

# Accident towing fees review 2021

Consultation paper

6 July 2021



**An appropriate citation for this paper is:**

Essential Services Commission 2021, Accident towing fees review 2021: Consultation paper, 6 July

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# Summary

We want to hear your views on accident towing, storage and salvage pricing matters. This consultation paper outlines how you can give us feedback.

Accident towing is the towing of damaged vehicles from road accident scenes. Any towing services that are not the immediate result of a road accident are referred to as 'trade towing' (this includes clearway towing, impound towing, breakdown towing and other general trade towing). There is also a distinction between the towing of regular vehicles and heavy vehicles, which have a gross vehicle mass of four tonnes or more.

## Fee reviews happen every four years

Every four years, we conduct a review which recommends to the Minister for Roads:

- whether accident towing and storage fees are appropriate
- how and if they should be adjusted
- whether the fees for related services (such as salvage) should be regulated.

The minister may only make a determination on these fees after receiving our recommendations and a report from the Department of Transport.

Victoria is separated into three separate geographic areas for accident towing and our review looks only at regular vehicle towing within Melbourne (see figure 1). Heavy vehicle fees, licence boundaries, the accident allocation scheme, along with accident towing fees outside Melbourne, are not covered.

## We want your views on accident towing fees

We would like to hear from stakeholders on any significant changes in the accident towing industry since our last review in 2018, such as changes in costs, revenue, demand or productivity.

This includes information that may help quantify the impact of the coronavirus pandemic. More broadly, we are keen to understand the impacts in relation to other integrated industries such as trade towing, heavy vehicle accident towing and smash repair businesses (even if these industries are outside the scope of our review).

We have previously used the following methodologies to review the appropriateness of fees:

- a **cost-of-service approach**, where we review existing fees based on the estimated costs of providing that service

- a **benchmarking approach**, where we review existing fees based on comparisons to fees charged for similar services in other jurisdictions (such as interstate) and for non-regulated towing services in Victoria.

At this stage, we expect a benchmarking approach will be suitable, as it is simpler to apply and less of a burden on stakeholders than a cost of service approach. We invite stakeholders' input on an appropriate methodology.

Accident towing fees in the Melbourne are amended each year by an annual adjustment mechanism, which is currently based on changes in CPI (Melbourne, transport) minus a productivity adjustment factor of 0.5 per cent.

To inform our assessment of this factor, we would like stakeholders' views on the level of productivity tow truck operators can achieve and on appropriate measures to assess tow truck operators' performance.

We do not yet have a view as to whether basic salvage services should be regulated. We would therefore like stakeholders' views on whether this and any unregulated storage services should be regulated.

## Timelines and submitting feedback

This consultation paper provides the first of several opportunities for us to engage with stakeholders during our review. Once submissions to the consultation paper have closed, we will release a draft report, and seek further submissions. We will then carefully consider the feedback provided and release our final report. We will also meet with interested stakeholders throughout the review.

Table 1 gives an indicative timeline for our review.

Our charter of consultation and regulatory practice has further information on the principles that guide our approach to consultation.<sup>1</sup>

**Table 1: Indicative timeline**

Activity	Indicative timeline
Release consultation paper	6 July 2021
Deadline for submissions on consultation paper	6 August 2021
Release draft report	15 October 2021
Deadline for submissions on draft report	12 November 2021
Release final report	17 December 2021

### Send us your feedback by 6 August 2021

We want your views on accident towing, storage and salvage pricing matters in Melbourne. We encourage you to provide written submissions addressing the questions in this paper and any other information you consider relevant to the review. This may include suggestions on our approach and commentary on our understanding of the accident towing industry.

While all information is welcome, submissions need only address those questions or issues you feel is relevant to your experience in the accident towing industry.

For those in the accident towing industry, this is an opportunity for you to inform us of changes in the industry, whether existing regulated fees are appropriate and whether any unregulated storage or salvage services should have a regulated fee. We may recommend changes to fees if significant

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<sup>1</sup> Essential Services Commission, Stakeholder engagement framework: Charter of consultation and regulatory practice, 2018, available at: <https://www.esc.vic.gov.au/about-us/how-we-regulate/stakeholder-engagement-framework>

developments in the industry since our 2018 review (for example, changes in costs, productivity, profits or industry structure) warrant changes in fees.

For those who are consumers of accident towing services, we are interested in your views on the appropriateness of currently regulated accident towing and storage fees and whether any unregulated services (such as salvage) should be regulated.

### **Engage Victoria consultation platform**

We invite written submissions on this paper by close of business **Friday, 6 August 2021** through Engage Victoria. To view our Engage Victoria page and information on how to make a submission, please visit Engage Victoria at <https://engage.vic.gov.au>

### **E-mail and mail**

You may also email your submission to [transport@esc.vic.gov.au](mailto:transport@esc.vic.gov.au) or send submissions by mail marked:

Attention: Price Monitoring and Regulation Division – Transport  
Essential Services Commission  
Level 8, 570 Bourke Street  
Melbourne VIC 3000

### **Publication of submissions**

To promote an open and transparent review process, we will make all submissions publicly available on our website [www.esc.vic.gov.au](http://www.esc.vic.gov.au).

We treat all submissions as public information unless the submitter has asked us to treat some or all of a submission as confidential or commercially sensitive. Please clearly specify any information that you **do not** want to be made public.<sup>2</sup>

### **Meet and speak with us in person**

Want to discuss your views in person? **Please feel free to contact us by e-mail at [transport@esc.vic.gov.au](mailto:transport@esc.vic.gov.au), or by phone on (+61 3) 9032 1300 or 1300 664 969.**

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<sup>2</sup> Our submissions policy can be found on our About us page <https://www.esc.vic.gov.au/about-us/our-submission-policy>  
Timelines and submitting feedback

# 1. Introduction

Accident towing is the towing of damaged vehicles from road accident scenes.

The Minister for Roads regulates accident towing fees but may only make a determination after receiving a recommendation from the commission and a separate report from the Department of Transport.

Every four years, we conduct a review on:

- whether accident towing and storage fees are appropriate
- how they should be adjusted
- whether the fees for related services (such as salvage) should be regulated.

Of the three separate geographic areas for accident towing in Victoria, our review is limited by legislation to regular vehicles within Melbourne only (see figure 1).

This chapter provides an overview of the accident towing industry and our role in reviewing fees and making recommendations to the Minister for Roads.

In Appendix A, we provide a summary of our most recent reviews.

## 1.1. What is accident towing?

Accident towing means the towing of damaged vehicles from road accident scenes.<sup>3</sup> There are three main participants who perform accident towing services:

- **depots** – a premise from which accident tow trucks operate
- **operators** – a person or corporation that owns or operates a tow truck business
- **drivers** – a person who drives a tow truck to the accident scene and performs the towing job.

