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Feature Article

Keeping the Towed Vehicles Safe

Getting your vehicle towed away is nothing less than a nightmare. But, what is more daunting is the fear of finding your vehicle with a noticeable dent, scratches and broken headlights or valuables missing after it is released by the towing company/operator.

The Fiji Commerce Commission's Self Regulating Guideline for Towing Services requires that all necessary precautionary measures must be taken by the towing company/operator to ensure that vehicles don't get damaged in the towing process. The Guideline clearly spells out any loss or damage sustained to a vehicle as the result of a towing will be the sole responsibility of the towing operator/company.

The towing company/operator's responsibility for safe upkeep of the vehicle to be towed starts from the point of hook-up until the vehicle is released to its owner or authorized representative.

Any damage to the vehicle must be assessed by an independent party. Once the cost of repair is known, the towing company/operator must compensate for the damages done to the vehicle and any loss to fittings, accessories or to any valuables.

The towing company/operator cannot start with the repair work unless the owner of the vehicle or the owner's authorized agent specifically approves repair work in writing.

Towing of vehicles involved in accidents

During accidents, Authorising agency such as LTA or Police should give the owner of the vehicle or one in-charge of the vehicle, to arrange for towing services or to have the vehicle removed. Only exception is in case of fatalities and serious accidents where the judgment of the Authorizing agency is considered at the scene of the accident. The vehicle owner should be given reasonable time to arrange for towing services.

The authorization officer must ensure that the towing company/operator charges fees as per the Guideline and the checklist is properly filled and handed to the owner or the authorised personal of the accident vehicle.

Do you know where your towed vehicle is kept?

For those of you who may be thinking where your vehicle will be taken when it is towed away need not worry because a towing company/operator cannot keep a towed vehicle at a place other than the destination stated in the towing authorization form. The towing company/operator has to take all reasonable steps to ensure the safety and security of the motor vehicle, its accessories and any other property of the owner left in the vehicle including protection against damages.

A towing company/operator cannot on its own make a decision to tow and keep a vehicle and then charge fees without written approval from the municipal councils or other authorising agencies.

To maintain safety and security of towed vehicle, the towing company/operator must adhere to the following measures:

- provide a fence or adequate security measures where the vehicle is kept
- equip all gates, doors and other opening facilities with locks and keeping them closed and secured at all times except during authorized entry and exit
- lock vehicle doors and protect keys from unauthorized access
- keep the vehicle window closed
- use a tarp to protect vehicle with broken windows or an un-closable sunroof and
- vehicle must remain parked and not be used

Next week, the Council will highlight how the towed vehicle is released by the towing company/operator.