



# Victoria Government Gazette

No. S 204 Thursday 21 June 2012  
By Authority of Victorian Government Printer

## Accident Towing Services Act 2007

### VARIATION OF CHARGES FOR 2012–13 FOR ACCIDENT TOWING AND STORAGE SERVICES UNDER SECTION 212H

I, Gary Liddle, Chief Executive of VicRoads, publish this notice in accordance with section 212H of the **Accident Towing Services Act 2007** ('Act').

**1. Purpose**

The purpose of this notice is to specify the varied amounts that may be charged for accident towing services and other services in a controlled area by providers of those services for the 2012–13 financial year, as determined under section 212H of the Act.

**2. Authorising Provision**

This variation is made under section 212H of the Act which provides that an amount of a charge determined under section 211 of the Act must be varied, in respect of each financial year, in accordance with the formula set out in section 212H(1).

The charges varied in this notice were determined under section 211 of the Act and set out in Victoria Government Gazette No. S 447 dated 29 October 2010 and subsequently varied as set out in Government Gazette notice No. S 361 dated 7 November 2011.

**3. Commencement**

This notice comes into operation on 1 July 2012.

**4. Revocation**

The notice entitled 'Variation of Charges for 2011–12 under the Accident Towing Services Act 2007', published in Government Gazette No. S 361 on 7 November 2011, is revoked.

**5. Definition**

In this notice –

- (a) 'controlled area' means an area declared to be a controlled area under section 46 of the Act; and
- (b) 'motor car' means a motor vehicle less than 4 tonnes GVM (gross vehicle mass) other than a motor cycle.

**6. Method of calculating variation of charges for 2012–13**

Section 212H(1) provides that the following formula is to be used to vary amounts of a charge determined under section 211 of the Act –

$$A \times \left( \frac{B}{C} - D \right)$$

where –

'A' is the amount of the charge for the financial year immediately preceding the relevant year;  
'B' is the transportation group consumer price index for Melbourne published by the Australian Statistician in respect of the March quarter of the financial year immediately preceding the relevant year;

'C' is the transportation group consumer price index for Melbourne published by the Australian Statistician in respect of the March quarter of the financial year immediately preceding the financial year preceding the relevant year;

'D' is the productivity adjustment figure specified in the recommendation under section 212A of the Act most recently made by the Commission or, if the Commission has not made a recommendation under section 212A that relates to the relevant year, 0.005.

**SPECIAL**

The 'relevant year' is defined in section 212H(5) of the Act to mean the financial year for which the adjusted amount is being varied.

For the purposes of calculating the varied charges for the 2012–13 financial year in accordance with the formula set out above, the values of B, C and D are as follows –

$$\mathbf{B} = 172.1$$

being the transportation group consumer price index for Melbourne published by the Australian Statistician in respect of the March quarter of the financial year 2011–12;

$$\mathbf{C} = 169.1$$

being the transportation group consumer price index for Melbourne published by the Australian Statistician in respect of the March quarter for the financial year 2010–11; and

$$\mathbf{D} = 0.005$$

being the productivity adjustment figure applicable under section 212H(1) of the Act in the absence of the Essential Services Commission having made a recommendation under section 212A of the Act in relation to the 2012–13 financial year.

**7. Base fee for towing inclusive of the first 8 kms travelled by an allocated tow truck**

For the purpose of calculating the varied charge for the 2012–13 financial year for the base fee for towing in a controlled area inclusive of the first 8 kilometres of travel by an allocated tow truck –

- (a) the values of B, C and D are as set out in clause 6; and
- (b) A = \$194.40, being the amount specified in Victoria Government Gazette No. S 361 of 7 November 2011.

In accordance with the formula set out above, the calculation of the amount of the varied charge for the 2012–13 financial year is –

$$\$194.40 \times \left( \frac{172.1}{169.1} - 0.005 \right) = \$196.88$$

This figure is rounded to the nearest ten cents in accordance with section 212H(2) of the Act, resulting in a varied charge amount of **\$196.90**.