Accident tow truck drivers perform three distinct services:

- **towing** – towing of a damaged vehicle from a road accident scene to the location requested by the vehicle driver or owner
- **storage** – storing a damaged vehicle in a secure location at the tow truck operator's depot to await repair or towing to another location

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<sup>3</sup> Definitions as per section 3 of the Accident towing services Act 2007 (See glossary)



- **salvage** – moving a damaged vehicle into a position where it can be safely towed without assistance.

Salvage is required where a damaged vehicle is not on a road or is embedded in a building or object (that is not another vehicle), is overturned or on its side. For some accident scenes, additional equipment or another vehicle may be required as part of this service.

Any towing services that are not the immediate result of a road accident are referred to as **trade towing**. This can include clearway towing, impound towing, breakdown towing and other general trade towing (for example, the towing of a vehicle from a depot to a smash repairer). Trade towing is not regulated in Victoria due to the competitive nature of the sector and the ability of consumers to make informed choices relating to trade towing services.<sup>4</sup>

## 1.2. How is accident towing regulated?

Accident towing services are regulated in Victoria under the Accident Towing Services Act 2007 (see Appendix B). It requires accident towing operators and drivers who are performing accident towing services to be licensed by the industry regulator, the Department of Transport (previously undertaken by VicRoads<sup>5</sup>).

The regulation of accident towing varies across Victoria. The Department of Transport issues licences<sup>6</sup> to operators and drivers to perform accident towing services which are subject to geographical restrictions on where an accident tow can be performed. Victoria is separated into three separate geographic areas for accident towing:

- the Melbourne controlled area (metropolitan Melbourne and the Mornington Peninsula)
- the Self-management area of Geelong (Geelong and surrounding areas)
- the remainder of Victoria.

Figure 1 displays a map of the Melbourne controlled area and the Self-management area of Geelong boundaries.

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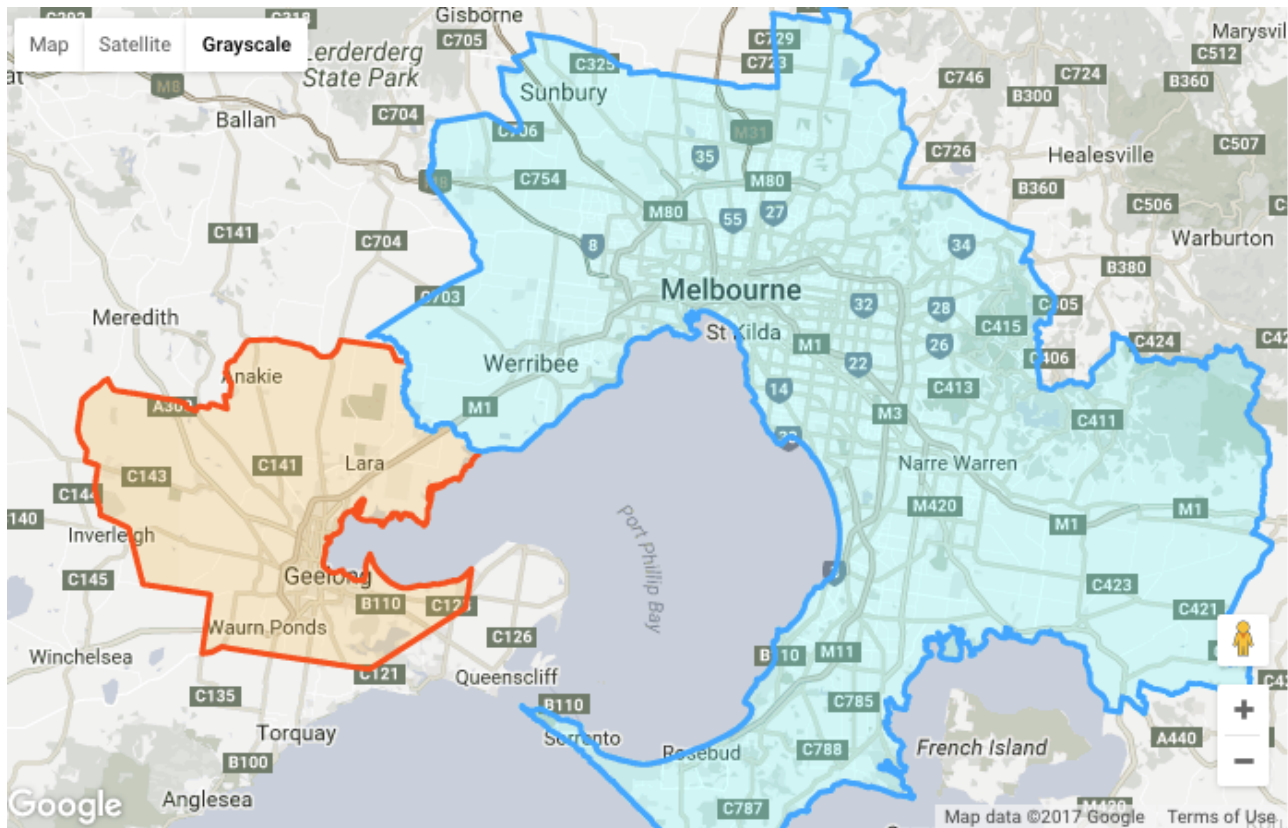
<sup>4</sup> Victoria Legislative Assembly 2007, Parliamentary debates, 19 April, p. 1153 (Tim Pallas, Minister for Roads and Ports).

<sup>5</sup> VicRoads 2019, Annual report 2018–19, p.12

On 3 April 2019, it was announced that VicRoads and Public Transport Victoria would transition to the Department of Transport as of 1 July 2019, to become one transport agency delivering integrated planning, delivery and management of transport in Victoria.

<sup>6</sup> Licences are transferable – that is, they can be purchased or leased from an existing licence holder, subject to approval by the Department of Transport.

Figure 1 Victoria accident towing zones



■ Melbourne controlled area  
■ Self-management area of Geelong

Source: VicRoads 2013, Accident towing allocation map, accessed at <https://www.vicroads.vic.gov.au/business-and-industry/tow-truck-industry/accident-towing-allocation-map> on 28 April 2021.

Road accidents within the Melbourne controlled area are assigned to tow truck drivers via an accident allocation scheme administered by the Department of Transport. The Royal Automobile Club of Victoria (RACV) is contracted by the Department to operate the call centre that allocates accident towing jobs to operators.

The accident allocation scheme has been designed to ensure accidents are responded to within 30 minutes and that jobs are shared evenly between tow truck operators.

The scheme functions on a roster basis, with each new job in a given zone of the Melbourne controlled area, allocated to the licence that has received the least allocations during a particular month.

In the Self-management area of Geelong, the accident allocation scheme, run by the Geelong Taxi Network, operates in a similar way to the Melbourne controlled area. There is no formal allocation system for the remainder of Victoria, with tow truck drivers able to attend any accident scene they are called to.

