

	<b>Function:</b> EXECUTIVE SERVICES	<b>Adopted:</b> 4 <sup>TH</sup> APRIL 2012
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<b>MOTOR VEHICLE AND EQUIPMENT USE POLICY</b>		

## **Policy Statement**

The Motor Vehicle and Equipment Use Policy is intended to establish Council procedure and guidelines for the provision of motor vehicles as a job facility to service the needs of the community.

The District Council of the Copper Coast recognises that maintaining a fleet of motor vehicles is essential to be able to provide a high level of service to its customers.

### **1. Introduction**

The objectives of this policy are as follows:

- To maintain a fleet of vehicles that is safe and fit for purpose at the lowest total cost.
- To increase employee satisfaction with their work by receiving a benefit in exchange for increased effort and performance in their work for the Council.
- It is recognised that, in order to attract and retain quality staff, Council should offer vehicles of a particular standard and size. The type of vehicles purchased within this policy shall be at the discretion of the CEO.
- The overriding requirement is to ensure that the vehicle purchased meets the needs of the position while minimising the total cost of the vehicle to Council.

### **2. Applicable Legislation**

Legislation that was considered as part of the preparation of this policy was the Road Traffic Act 1961, Motor Vehicles Act 1959 and Work Health and Safety Act 2012 (SA)

### **3. Integration with Corporate Objectives**

**Strategic Plan:** Governance Objective - Leadership

To provide leadership and ensure community resources are managed efficiently and effectively.

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#### 4. Definitions

CEO – Chief Executive Officer

Principle place of residence - this is the place of abode the employee provides to Council as their private address.

TOIL – Time off in-lieu of payment of overtime

Use of mobile phone – includes holding phone, texting, talking, picking up phone to check time, videoing.

ARR – Australian Road Rules

#### 5. Application

##### 5.1. ENVIRONMENTAL CONSIDERATIONS:

Council recognises motor vehicles are a major contributor of Greenhouse gas emissions in Australia.

Council acknowledges we are unable to eliminate the production of Greenhouse gas from Council vehicles. To counter the detrimental effect of these gases Council will aim to plant 17 native trees each year for each vehicle in Council's light vehicle fleet.

This action is in line with the Government Green fleet program.

Priority should be given to the use of the following vehicles, where possible;

- Fuel Efficient vehicles
- Vehicles with a 5 year warranty
- Diesel (inc Biodiesel) vehicles
- Hybrid Vehicles
- Gas vehicles

Fuel consumption is one of the major expenses of operating a motor vehicle and managing fuel costs should be taken into account when optimising the size, composition and operation of the vehicle fleet and improving driver behaviour.

Vehicle maintenance should be undertaken according to the manufacturer's recommendations to help ensure optimum fuel efficiency, emission performance and return on investment.

Staff should be made aware of the need to optimise fuel efficiency and emission performance by ensuring tyres are maintained at recommended pressures, wheels are correctly aligned, fuel tanks are not over-filled, vehicles are not used to carry unnecessary loads, and that good driving habits are observed.

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## 5.2. ECONOMIC CONSIDERATIONS

In determining the cost to Council of operating a motor vehicle, purchase price, whole of life costs, FBT and resale/residuals must be considered.

Council shall purchase vehicles considering the operating costs and estimated trade in values so that over the life of the vehicle it provides the greater return to Council.

## 5.3. OCCUPATIONAL HEALTH AND SAFETY

Employers have a duty of care to provide and supervise a safe system of work under the Work Health and Safety Act 2012 (SA) This includes an obligation to maintain plant and systems of work that are safe and without risk to health. A vehicle used for business is considered a work place. . Council must also provide such information, instruction, training and supervision necessary to ensure the health and safety of employees

Vehicles are to be maintained in accordance with the manufacturer's requirements and must at all times comply with relevant road transport legislation. Council will, where possible, include ABS braking systems and driver air bags where such is not standard on the vehicle purchased.

Where the need for a station wagon has been identified, the vehicle shall be fitted with a cargo barrier at all times

CEO has the responsibility to both ensure that employees using motor vehicles for work-related purposes are properly licensed and to encourage employees to observe safe driving practices.

The driver in control of the vehicle at the time of any offence must promptly pay for all expiation notices.

- If an employee receives expiation notices, the CEO may choose to remove vehicle usage from the employee.
- An employee expiated for alcohol or drug offences while driving a vehicle will no longer be able to use a Council vehicle which may jeopardise their employment.

