

Tow Truck Operator Licence APPLICATION

Tow Truck Industry Act 1998

Use this application to apply for a tow truck operator licence.

How to apply

First, you need to work out what category of licence you will need to apply for. Different types of work will require a different licence.

- Category A (4-digit TT plates) – Accident and breakdown/trade tow
- Category B (3-digit TT plates) – Breakdown/trade tow
- Category B-Restricted (3-digit TT plates)

You do not need a Tow Truck Operator Licence if you are towing, salvaging or storing certain exempted vehicles and trailers. A full list of all exempted vehicles can be found on [the Fair Trading website](#).

How to lodge

Please email your completed application and supporting documentation to towtrucks@customerservice.nsw.gov.au

Payment

A fee must be paid on lodgement of the application form.

Pay by credit card or PayPal using the following [payment portal link](#).

Step 1 – Click on the link or type the URL into your web browser

Step 2 – Follow the instructions online to complete the payment

Step 3 – When the lodgement fee is paid online you will receive a receipt number.

Please record the receipt number below before lodging the application, not providing this information may result in delays in processing your application.

Receipt number

Important The fee contains a non-refundable component which is retained by NSW Fair Trading if your application is refused.

If you are having difficulty submitting this application, contact NSW Fair Trading on 13 32 20.

Supporting documents – checklist

Your licence will not be issued unless you supply the following with your application:
(all documents must be current and in the name of the applicant)

SECTION 1

- ☐ Certificate of Incorporation (for a Pty Ltd company only).
- ☐ Certificate Registration of Business Name (sole trader applicants only).
- ☐ Latest annual company statement / extract which shows current directors' and shareholders' details (for a Pty Ltd company only)

SECTION 2

- ☐ Certificate of currency for public liability insurance for the nominated place of business
- ☐ Copy of photo ID is required for all applicants who have completed Section 2 and 9 of the application form [e.g., Driver's licence/proof of age card (front and back), Passport]
- ☐ All people nominated who have lived outside of NSW or overseas within the past 10 years must provide National Police Check (NPC) dated within 6 weeks of lodgement of application.

SECTION 3

- ☐ National criminal history record check (if applicable) – Required if any person has lived interstate or overseas in the 10 years preceding the application. If the person currently lives interstate this document is required from the Police in the state of residence with each application and must be dated within 6 weeks of the date of the receipt of this application

SECTION 5

- ☐ Certificate of currency for public liability insurance for you holding yard(s)
- ☐ Proof of ownership of the holding yard – this would be either
 - A copy of current rates notice if the licensee / applicant owns the property, or
 - A valid commercial lease agreement between the owner of the property and the licensee or applicant, or
 - A copy of a current rates notice for the property combined with a signed and dated letter of permission from the owner of the property, confirming that the licensee / applicant has permission **to use the property as a tow truck holding yard for the storage of damaged vehicles.**

Important - A property lease is not required again until it is renewed for a further term.

- ☐ Provide clear colour photographs of the nominated new holding yard(s) showing
 - Perimeter fencing showing that it is permanently fixed, undamaged and 2m in height
 - View of the premises from the road/street
 - View of the adjoining premises
 - All vehicular and pedestrian access, including locks
 - Any other access points
 - Floodlighting (for external yards)
 - Vehicle storage area / space
 - Security systems including sensors, cameras, alarms etc.

SECTION 6

- ☐ Certificate of currency for on hook insurance for each vehicle to be operated under licence **OR** a completed exemption form for licences operating solely under clause 10 of the Regulation
- ☐ Copy of current vehicle registration paper or on hold receipts / copy of lease for tow trucks not owned by applicant (if applicable) –**also required when the lease is renewed for a further term**
- ☐ Copy of lease for tow trucks not owned by applicant (if applicable) – **also required when the lease is renewed for a further term.**

SECTION 7

- ☐ All current tow truck driver details to be provided

SECTION 8

- ☐ All disclosure questions must be answered

SECTION 9

- ☐ Declaration in Section 9 of the application must be signed by all parties having financial interest such as directors, stakeholders, partners or sole traders in Section 2.