For regulatory purposes, there is also a distinction between regular vehicles, with a gross vehicle mass of less than four tonnes and heavy vehicles, with a gross vehicle mass of four tonnes or more. The accident allocation schemes for Melbourne and Geelong are for regular vehicles only.

### **1.3. Who sets and regulates accident towing fees?**

Accident towing and storage fees in the Melbourne controlled area for regular vehicles are regulated by the Minister for Roads, as per section 211 of the Accident Towing Services Act 2007.

Accident towing and storage fees for regular and heavy vehicles in other areas of Victoria are not subject to regulation, but there is a requirement that fees be reasonable.<sup>7</sup>

The minister also has the power under the Accident Towing Services Act 2007 to determine a regulated fee for basic salvage services in the Melbourne controlled area but has not yet done so.

The minister may only make a determination of accident towing, storage and salvage fees after receiving a recommendation from the commission and a report from the Department of Transport.<sup>8</sup>

### **1.4. What is our regulatory role?**

Our role is to make recommendations to the Minister for Roads on the regulated accident towing and storage fees for regular vehicles in the Melbourne controlled area only.

The Accident Towing Services Act 2007 obligates the commission to review accident towing charges every four years and make recommendations to the minister about:<sup>9</sup>

- whether previously determined accident towing or storage services fees remain appropriate
- if existing unregulated storage and salvage accident towing services should become regulated and, if so, what regulated fees should apply
- a figure for the productivity adjustment contained in the annual adjustment mechanism, which is applied to regulated fees every year
- any other matter relating to accident towing services, the storage of accident damaged vehicles or salvage that the minister specifies in writing.<sup>10</sup>

See Appendix B, for a full description of our role under the Accident Towing Services Act 2007.

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<sup>7</sup> Accident Towing Services Act 2007, section 212(1)(b). In addition, s. 212(2) specifies factors that the court must consider when determining what is a 'reasonable' charge for the provision of accident towing services.

<sup>8</sup> Accident Towing Services Act 2007, section 212(1)

<sup>9</sup> Accident Towing Services Act 2007, section 212A(1)

<sup>10</sup> The minister has not specified any additional matters for us to consider in our Accident towing fees review 2021.

The current regulated fees for accident towing and storage services continue to apply until the minister makes a new fee determination, which may occur in response to our recommendations. We seek stakeholder input to help us develop our recommendations to the minister.

## **1.5. What is outside the scope of our review?**

Our focus in this review will be on accident towing, storage and salvage pricing matters within the Melbourne controlled area only.

The Accident Towing Services Act 2007 limits the scope of our review and the recommendations we can make to the minister. Out of scope activities are:

- fees for heavy vehicle and trade towing
- issues with licence boundaries
- the functioning of the allocation system for accident towing jobs
- accident towing, storage and salvage fees in areas beyond the Melbourne controlled area.

There are also matters related to accident towing in the Melbourne controlled area that are beyond the scope of this review, such as secondary towing.

## 2. Should accident towing fees change?

We would like to hear from stakeholders on any significant changes in the accident towing industry including changes in costs, revenue, demand or productivity.

At this stage, we expect benchmarking will be suitable for assessing accident towing fees, in preference to a cost-of-service approach or any other approach. We welcome stakeholders' input on an appropriate methodology.

We welcome stakeholders' views on the level of productivity tow truck operators can achieve and on appropriate measures to assess their performance.

We would like stakeholders' views on whether basic salvage services and any unregulated storage services should be regulated.

This chapter presents the current regulated accident towing and storage fees and sets out the issues on which we are seeking stakeholder's views.

We welcome stakeholders' input to provide information, respond to any questions we might raise and alert us to any points of detail that will clarify our understanding of the accident towing industry.

See Appendix C, for the full list of stakeholder questions raised in this chapter.

### 2.1. Have there been any significant changes since our last review?

We conducted our last review of accident towing charges in 2018 and recommended:

- regulated accident towing fees were appropriate and should not be changed
- regulated storage fees should be increased
- the productivity adjustment factor should remain unchanged at 0.5 per cent
- there should not be a regulated salvage fee.

Since our last review, the factors that were the basis for our recommendations may have changed. We would therefore like to hear from those in the accident towing industry on any recent developments. For example, we would be interested to hear about significant changes in your costs, revenue, demand or productivity.

#### Impact of coronavirus pandemic on accident towing industry

In addition, the coronavirus pandemic will have impacted the accident towing industry. We are keen to understand the extent to which stakeholders were affected at the time and might still be affected. In particular, we want any information that can quantify how the coronavirus pandemic has affected the demand and supply for accident towing services.

## 2. Should accident towing fees change?

## Impact on other industries related to accident towing

More broadly, we expect there have been impacts on other industries integrated with the accident towing industry, such as trade towing, heavy vehicle accident towing and smash repair businesses. While these industries are outside the scope of our review, we are interested in understanding how changes in related industries might affect accident towing. For example, we would like to see how trade towing and accident towing have shared costs, in response to changes in demand for each of these services.

### Stakeholder questions

1. Have there been any significant changes in the accident towing industry since 2018?
2. Have the costs of accident towing operators changed since 2018? Can any significant cost changes be supported with material illustrating these changes?
3. How has the coronavirus pandemic affected your participation in the accident towing industry, if at all? If so, can you provide data to illustrate these impacts?
4. Have there been any significant changes related to the coronavirus pandemic or otherwise, that relate to other industries integrated with accident towing, such as trade towing or smash repairs?

See Appendix C, for the full list of stakeholder questions raised in this chapter.

## 2.2. Should we recommend any changes to fees?

We are required to review whether existing accident towing and storage fees are appropriate. The current regulated fees in the Melbourne controlled area are outlined in table 2.

**Table 2: Regulated fees and charges for 2020–21**

Fee or charge description	Charge (\$ incl. GST)
<b>Towing fees</b>	
Base fee (including first 8km travel by tow truck)	227.40
Additional fee per kilometre beyond 8km	3.60
After hours surcharge*	77.60
<b>Storage fees (charge per day)</b>	
Car – under cover	25.70
Car – in car yard	17.40
Motorcycle – under cover	8.50
Motorcycle – in locked yard	5.40

\* Applies 5pm to 8pm Monday to Friday, 5pm Friday to 8am Monday, and public holidays.

### What methodology should we use to assess existing fees?

We used the following methodologies in our previous accident towing fees reviews to assess whether existing fees were appropriate:

- a **cost-of-service approach**, where we review existing fees based on the estimated costs of providing that service
- a **benchmarking approach**, where we review existing fees based on comparisons to fees charged for similar services in other jurisdictions (such as interstate) and for non-regulated towing services in Victoria.

We previously used a cost-of-service approach in our Accident towing fee review 2009 in which we issued an industry wide survey to collect information on tow truck operators' costs and revenues. Although there is merit in being able to source information directly from stakeholders, we found some difficulties in obtaining responses and had some concerns with the accuracy of the information we received.

