



Victoria Government Gazette

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ROAD SAFETY ROAD RULES 2009

Consent for Tow Trucks to Use Emergency Stopping Lanes on Freeways

1. Purpose

The purpose of this notice is to consent to the driver of a tow truck using an emergency stopping lane on a freeway in certain circumstances.

2. Authorising provision

This notice is made under rule 95(2) of the Road Safety Road Rules 2009. Rule 95(1) makes it an offence for a driver to stop in an emergency stopping lane except in certain circumstances. Rule 95(2) exempts a driver from that offence if he or she is driving in the emergency stopping lane with the written consent of the Roads Corporation.

3. Commencement

This notice comes into operation on the date it is published in the Government Gazette.

4. Definitions

For the purpose of this notice –

tow, in relation to any motor vehicle, includes:

- (a) lifting and towing the motor vehicle; and
- (b) lifting and carrying the motor vehicle; and
- (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) any 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) used or intended to be used for the towing of motor vehicles.

5. Consent

In accordance with rule 95(2) of the Road Safety Road Rules 2009, I, Gary Liddle, Chief Executive of the Roads Corporation, consent to a person driving a tow truck in an emergency stopping lane on a freeway, if –

- (a) the driver only does so for the purpose of accessing, removing or towing a damaged or disabled vehicle from that freeway; and
- (b) it is not possible to drive in another lane due to congestion or obstruction; and
- (c) travel does not exceed 40 km/h; and
- (d) the tow truck's yellow flashing or rotating warning lights are activated; and
- (e) the driver provides a clear passage to emergency vehicles at all times; and
- (f) the driver complies with all applicable laws, codes of practice and standards, including the requirements of any licence or permit issued in respect of the tow truck.

Note: Words and phrases in this notice have the same meaning as in the **Road Safety Act 1986** and the Regulations under that Act.

Dated 29 October 2012

GARY LIDDLE
Chief Executive
Roads Corporation

SPECIAL

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