



Victoria Government Gazette

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ROAD SAFETY (ROAD RULES) REGULATIONS 1999 ROAD RULES – VICTORIA

Allowing Drivers of Tow Trucks to use the Emergency Stopping Lanes on Freeways

Road Rule 95(2) of the Road Rules – Victoria provides that the Roads Corporation may by written consent allow the driver of a vehicle to drive in an emergency stopping lane, which would otherwise be prohibited under Road Rule 95(1) of the Road Rules – Victoria.

In accordance with that Rule, I, George Mavroyeni, delegate of the Roads Corporation consent to a person driving a tow truck in an emergency stopping lane on a freeway subject to the following conditions:

- (a) the driver must comply with the **Accident Towing Services Act 2007**, the **Transport Act 1983**, the **Road Safety Act 1986**, and any regulations, codes of practice, rules or standards made under those Acts; and
- (b) the driver must comply with the requirements of any licence or permit issued in relation to the operation of the tow truck, including any permit issued under Part 5 of the Road Safety (Vehicles) Regulations 1999; and
- (c) the tow truck must comply with the Australian Design Rules 44/01 2006 or a later edition; and
- (d) the driver must only travel in the emergency stopping lane of a freeway –
 - (i) for the purpose of accessing, removing or towing a damaged or disabled vehicle from that freeway; and
 - (ii) only at times when driving in other lanes is not possible due to congestion or obstruction; and
- (e) when travelling in the emergency stopping lane, the driver must:
 - (i) activate the vehicle's yellow flashing or rotating warning lights; and
 - (ii) travel at a speed not exceeding 40 km/h; and
 - (iii) provide clear passage to emergency vehicles at all times.

For the purposes of this Notice –

tow, in relation to any motor vehicle, includes –

- (a) lifting and towing the motor vehicle;
- (b) lifting and carrying the motor vehicle;
- (c) lifting the motor vehicle for the purpose of towing the motor vehicle;

tow truck means –

- (a) any motor vehicle –
 - (i) that is equipped with a crane, winch, ramp or other lifting device; and
 - (ii) that is used or intended to be used for the towing of motor vehicles; or
- (b) a motor vehicle to which is attached, temporarily or otherwise, a trailer or device that is –
 - (i) equipped with a winch or ramp or other lifting device; and
 - (ii) that is used or intended to be used for the towing of motor vehicles.

SPECIAL

This Notice operates from the date of its publication in the Government Gazette until 15 September 2012, unless sooner revoked.

The Notice made on 1 August 2008 and published under Road Rule 95(2) of the Road Rules – Victoria in the Government Gazette S 218 on 1 August 2008 is revoked.

Nothing in this Notice authorises the driving of a tow truck in a manner that may cause an unreasonable risk to the safety of any person or property.

Dated 3 September 2009

GEORGE MAVROYENI
Executive Director
Road Safety and Network Access
Roads Corporation

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