In our last two Accident towing fee reviews in 2013 and 2018, we used a benchmarking approach. While this approach may be less reflective of actual costs, it is simpler than a cost-of-service approach and may provide a good indication of competitive fee levels.

At this stage, we expect a benchmarking approach will be suitable for the Accident towing fees review 2021, given the relative ease and simplicity in which it may be applied. It is also likely to be less burden for stakeholders in sourcing information or responding to a survey. We would like

## 2. Should accident towing fees change?

stakeholders' views about this and whether a benchmarking or a cost-of-service approach is better, or does a combination of both or a different methodology entirely have merit?

### Previous accident towing benchmarks

In our Accident towing fees review 2018, we compared regulated accident towing fees with:

- regulated accident towing fees in metropolitan Sydney, Queensland and South Australia
- non-regulated and market based trade-towing fees in metropolitan Melbourne
- regulated private property towing fees in Queensland.

In making our comparisons, we made adjustments to account for the differences in fee structures across states and the differences between non-regulated and regulated towing services.<sup>11</sup>

### Previous storage fee benchmarks

In our Accident towing fee review 2018, we compared regulated storage fees of accident damaged vehicles with those of:

- regulated storage fees for vehicles in metropolitan Sydney, outer Sydney and South Australia
- unregulated storage fees for vehicles for trade towing, including impounded vehicles
- regulated storage fees for private property towing vehicles in Queensland.

We decided car parking fees were not useful benchmarks for our review. We also decided not to use data on industrial land values, although we acknowledged this could be a useful input for our analysis at the time.

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<sup>11</sup> For further details on the benchmarks used see Advisian 2018, *Accident towing fees: Fee benchmarking and productivity review* at <https://www.esc.vic.gov.au/sites/default/files/documents/Advisian%20-%20Accident%20towing%20fees%20in%20the%20Melbourne%20Controlled%20Area%20-%20June%202018.pdf>



### Stakeholder questions

5. Are the current accident towing and storage fees appropriate? If not, do you consider they should increase or decrease? Why?
6. What type of methodology should we use to assess fees for the Accident towing fees review 2021?
7. Do you agree with the benchmarks we previously used for the Accident towing fees review 2018? If not, what benchmarks would be appropriate?

See Appendix C, for the full list of stakeholder questions raised in this chapter.

## 2.3. Should we recommend changes to the productivity adjustment factor?

As per section 212A of the Accident Towing Services Act 2007, we are required to review and recommend a figure for the productivity adjustment factor. This factor is used in the 'annual adjustment mechanism' to amend fees each year.

### Fees are amended each year by the annual adjustment mechanism

Regulated fees in the Melbourne controlled area are amended each year by an annual adjustment mechanism. Section 212H of the Accident Towing Services Act 2007 outlines the annual adjustment mechanism, which is currently based on changes in CPI (Melbourne, Transport)<sup>12</sup> minus a productivity adjustment factor of 0.5 per cent.

Table 3 shows how the annual adjustment mechanism has applied to accident towing fees since 2009. In years where CPI minus 0.5 per cent gives a negative figure, accident towing fees have remained constant, as seen in 2015-16, 2016-17 and 2019-20. This is because section 212H(3) of the Accident Towing Services Act 2007 prevents accident towing fees from falling in years where there is a negative figure in the annual adjustment mechanism.

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<sup>12</sup> The CPI (Melbourne, Transport) index is available at Australian Bureau of Statistics, 6401.0 – Consumer Price Index, Australia, Table 9

**Table 3: Changes in accident towing fees in the Melbourne controlled area (incl. GST), since 2009–10**

	Annual adjustment mechanism (CPI - 0.5)	Base fee (\$)	Distance fee (\$) (after 8 km)	After hours surcharge (\$)	Storage (\$) (car under cover)
2009–10	N/A	168.45	2.65	57.55	12.90
2010–11	N/A	189.50	3.00	64.75	14.50
2011–12	2.6 %	194.40	3.10	66.40	14.90
2012–13	1.3 %	196.90	3.10	67.20	15.10
2013–14	2.8 %	202.40	3.20	69.10	15.50
2014–15	2.4 %	207.30	3.30	70.80	15.90
2015–16	-7.1 %	207.30	3.30	70.80	15.90
2016–17	-1.1 %	207.30	3.30	70.80	15.90
2017–18	4.3 %	216.20	3.40	73.80	16.60
2018–19	2.4 %	221.40	3.50	75.60	25.00*
2019–20	-0.7 %	221.40	3.50	75.60	25.00
2020–21	2.7 %	227.40	3.60	77.60	25.70

\* This increase is in line with commission recommendation 2 of the Accident towing fees review 2018

Note: CPI is the March quarter value of the CPI (Melbourne, Transport) of a given year, divided by the March quarter value of the CPI (Melbourne, transport) of the previous year.

Source: VicRoads, Victorian Government Gazette Specials

### What should the value of the productivity adjustment factor be?

The annual adjustment mechanism is designed to account for cost increases that may occur in the broader transport industry, to the extent these are reflected as increases in the CPI. For example, an increase in automotive fuel prices may lead to an increase in the CPI, which should then result in an increase in accident towing fees.<sup>13</sup>

The annual adjustment mechanism also provides tow truck operators with an incentive to achieve productivity gains, via the productivity adjustment factor. The value of this factor is the minimum

<sup>13</sup> Fuel prices form only part of the prices included in the CPI (Melbourne, transport). It includes other price categories such as maintenance and repair of motor vehicles and spare parts and accessories. This means an increase in fuel prices may only be reflected as an increase in CPI, if it is not countered by movements in the other price categories included in the CPI.

## 2. Should accident towing fees change?

tow truck operators must reduce their costs or increase their outputs by – that is, improve their productivity – to maintain the revenue they receive from accident towing.

For example, with a productivity factor of 0.5, tow truck operators must improve their productivity by at least 0.5 per cent, to maintain the revenue they receive from accident towing. If they improve their productivity by less than 0.5 per cent then they receive less revenue. Conversely, if they improve by more than 0.5 per cent, then they receive more revenue from accident towing.

The productivity adjustment factor needs to be at a level to incentivise tow truck operators to improve their productivity. That is, set at a level that is achievable and rewards tow truck operators for their efforts. We therefore invite stakeholders to provide their views on the level of productivity they believe tow truck operators can achieve. We would also like to understand whether this can be achieved from within the accident towing industry itself, or more broadly from other related trade towing or transport industries.

We expect the coronavirus pandemic has also had an impact on tow truck operators' productivity. We therefore seek stakeholders' views on this and if possible, we would like examples that may illustrate the impacts (such as a change in work practices).