**8. Fee per km travelled by an allocated tow truck beyond the first 8 kms**

For the purpose of calculating the varied charge for the 2012–13 financial year for the rate per kilometre in a controlled area for travel by an allocated tow truck beyond the first 8 kilometres –

- (a) the values of B, C and D are as set out in clause 6; and
- (b) A = \$3.10, being the amount specified in Government Gazette No. S 361 of 7 November 2011 as the rate per kilometre for travel beyond the first 8 kilometres.

In accordance with the formula set out above, the calculation of the amount of the varied charge for the 2012–13 financial year is –

$$\$3.10 \times \left( \frac{172.1}{169.1} - 0.005 \right) = \$3.14$$

This figure is rounded to the nearest ten cents in accordance with section 212H(2) of the Act, resulting in a varied charge amount of **\$3.10**.

**9. After hours surcharge**

For the purpose of calculating the varied charge for the after hours surcharge for tows allocated from the scene of an accident in a controlled area during the time periods specified in Special Gazette No. S 447 of 29 October 2010 –

- (a) the values of B, C and D are as set out in clause 6; and

- (b) A = \$66.40, being the amount specified in Government Gazette No. S 361 of 7 November 2011.

In accordance with the formula set out above, the calculation of the amount of the varied charge for the 2012–13 financial year is –

$$\$66.40 \times \left( \frac{172.1}{169.1} - 0.005 \right) = \$67.25$$

This figure is rounded to the nearest ten cents in accordance with section 212H(2) of the Act, resulting in a varied charge amount of **\$67.20**.

#### **10. Locked storage charge**

For the purpose of calculating the varied charge for the locked storage of accident damaged motor vehicles following towing from the scene of an accident within a controlled area, the values of B, C and D are as set out in clause 6 and A has the value specified in respect of each of following circumstances –

- A = \$14.90 per day for locked undercover storage of an accident damaged motor car following towing from the scene of an accident within a controlled area;  
\$5.00 per day for locked undercover storage of an accident damaged motor cycle following towing from the scene of an accident within a controlled area;  
\$10.00 per day for storage in a locked yard of an accident damaged motor car following towing from the scene of an accident within a controlled area;  
\$3.20 per day for storage in a locked yard of an accident damaged motor cycle following towing from the scene of an accident within a controlled area.

##### **10.1 Locked storage charge for a motor car – under cover**

In accordance with the formula set out above, the calculation of the amount of the varied charge for the 2012–13 financial year is –

$$\$14.90 \times \left( \frac{172.1}{169.1} - 0.005 \right) = \$15.09$$

This figure is rounded to the nearest ten cents in accordance with section 212H(2) of the Act, resulting in a varied charge amount of **\$15.10** per day.

##### **10.2 Locked storage charge for a motor cycle – under cover**

In accordance with the formula set out above, the calculation of the amount of the varied charge for the 2012–13 financial year is –

$$\$5.00 \times \left( \frac{172.1}{169.1} - 0.005 \right) = \$5.06$$

This figure is rounded to the nearest ten cents in accordance with section 212H(2) of the Act, resulting in a varied charge amount of **\$5.10** per day.

##### **10.3 Locked storage charge for a motor car – in locked yard**

In accordance with the formula set out above, the calculation of the amount of the varied charge for the 2012–13 financial year is –

$$\$10.00 \times \left( \frac{172.1}{169.1} - 0.005 \right) = \$10.13$$

This figure is rounded to the nearest ten cents in accordance with section 212H(2) of the Act, resulting in a varied charge amount of **\$10.10** per day.

**10.4 Locked storage charge for a motor cycle – in locked yard**

In accordance with the formula set out above, the calculation of the amount of the varied charge for the 2012–13 financial year is –

$$\$3.20 \times \left( \frac{172.1}{169.1} - 0.005 \right) = \$3.24$$

This figure is rounded to the nearest ten cents in accordance with section 212H(2) of the Act, resulting in a varied charge amount of **\$3.20** per day.

Dated 12 June 2012

GARY LIDDLE  
Chief Executive  
Vicroads

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