You have the right to contact whomever you choose to help you decide:

- where to have your vehicle towed; and
- where to have your vehicle repaired.

### Choose where your vehicle is towed

You can choose to have your vehicle towed to any destination that is less than 125 km away. The tow truck driver must tow your vehicle there, provided you pay at the time of the tow. You have the right to pay by cash, credit card or debit card. If the tow truck driver does not have the facilities to accept your credit or debit card, the driver must still tow your vehicle to your chosen destination. You must agree to pay later.

If you do not have the money to pay the applicable fee then the tow truck driver may refuse to tow the vehicle or tow it to their depot until payment is received.

### Touting for repairs is prohibited

Laws are in place to prohibit a tow truck driver or any other person from touting for repair work at the accident scene. You do not need to decide where to have your vehicle repaired at the time of the tow.

### Storage of your vehicle

If your vehicle is towed to a tow truck depot, it must be stored in a secure area at all times. You can check whether the storage is undercover or outside, and ask the cost of each option.

Before your vehicle is towed into storage, you should ensure that all your personal belongings have been removed from the vehicle.

### Your rights at the depot

If there are no outstanding charges, the depot must release your vehicle during standard business hours, 8am to 5pm, Monday to Friday.

Where there are outstanding charges, the depot must allow you to pay for these charges by cash, credit card or debit card.

In rural Victoria, some depots are exempt from standard business hours. However, these depots are required to be contactable by mobile phone and provide an appropriate level of service.

### Complaints

If you have a complaint about the accident towing service you should first try to resolve the matter with the tow truck operator. If this is not possible, please contact VicRoads on **(03) 9854 2808**.

### Further information

For general enquiries and further information about accident towing in Victoria email [accidenttowing@roads.vic.gov.au](mailto:accidenttowing@roads.vic.gov.au) or visit [vicroads.vic.gov.au](http://vicroads.vic.gov.au)