SECTION 1 - Business Details

Business details – please specify type of business

☐ Company

☐ Partnership

☐ Sole Trader

Give details (e.g., name of Company, Partnership name or Sole Trader name)

Registered business name – *Please attach another sheet if more than one registered business name*

ACN – *If Company*

ABN – *Must be registered to applicant*

Business address (including postcode)– *where you store your towing records*

Postal address (including postcode)

Email

Phone number/s

Do you hold, or have you ever held a Tow Truck Operator licence?

☐ No

☐ Yes – if yes provide licence number

SECTION 2 – Director's /Partner's/Sole Trader's/Shareholder's/Close Associates Details

Copy of photo ID required

Please give details for each person who is a director of your company, a partner in your business, and/or a close associate of your business. If you are a sole trader, you must include your personal details.

A close associate is a person who has a 'relevant interest' in your business. This could include a **person who has a financial interest in your business** (such as a person who has invested in your business and/or is entitled to receive an income from your business), or a **person who makes decisions that can impact on your business** (such as a person you employ in a managerial position).

If any person has ever used another name or identity, please include these details as requested.

Note – If any person nominated has lived outside of NSW or overseas within the past 10 years, they must provide National Police Check (NPC) dated within 6 weeks of lodgement of the application (see Section 3).

If insufficient space on next page, please attach another sheet.

Details 1 – *photo ID must be provided*

Name

Surname

Residential address (including postcode)

Former names – *if any*

Date of birth

Relationship to business (e.g., Director/Partner/Sole Trader etc.)

Details 2 – *photo ID must be provided*

Name

Surname

Residential address (including postcode)

Former names – *if any*

Date of birth

Relationship to business (e.g., Director/Partner/Sole Trader etc.)

Details 3– *photo ID must be provided*

Name

Surname

Residential address (including postcode)

Former names – *if any*

Date of birth

Relationship to business (e.g., Director/Partner/Sole Trader etc.)

Details 4– *photo ID must be provided*

Name

Surname

Residential address (including postcode)

Former names – *if any*

Date of birth

Relationship to business (e.g., Director/Partner/Sole Trader etc.)

Important if insufficient space, please attach additional details on another sheet.

SECTION 3 – Criminal History

Have you lived in another Australian State or Territory or overseas in the last 10 years?

☐ No ☐ Yes, please provide details below

If yes, please provide a National Police Certificate.

Important - you *must* provide a national criminal history record of **anyone** nominated in this form (including those in Section 2) who has lived outside of NSW or overseas within the past 10 years. This must be obtained from the relevant Police or an Australian Criminal Intelligence Commission accredited body for the period of time in that jurisdiction. These documents must be no older than 6 weeks from the lodgement of this application - [apply for an NSW Police National Police check here](#)

SECTION 4 – Towing Category

For all new applications please specify the type of towing work that the vehicles on this licence will undertake.

- ☐ **Category A** – Accident Towing (4-digit plates)
☐ **Category B** – Trade/Breakdown (3-digit plates)
☐ **Category B-Restricted** (3-digit TT plates)

Please nominate the Motor Registry/Service Centre in NSW from which you would like to collect your new tow truck number plates.

SECTION 5 – Council Requirements

Important all applicants must have council approval for their place of business. Additionally, for category A towing, holding yards must also have council approval. Fair Trading may require proof of council approval.

Business Address

Does your business address have current local council approval that allows you to conduct the business to which this application relates *or* have you been advised by your local council that approval is not required for you to conduct your proposed business (e.g., under home occupation guidelines)?

☐ Yes ☐ No If you are applying to conduct **Category B** towing *only* go to **section 6**.

Holding Yard(s) – *complete this section for Category A accident towing only*

Important you must have one holding yard within 10 km of your place of business that complies with NSW Fair Trading's Holding Yard requirements, for the secure storage of towed motor vehicles. If each of the tow trucks listed on your application has a GCM of 20 tonnes or more, you are exempt from the requirement to have a holding yard.

Your holding yard must have current local council approval for the storage of crash damaged vehicles, and approved for access to operators, drivers, police, and authorised officers 24 hours a day seven days a week.

Does/do your holding yard(s) have current local council approval? ☐ Yes ☐ No

Holding Yard 1 – ☐ Owned ☐ Leased

Address (including postcode)

Holding Yard 2 – ☐ Owned ☐ Leased

Address (including postcode)

Important if insufficient space, please attach additional details on a separate sheet.

SECTION 6 – Vehicles

You must provide details of vehicles that you either currently operate or intend to operate, under the authority of your licence.