### Previous productivity measures

In our assessment of the productivity adjustment factor in the Accident towing fee review 2018, we considered the following productivity measures:

- data published by the Australian Taxation Office on small business performance benchmarks for towing and comparing this against other transport sectors
- the number of accident tows per licensed tow truck, as a partial measure of historical productivity
- multi-factor productivity published by the Australian Bureau of Statistics for the Transport, Postal and Warehousing Division.<sup>14</sup>

None of these measures appeared to provide conclusive evidence as to the appropriate level of the productivity adjustment factor. While we may use these measures again, we would welcome stakeholders' views on appropriate measures that could be used to assess accident towing industry productivity.

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<sup>14</sup> Advisian 2018, *Accident towing fees: Fee benchmarking and productivity review*, June, chapter 4

## Stakeholder questions

8. To what extent have accident towing businesses been able to reduce costs and improve their overall efficiency since our last review? What factors may have contributed to accident towing businesses' ability to reduce costs and improve efficiency?
9. How has the coronavirus pandemic affected accident towing businesses productivity performance, if at all? If so, can you provide examples (such as a change in work practices) to demonstrate the impacts?
10. What productivity measures could we use to assess accident towing industry productivity?

See Appendix C, for the full list of stakeholder questions raised in this chapter.

## 2.4. Should any unregulated services have a set fee?

We are required to review unregulated services related to the storage and salvage of accident damaged vehicles. We must recommend whether those services should have regulated prices and, if so, what those prices should be.

Fees for basic salvage services in the Melbourne controlled area are not currently regulated under section 211 of the Accident Towing Services Act 2007. Instead, basic salvage fees must be a 'reasonable charge for the provision of that service'.<sup>15</sup>

At this stage, we do not have a view as to whether basic salvage services should be regulated. We would therefore like stakeholders' views on this and if required, what an appropriate price for these services might be.

### We did not recommend a regulated salvage fee in our last review

We did not recommend basic salvage fees be regulated in the Accident towing fee review 2018. This was despite our concern in previous reviews, of the potential for tow truck operators to levy excessive salvage fees.

We did not receive any detailed feedback in the Accident towing fee review 2018 that suggested customers were being charged excessive salvage fees. The focus of most stakeholders' concerns related to the transparency rather than the magnitude of salvage fees. While fee regulation may provide greater transparency, we noted it could also be achieved through enforcement of the

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<sup>15</sup> Accident Towing Services Act 2007, s. 212(1)(b).

Accident Towing Services Regulations, which includes requirements that tow truck drivers must take photographs of salvage operations.<sup>16</sup>

We invite stakeholders to share their views on salvage fees. We would like to hear whether the requirements of the Accident Towing Services Regulations, such as requirements for photographs of salvage operations, provide sufficient transparency in relation to the fees that are ultimately being charged. Should stakeholders not regard salvage fees to be transparent or reasonable, we would welcome suggestions as to how this might be remedied, either through fee regulation or any other means.

### **We also welcome views on other currently unregulated storage services**

We seek stakeholders' views on whether unregulated storage fees for accident damaged vehicles should be regulated. We have not previously recommended the regulation of unregulated storage services.

The Accident Towing Services Act 2007 restricts the matters on which we can make ministerial recommendations. Specifically, we can only recommend the regulation of unregulated storage and salvage services.

#### **Stakeholder questions**

- 11.** Should fees for basic salvage services be regulated? If so, what is an appropriate regulated price for basic salvage services? What factors should we take into consideration to set fees?
- 12.** Are the fees for basic salvage services transparent and reasonable? If not, how might this be rectified?
- 13.** To what extent, have the Accident Towing Services Regulations that relate to transparency, such as photographs, been enforced?
- 14.** Are there any unregulated storage services that should be subject to a regulated price?

See Appendix C, for the full list of stakeholder questions raised in this chapter.

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<sup>16</sup> At the time of our Accident towing fee review 2018, this requirement was Accident Towing Services Regulations 2008, regulation 35(12). This requirement was retained in Accident Towing Services Regulations 2019 regulation 43(9).

# Glossary

Term	Definition
accident allocation scheme	A roster-based system for allocating accident towing jobs between tow truck licence holders. Separate schemes operate in the Melbourne controlled area and the Self-management area of Geelong.
accident towing	The towing and storage of accident-damaged motor vehicles from road accident scenes. Accident towing and storage fees are regulated within the Melbourne controlled area.
breakdown towing	The towing of vehicles as part of the roadside assistance service offered by car insurance providers and car dealerships. Breakdown towing fees are not regulated.
clearway towing	The towing of vehicles illegally parked in designated clearway zones during specified times, under contract with the responsible authority. Clearway towing fees are not regulated.
Department of Transport	The accident towing industry regulator. The Department of Transport is the Victorian Government agency responsible for administering the Accident Towing Services Act 2007.
depot	Premises from which accident tow trucks operate. A single depot may be shared by multiple accident towing service businesses.
driver	A person who drives a tow truck to accident scenes and performs the tow. Under the Accident Towing Services Act 2007, drivers must be accredited by the Department of Transport.
heavy vehicle	A vehicle with a gross vehicle mass of more than four tonnes.
impound towing	The towing of vehicles that are either abandoned, derelict or otherwise causing obstruction, as arranged by the local council. Impound towing fees are not regulated.
Melbourne controlled area	A declared area consisting of the Melbourne metropolitan area and the Mornington Peninsula. Accident towing and storage fees are regulated within the Melbourne controlled area.
operator	A person who owns or operates a tow truck business. Under the Accident Towing Services Act 2007, operators must be accredited by the Department of Transport.
regular vehicle	A vehicle with a gross vehicle mass of less than four tonnes.

Term	Definition
road accident	<p>An impact or collision of one or more motor vehicles—</p> <ul style="list-style-type: none"> <li>(a) on a road or road related area, or</li> <li>(b) not on a road or road related area, if immediately before the impact or collision one or more of the vehicles involved in the impact or collision had been travelling on a road or road related area.</li> </ul> <p>(Definition as per section 3 of the Accident Towing Services Act 2007)</p>
road accident scene	<p>An area within a 2 kilometre radius of a road accident.</p> <p>(Definition as per section 3 of the Accident Towing Services Act 2007)</p>
salvage	<p>Salvage, in the case of an accident damaged motor vehicle that, as a result of the accident—</p> <ul style="list-style-type: none"> <li>(a) is in a location that is not a road or road related area</li> <li>(b) is embedded in a building or in an object that is not a motor vehicle</li> <li>(c) is overturned or on its side—</li> </ul> <p>means the moving of the motor vehicle to a place on a road or road-related area or into an upright position or both so that it may be towed by a tow truck without assistance.</p> <p>(Definition as per section 3 of the Accident Towing Services Act 2007)</p> <p>Salvage may involve the use of additional tow trucks or equipment. Specific salvage fees are not regulated, but fees are required to be ‘reasonable’.</p>
secondary tow	<p>Occurs when an accident-damaged vehicle is towed from the accident scene and delivered to the destination listed on the authority to tow docket and then is subsequently towed to another destination. Secondary tow fees are not regulated.</p>
Self-management area of Geelong	<p>A declared area consisting of Geelong and surrounding areas. Tow truck drivers may only attend an accident scene after receiving an allocation through the self-managed allocation scheme. Accident towing and storage fees are not regulated beyond a requirement to be ‘reasonable’.</p>
storage	<p>Occurs when an accident-damaged vehicle is transported to the tow truck operator’s depot and stored in a secure location to await repair or towing to another location.</p>