Important All tow trucks operated by the licensee must be registered and insured in the name of the licensee and have a minimum load capacity of 1200kg (load capacity = GVM – Tare). If one or more of your tow trucks is leased from another person or company (not a financial institution) you must provide a copy of the current lease for that vehicle.

Vehicle 1 rego no.

Make and type – For example: Ford tilt tray

☐ Owned ☐ Leased – If leased, name of lessor

Vehicle 2 rego no.

Make and type – For example: Ford tilt tray

☐ Owned ☐ Leased – If leased, name of lessor

Important - If insufficient space, please attach additional details on another sheet.

SECTION 7 – Tow Truck Drivers

Under section 17(2) (g) of the Act all tow truck operator licence applicants must provide details of all tow truck drivers that are employed or engaged by the applicant to use or operate tow trucks as part of the applicant's business.

Full name 1

Date of birth

Driver Certificate Number

Commencement date

Full name 2

Date of birth

Driver Certificate Number

Commencement date

Important - If insufficient space, please attach additional details on a separate sheet.

SECTION 8 – Disclosure

Important If you answer **Yes** to any of the following questions, **please provide full details on a separate sheet.**

1. Has the applicant or a close associate of the applicant within the period of 10 years before the application was made, been refused a licence? ☐ Yes ☐ No
2. Has the applicant or a close associate of the applicant within the period of 10 years before the application was made, had his or her licence permanently revoked? ☐ Yes ☐ No
3. Has the applicant or a close associate of the applicant within the period of 10 years before the application was made, been the subject of disciplinary action under Division 4 of Part 3 of the *Tow Trucks Industry Act 1998* that resulted in the close associate being disqualified from holding a licence or having his or her licence suspended or permanently revoked? ☐ Yes ☐ No
4. Has the applicant or a close associate of the applicant subject to firearms prohibition order under the *Firearms Act 1996*? ☐ Yes ☐ No
5. Has the applicant or a close associate of the applicant subject to a weapons prohibition order under the *Weapons Prohibition Act 1998*? ☐ Yes ☐ No
6. Has the applicant or a close associate of the applicant subject to a serious crime prevention order under the *Crimes (Serious Crime Prevention Orders) Act 2016*? ☐ Yes ☐ No
7. Has the applicant or a close associate of the applicant within the period of 10 years before the application was made, been convicted or been found guilty (but with no conviction being recorded) of the following offences (regardless of whether the offence was committed in New South Wales):
 - (i) an offence relating to the possession or use of a firearm or imitation firearm (within the meaning of the *Firearms Act 1996*) or other weapon? ☐ Yes ☐ No
 - (ii) an offence involving the supply or possession of a prohibited drug within the meaning of the *Drug Misuse and Trafficking Act 1985*? ☐ Yes ☐ No
 - (iii) an offence involving the cultivation (for a commercial purpose), supply or possession of a prohibited plant within the meaning of the *Drug Misuse and Trafficking Act 1985*? ☐ Yes ☐ No
 - (iv) an offence relating to organised car, boat or trailer rebirthing activities under section 154G of the *Crimes Act 1900*? ☐ Yes ☐ No
 - (v) an offence of dealing with property suspected of being proceeds of crime under section 193C of the *Crimes Act 1900*? ☐ Yes ☐ No
 - (vi) an offence involving the recruitment of another person to carry out or assist in carrying out a criminal activity within the meaning of section 351A of the *Crimes Act 1900*? ☐ Yes ☐ No
 - (vii) an offence involving participation in a criminal group or participation in any criminal activity of a criminal group within the meaning of Division 5 of Part 3A of the *Crimes Act 1900*? ☐ Yes ☐ No
 - (viii) the offence of contravening a serious crime prevention order under section 8 of the *Crimes (Serious Crime Prevention Orders) Act 2016*? ☐ Yes ☐ No
 - (ix) an offence under section 74 of the *Firearms Act 1996* relating to a firearms prohibition order? ☐ Yes ☐ No