Term	Definition
trade towing	General towing and storage services that are not the immediate result of a road accident, including any tows following the delivery of an accident-damaged vehicle to the location specified on the authority to tow docket. Examples include breakdown, clearway, impound and secondary tows. Trade towing fees are not regulated.
unregulated area	For regular vehicle accident tows, refers to areas of Victoria excluding the Melbourne controlled area and the Self-management area of Geelong.



## Appendix A: Summary of previous commission reviews

This appendix briefly outlines our most recent reviews related to the accident towing industry:

- In 2015, we reviewed the economic regulation of Victorian accident towing services, in response to terms of reference issued by the Minister for Finance.
- In 2018, we reviewed the fees for accident towing, storage and salvage services and made some recommendations to the Minister for Roads.

### **Our 2015 review of Victorian accident towing and storage economic regulation**

In January 2014, the Minister for Finance issued terms of reference under section 41 of the Essential Services Commission Act 2001, requesting that we review the economic regulation of accident towing and storage services in Victoria. The review covered both regular and heavy vehicle accident towing Victoria wide (not just the Melbourne controlled area). The terms of reference required us to consider three key matters:

- the regulation of fees
- the allocation of accident towing jobs (that is, whether jobs are allocated or whether operators are free to compete for towing jobs)
- the necessity for, and location of, boundaries that set up different regulatory approaches (for example, the Melbourne controlled area and the Self-management area of Geelong).

As this was a review of the broad economic regulation of accident towing and storage in Victoria, we did not review regulated fees and did not make a recommendation on the appropriateness of fees to the Minister for Roads.

Our final 19 recommendations from this review were aimed at three broad areas:<sup>17</sup>

- improving the processes by which accident tows are allocated to tow truck operators where such allocation schemes exist, to best promote consumers' interests
- ensuring that fees for accident towing services are fair and reasonable for consumers, regardless of whether accidents occur in the controlled area, self-managed area or in the rest of Victoria

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<sup>17</sup> Essential Services Commission 2015, *Accident towing regulation: Final report*, December, p. xvii

- ensuring that consumers are appropriately informed of their rights and responsibilities following an accident.

We provided our final report and recommendations to the Minister for Finance in January 2016. No legislative changes have been made in response to this review.

## **Accident towing fees review 2018**

We completed a review of accident towing, storage and salvage services in December 2018 and made recommendations to the Minister for Roads on the matters outlined in section 212A of the Accident Towing Services Act 2007. Our reviews are recommendatory only. It is at the minister's discretion whether accident towing and storage fees change, or new fees are introduced. Currently regulated fees continue to be adjusted annually for inflation (minus a productivity adjustment factor) in accordance with section 212H of the Accident Towing Services Act 2007.

### **We recommended no changes to accident towing fees**

We recommended the current level of regulated accident towing fees (as escalated each year by the annual adjustment mechanism) were appropriate and should not be changed.<sup>18</sup>

In our review, we used fees for contestable trade towing services as a benchmark for the regulated fees. We found that regulated fees were relatively consistent with benchmark trade towing fees, as well as with regulated accident towing fees in other jurisdictions.

We decided to review fees based on a benchmarking approach. This was partly due to the difficulty and time required to obtain the required cost information to undertake a cost-of-service approach.

A benchmarking approach relies less on receiving information from accident towing operators and can provide a good indication of the fees charged in contestable markets. Relying on industry own cost data to set fees creates an incentive for the sector to inflate its costs. While we relied on a benchmarking approach, we noted we may consider a cost-of-service approach in the future.

### **We recommended storage fees be increased**

We concluded the current regulated storage fees (as escalated each year by the annual adjustment mechanism) were not appropriate and too low.<sup>19</sup> To reach this conclusion, we compared regulated storage fees against benchmarks of storage fees for unregulated storage

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<sup>18</sup> Essential Services Commission 2018, *Review of accident towing and storage fees: Final report*, 10 December, pp. 6-8

<sup>19</sup> *Ibid*, pp. 9-12

services in Melbourne (trade towing and impounding of vehicles) and regulated storage fees for accident-damaged vehicles in other jurisdictions.

We recommended an increase in regulated storage fees that reflected the benchmark fees we analysed in our review. We considered a fee of \$25.00 per day for 'under cover' vehicle storage to be appropriate, an \$8.00 increase from \$17.00 per day fee. Based on common cost drivers for this increase – mainly property leasing costs – we recommended all other regulated storage fees (that is, under-cover and locked-yard storage for vehicles and motorcycles) be increased by the same proportion (i.e. 47 per cent).

### **We recommended no changes to the productivity adjustment factor**

We recommended that the productivity adjustment of 0.5 per cent continue to apply under the annual adjustment mechanism.<sup>20</sup>

Our analysis of publicly available data<sup>21</sup> and VicRoads data indicated some productivity increases in the towing industry since our Accident towing fees review 2013. While we considered there might have been scope for accident towing operators to further improve their productivity, the measures we analysed did not appear to provide conclusive evidence as to the appropriate level of the productivity adjustment factor. For this reason, we concluded there was no significant reason to depart from the default value of 0.5 per cent.

### **We did not recommend a regulated salvage fee**

We recommended that fees for basic salvage services should not be subject to a determination under section 211 of the Accident Towing Services Act.<sup>22</sup>

While there may be merit in regulating basic salvage fees and we had recommended this in previous reviews, we did not consider the justification for regulation to be as strong as it was in the past. In coming to this recommendation, we considered that:

- The government had not adopted our prior recommendations to directly regulate fees, preferring instead to require that fees be reasonable, and specifying the factors that a court must consider when deciding on reasonableness.<sup>23</sup>

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<sup>20</sup> Ibid, pp. 13-17

<sup>21</sup> The publicly available data we analysed included productivity and turnover measures published by the Australian Tax Office and Australian Bureau of Statistics.

<sup>22</sup> Essential Services Commission 2018, *Review of accident towing and storage fees: Final report*, 10 December, pp. 18- 20

<sup>23</sup> Accident Towing Services Act 2007, section 212I(2) specifies factors that the court must consider when determining what is a 'reasonable' charge for the provision of accident towing services (See Appendix B)

- We had not received detailed feedback or evidence during this review that indicates that customers were being charged excessive salvage fees that would justify more direct price regulation
- Where stakeholders raised concerns, they mainly related to the transparency of the services provided when charged a salvage fee.