- | | | |
|---|------------------------------|-----------------------------|
| (x) an offence under section 34 of the <i>Weapons Prohibition Act 1998</i> relating to a weapons prohibition order? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (xi) an offence involving an assault of any kind against a person? | Yes | No |
| (xii) an offence involving fraud, dishonesty or stealing? | Yes | No |
| (xiii) an offence involving robbery (whether armed or otherwise)? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (xiv) the offence of habitually consorting with convicted offenders under section 93X of the <i>Crimes Act 1900</i> ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (xv) the offence of contravening a public safety order under section 87ZA of the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (xvi) an offence of making, using or interfering with unique identifiers under section 154H of the <i>Crimes Act 1900</i> ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| xvii) the offence of having possession of a motor vehicle, vessel or trailer where the unique identifier has been interfered with under section 154I of the <i>Crimes Act 1900</i> ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (xviii) the offence of having possession of an identification plate not attached to the motor vehicle or trailer to which it relates under section 154J of the <i>Crimes Act 1900</i> ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
8. Does the applicant or any partner, director or shareholder have proceedings for an offence pending against them? ☐ Yes ☐ No

SECTION 9 – Declaration by Applicant - *Must be completed by each person listed in Section 2*

- I authorise NSW Fair Trading to obtain information and/or records, including but not limited to, my driving licence records and the currency of my driver licence, criminal records, charges pending, events, transcripts of proceedings against me, from its own records or the relevant Australian and/or overseas agencies.
- I understand Fair Trading uses information including details of any criminal history, convictions, and your traffic history to determine your fitness to hold a tow truck drivers' certificate
- I understand that NSW Fair Trading may legitimately use this information to determine the outcome of this application for a tow truck driver's certificate and in the administration of that certificate.
- I agree to abide by all conditions of my tow truck driver certificate as provided to me by NSW Fair Trading, and I acknowledge that NSW Fair Trading may impose additional conditions upon a certificate by notifying me of those conditions in writing. I am aware that I must comply with all conditions of the certificate, and that, if I contravene these conditions, I have committed an offence.

Making a false or misleading statement, giving false or misleading information, or producing false or misleading documents is a serious offence which may render you liable to prosecution for offences including under the *Crimes Act 1900* which may result in penalties including a fine or imprisonment.

Full name (1)

Signature

Date

Full name (2)

Signature

Date

Full name (3)

Signature

Date

Full name (4)

Signature

Date

Important If insufficient space, please attach additional details on a separate sheet.

Privacy Collection Notice

The Department of Customer Service on behalf of the Commissioner for Fair Trading (NSW Fair Trading), gives priority to protecting the privacy of your personal information. We do this by handling personal information in a responsible manner and in accordance with the *Privacy and Personal Information Protection Act 1998* (PPIP Act). Service NSW acts as a shopfront for us and performs transactions for you, on our behalf.

The personal information contained in your application is collected and held by NSW Fair Trading and Service NSW will collect and hold person information on our behalf as part of the application process.

We are collecting your personal information for the following purposes:

1. For processing your application for a tow truck operator licence in accordance with the *Tow Truck Industry Act 1998*
2. Internal administrative purposes, including liaising with you in relation to your application.
3. We may use the information to support more informed policy making, program management, evaluation, research and service planning as it can facilitate more efficient service delivery for residents and business in NSW
4. As required by legislation to record information on a public register, parts of which will be published online.

The information captured by this form is provided voluntarily. The consequence of not providing it is that your application may not be able to be determined.

We may use the personal information contained in your application to confirm your details if you make any subsequent applications in relation to any licence or authority issued by NSW Fair Trading. We may also use it to administer/update our customer database including to send you information that we consider important such as reminders to renew licences.

We will store and manage your personal information in accordance with provisions under the PPIP Act.

If required, we may make enquiries and exchange information with other NSW government agencies (including the NSW Police Force), other States and Territories, the Commonwealth and/or New Zealand for the purpose of assessing your application and for compliance purposes. We may disclose your personal information for these purposes.

We will not disclose your personal information to anybody else unless you have given consent, or we are authorised or permitted to do so by law. Our [Privacy Statement](#) describes when this may occur. You can also find this information and our [Privacy Management Plan](#) on the Department of Customer Service website.

Please see the [Fair Trading Privacy Code of Practice](#) for more information about how we handle your personal information, how you can request access to or correct the personal information we hold about you (if the information is inaccurate, incomplete, not relevant or out of date) and who to contact if you have a privacy enquiry or complaint, or email brdprivacy@customerservice.nsw.gov.au.

For more information about how Service NSW handles personal information please visit the [Service NSW](#) website.