To the extent that there are issues related to the transparency of salvage fees, we noted these should be directed to VicRoads (now the Department of Transport). We informed VicRoads of the issues raised by stakeholders at each stage of our consultation process.

## Appendix B: Legislative framework

The following are the relevant sections of the Accident Towing Services Act 2007.

Section number	Section detail
s. 3(1)	<p><b>Definitions</b></p> <p>In this Act –</p> <p><b>accident damaged motor vehicle</b> means a motor vehicle that has been damaged as the result of a road accident;</p> <p>...</p> <p><b>accident towing service</b> means the service of operating tow trucks for the following purposes –</p> <ul style="list-style-type: none"><li>(a) the purpose of towing accident damaged motor vehicles, where the towing of the accident damaged motor vehicle takes place between the time when the road accident in which the motor vehicle is damaged occurs and the time when the motor vehicle is first delivered to the place specified in the authority to tow;</li><li>(b) the purpose of clearing road accident scenes;</li></ul> <p>...</p> <p><b>road accident</b> means an impact or collision of one or more motor vehicles –</p> <ul style="list-style-type: none"><li>(a) on a road or road related area; or</li><li>(b) not on a road or road related area, if immediately before the impact or collision one or more of the vehicles involved in the impact or collision had been travelling on a road or road related area;</li></ul> <p><b>road accident scene</b> means an area within a 2 kilometre radius of a road accident;</p> <p>...</p> <p><b>salvage</b>, in the case of an accident damaged motor vehicle that, as a result of the accident –</p> <ul style="list-style-type: none"><li>(a) is in a location that is not a road or a road related area; or</li><li>(b) is embedded in a building or in an object that is not a motor vehicle; or</li><li>(c) is overturned or on its side –</li></ul> <p>means the moving of the motor vehicle to a place on a road or road related area or into an upright position or both so that it may be towed by a tow truck without assistance;</p> <p>...</p> <p><b>tow</b>, in relation to any motor vehicle, includes –</p> <ul style="list-style-type: none"><li>(a) lifting and towing the motor vehicle;</li><li>(b) lifting and carrying the motor vehicle;</li></ul>

Section number	Section detail
	<p>(c) lifting the motor vehicle for the purpose of towing the motor vehicle – but does not include salvage of the motor vehicle;</p> <p><b>tow truck</b> means –</p> <p>(a) any motor vehicle –</p> <p>(i) that is equipped with a crane, winch, ramp or other lifting device; and</p> <p>(ii) that is used or intended to be used for the towing of motor vehicles; or</p> <p>(b) a motor vehicle to which is attached, temporarily or otherwise a trailer or device that is –</p> <p>(i) equipped with a winch or ramp or other lifting device; and</p> <p>(ii) that is used or intended to be used for the towing of motor vehicles;</p> <p>...</p>
s. 4	<p><b>Objective</b></p> <p>The objective of this Act is to –</p> <p>(a) promote the safe, efficient and timely provision of accident towing services and other related services;</p> <p>(b) ensure that persons who are providing accident towing services –</p> <p>(i) are of appropriate character; and</p> <p>(ii) are technically competent to provide the services; and</p> <p>(iii) when providing the services, act with integrity and in a manner that is safe, timely, efficient and law abiding, and in particular, that regard is had for vulnerable persons.</p>
s. 211	<p><b>Minister to determine charges for accident towing services and other services</b></p> <p>The minister may from time to time determine the amounts that may be charged by the providers of the following –</p> <p>(a) accident towing services;</p> <p>(b) the service of storing accident damaged motor vehicles;</p> <p>(c) basic salvage services –</p> <p>for the provision of those services.</p>
s. 212 (1)	<p><b>Determinations of charges</b></p> <p>The minister must not make a determination under section 211 unless he or she –</p> <p>(a) has received a recommendation from the commission under division 2 on the matter; and</p> <p>(b) has received a report from the secretary.</p>
s. 212 (2)	<p>A determination of the minister under section 211 –</p> <p>(a) may be of general or of specially limited application; and</p> <p>(b) may differ according to differences in time, place or circumstance.</p>

Section number	Section detail
s. 212 (3)	A determination under section 211 takes effect when it is published in the Government gazette, or, if a later day is specified in the determination, on that day.
s. 212 (4)	A determination under section 211 may be amended or revoked and the provisions of this section apply to any such amendment or revocation of a determination in the same manner as that in which they apply to the making of the determination.
s. 212A (1)	<p><b>Periodic review of charges</b></p> <p>The commission must, at the time specified in subsection (3), conduct and complete a review and make a recommendation to the minister as to all of the following –</p> <ul style="list-style-type: none"> <li>(a) whether or not any amount determined by the minister under section 211 is appropriate;</li> <li>(b) in relation to accident towing services, services relating to the storage of accident damaged vehicles and salvage services for which no amount has been determined under section 211 – <ul style="list-style-type: none"> <li>(i) whether or not that service should be subject to a determination under that section; and</li> <li>(ii) if the commission considers that the service should be subject to a determination, what that determination should be;</li> </ul> </li> <li>(c) a figure for the productivity adjustment of those services that are or are to be subject to a determination under section 211;</li> <li>(d) any other matter relating to accident towing services, the storage of accident damaged vehicles or salvage that the minister specifies in writing.</li> </ul>
s. 212A (2)	The minister must consult with the minister administering the Essential Services Commission Act 2001 before specifying a matter for review under subsection (1)(d).
s. 212A (3)	<p>The commission must conduct and complete a review and make a recommendation to the minister under this section –</p> <ul style="list-style-type: none"> <li>(a) not later than 30 June 2014; and</li> <li>(b) before the expiry of each subsequent period of 4 years commencing from the date that the last review commenced.</li> </ul>
s. 212B (1)	<p><b>Additional review at minister’s direction</b></p> <p>The minister may at any time, by written direction, require the commission to conduct and complete a review and make a recommendation to the minister as to whether or not an amount determined under section 211 is appropriate.</p>
s. 212B (2)	The minister must consult with the minister administering the Essential Services Commission Act 2001 before requiring the commission to conduct a review and make a recommendation under subsection (1).
s. 212B (3)	A written direction under this section must specify terms of reference for the review.

Section number	Section detail
s. 212B (4)	The minister may – <ul style="list-style-type: none"> <li>(a) specify a period within which a recommendation is to be made to the minister under subsection (1);</li> <li>(b) require the commission to make a draft copy of the recommendation publicly available or available to specified persons or bodies during the review;</li> <li>(c) require the commission to consider specified matters;</li> <li>(d) give the commission specific directions in respect of the conduct of the review;</li> <li>(e) specify objectives that the commission is to have in performing its functions and exercising its powers in relation to the review.</li> </ul>
s. 212B (5)	If the minister has directed a matter to the commission for review under subsection (1), the minister may, by written notice given to the commission, withdraw or amend the direction at any time before the minister has received the recommendation from the commission.
s. 212B (6)	The minister must cause notice of a direction given to the commission under this section to be published on an Internet site maintained by the department.
s. 212C (1)	<b>Conduct of review</b>  Subject to this Act and any directions under section 212B, the commission may conduct a review under this division in any manner the commission considers appropriate.
s. 212C (2)	In conducting a review, the commission is not bound by the rules of evidence and may inform itself on any matter in any way it thinks fit.
s. 212C (3)	The commission may receive written submissions or statements.
s. 212C (4)	If the commission holds a public hearing – <ul style="list-style-type: none"> <li>(a) the commission has a discretion as to whether any person may appear before the commission in person or be represented by another person;</li> <li>(b) the commission may determine that the hearing, or part of the hearing, be held in private if it is satisfied that – <ul style="list-style-type: none"> <li>(i) it would be in the public interest; or</li> <li>(ii) the evidence is of a confidential or commercially sensitive nature.</li> </ul> </li> </ul>
s. 212C (5)	In conducting a review, the commission – <ul style="list-style-type: none"> <li>(a) may consult with any person that it considers appropriate;</li> <li>(b) may hold public seminars and hold workshops;</li> <li>(c) may establish working groups and task forces.</li> </ul>
s. 212D	<b>Objectives not to apply</b>  Except to the extent (if any) that the minister otherwise determines, the objectives of the commission under the Essential Services Commission Act 2001 or any other Act do not apply to the functions and powers of the commission under this division.



Section number	Section detail
s. 212H (1)	<p><b>Charges to be adjusted for CPI</b></p> <p>Subject to subsection (2), an amount of a charge determined under section 211 must be varied, in respect of each financial year, in accordance with the formula –</p> $A \times \left( \frac{B}{C} - D \right)$ <p>where –</p> <p>‘A’ is the amount of the charge for the financial year immediately preceding the relevant year;</p> <p>‘B’ is the transport group consumer price index for Melbourne in original terms for the reference period in which falls the March quarter of the financial year immediately preceding the relevant year last published by the Australian Bureau of Statistics before the relevant year;</p> <p>‘C’ is the transport group consumer price index for Melbourne in original terms for the corresponding reference period one year earlier than the reference period referred to in B last published by the Australian Bureau of Statistics before the relevant year;</p> <p>‘D’ is the productivity adjustment figure specified in the recommendation under section 212A most recently made by the commission or, if the commission has not made a recommendation under section 212A that relates to the relevant year, ‘D’ is 0.005.</p>
s. 212H (2)	If it is necessary for the purposes of this section to calculate an amount that consists of or includes a fraction of a whole dollar, the amount is taken to be calculated in accordance with this section if the calculation is made to the nearest whole 10 cents.
s. 212H (3)	If the variation under subsection (1) of the amount of a charge would reduce the amount of that charge, the amount of the charge must not be varied under subsection (1).
s. 212H (4)	If the amount of a charge is varied under subsection (1), the secretary must publish a notice in the Government gazette specifying – <ul style="list-style-type: none"> <li>(a) the service to which the charge relates; and</li> <li>(b) the amount of the charge as varied; and</li> <li>(c) the data from which the charge as varied applies.</li> </ul>
s. 212H (5)	In this section, <b>relevant year</b> means the financial year for which the adjusted amount is being varied.
s. 212I	<b>Offence to charge unreasonable sum or sum different to charge determined under section 211</b>
s. 212I(1)	<p>A person must not charge an amount for the provision of an accident towing service, for the storage of an accident damaged motor vehicle or for the provision of salvage services unless –</p> <ul style="list-style-type: none"> <li>(a) if a determination for the service has been made under section 211, the charge is determined in accordance with that determination; or</li> <li>(b) if no determination for the service has been made under section 211, the charge is a reasonable charge for the provision of that service.</li> </ul> <p>Penalty: 30 penalty units.</p>

Section number	Section detail
s. 212I(2)	<p>Without limiting the factors the court may consider in determining what is a reasonable charge for the provision of an accident towing service for the purposes of subsection (1)(b), the court must consider those of the following factors that are relevant –</p> <ul style="list-style-type: none"> <li>(a) the nature of the service provided;</li> <li>(b) the day on which the service is provided;</li> <li>(c) the time at which the service is provided;</li> <li>(d) any administration costs incurred in the provision of the service;</li> <li>(e) the amount that would be charged for the provision of a similar service that is not an accident towing service;</li> <li>(f) the amount that would be charged for the same or similar service by any other person providing accident towing services in the same or similar area.</li> </ul>
s. 212I(3)	<p>In any proceedings against a person for an offence under subsection (1), if the offence is proved, the court may order that person to refund any amount paid in excess of the amount that may be charged under subsection (1).</p>

## Appendix C: List of stakeholder questions

The following is a list of stakeholder questions, drawn from each relevant section of this scope and process paper. These questions are not exhaustive. Rather, they provide a starting point for discussion and follow-up during our review.

### **Have there been any significant changes in the industry since our last review?**

1. Have there been any significant changes in the accident towing industry since 2018?
2. Have the costs of accident towing operators changed since 2018? Can any significant cost changes be supported with material illustrating these changes?
3. How has the coronavirus pandemic affected your participation in the accident towing industry, if at all? If so, can you provide data to illustrate these impacts?
4. Have there been any significant changes related to the coronavirus pandemic or otherwise, that relate to other industries integrated with accident towing, such as trade towing or smash repairs?

### **Should we recommend any changes to fees?**

5. Are the current accident towing and storage fees appropriate? If not, do you consider they should increase or decrease? Why?
6. What type of methodology should we use to assess fees for the Accident towing fees review 2021?
7. Do you agree with the benchmarks we previously used for the Accident towing fees review 2018? If not, what benchmarks would be appropriate?

### **Should we recommend changes to the productivity adjustment factor?**

8. To what extent have accident towing businesses been able to reduce costs and improve their overall efficiency since our last review? What factors may have contributed to accident towing businesses' ability to reduce costs and improve efficiency?
9. How has the coronavirus pandemic affected accident towing businesses productivity performance, if at all? If so, can you provide examples (such as a change in work practices) to demonstrate the impacts?
10. What productivity measures should we use to assess accident towing industry productivity?

## **Should any unregulated services have a set fee?**

11. Should fees for basic salvage services be regulated? If so, what is an appropriate regulated price for basic salvage services? What factors should we take into consideration to set fees?
12. Are the fees for basic salvage services transparent and reasonable? If not, how might this be rectified?
13. To what extent, have the Accident Towing Services Regulations that relate to transparency, such as photographs been enforced?
14. Are there any unregulated storage services that should be subject to a regulated price?