A driver involved in an accident is required to stop and render assistance, regardless of whether on official business or not. The driver must:

- stop at the scene;
- attempt to make the scene as safe as possible;
- render assistance to any person injured;
- arrange emergency services as required;
- exchange vehicle and licence information with the other driver(s); and
- not admit liability.

The police must be called to the scene of the accident where the following occurs:

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- a person is injured or killed;
- any of the drivers involved in the accident fail to stop after the accident;
- any of the drivers involved in the accident appear to be under the influence of alcohol or drugs; or
- a vehicle involved in the accident has to be towed.

**All vehicles are supplied with a Crash Card to complete important information. All accidents are to be reported to Management.**

Smoking is not permitted in all Council vehicles.

Drivers must not use mobile telephones, unless a hands-free device is fitted. It is illegal for a driver to use a mobile telephone when driving unless a hands-free device is being used. (Rule 300 ARR)

#### **5.4 GENERAL POLICY CONDITIONS**

The vehicle is provided to the employee on a fully maintained basis by Council and the employee agrees to observe the Council's Private Use of Vehicle Procedures, listed as;

- The employee use is reasonable. Frequent long trips may require a contribution from the employee.
- The employee shall keep the vehicle, interior and exterior, washed and clean and in a neat and tidy condition at least weekly at their expense.
- Council vehicles will be made available as pool vehicles even though private use rights may be conferred. Council needs to have first priority. Therefore, during each workday council vehicles will be regarded as a pool vehicle.
- The employee acknowledges that the vehicle remains the property of the Council at all times and therefore shall not use the vehicle for the conduct of a private business of any nature, nor shall cause disrepute to Council by any action of negligence or misconduct.
- The employee shall ensure that the vehicle is maintained in the best possible working and roadworthy condition and is serviced and all accessories maintained, (at Council's cost, unless deemed to be deliberate neglect or misuse), by arranging for servicing and maintenance in accordance with the manufacturers recommendations.
- The employee shall safely house the vehicle off road at the employee's normal address
- The employee shall notify their Manager/Supervisor or Risk Coordinator of any accident or incident or any loss or damage of or relating to the vehicle and its equipment and shall without delay give full information as to the circumstances of such accident, loss or damage and of all claims made and/or threatened, and where possible, the names and addresses of witnesses..

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- The employee shall notify their Manager of any occurrence involving a breach by the employee of the Road Traffic Act or its regulations or any other legislation relating to the motor vehicles driving and parking thereof.
- The employee shall notify their Manager of any disqualification of the employee from holding or obtaining a licence to drive a motor vehicle whereupon the employee will forthwith deliver up the vehicle to their Manager and will not drive any Council vehicle during the period of such disqualification.
- The employee shall notify their Manager of any restriction or condition placed on the employee regarding their driving status.
- The employee will at all times in the course of using a Council vehicle act in a safe and responsible manner.
- The employee is responsible for any liability incurred by the employee whilst driving the vehicle by way of infringement of any legislation governing the driving of motor vehicles unless proven that another employee was driving the vehicle at the time. Any fines and costs incurred thereby by the employee or any authorised driver will be the sole responsibility of that person.
- In the event of a breach by the employee of any terms of this Policy, without derogating from any other rights or legal remedies available to the Council, the CEO may, at his/her discretion, (and not withstanding anything to the contrary contained herein), forthwith withdraw the vehicle either permanently or for a period to be determined by the CEO in consultation with the employee.
- In the event of a breach of a term of this Policy by the employee which results in the damage or injury to others or a liability to the Council or the employee, at its discretion, the Council may pursuant to this Policy hold the employee personally liable for the damage, injury or liability. Nothing in this clause is intended to detract from or be inconsistent with the compulsory third party motor vehicle insurance provisions within the Motor Vehicles Act or any other legislation to the contrary and to the extent of any inconsistency this clause remains in force to the extent allowed by such legislation.
- This Policy will be not apply to the extent of any inconsistency with Contracts of Employment for employees on fixed term contracts.

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## 6. Purpose

This policy will be applied in accordance with the following levels:

### 6.1 Level 1 - Unrestricted Private Use.

Unrestrictive Private Use of the motor vehicle will be allowed by Council, provided that whenever the motor vehicle is required for official Council purposes, the vehicle will be made available for such use.

Unrestricted Private Use includes use of the vehicle during periods of leave with no requirement for payment of fuel costs whilst on leave.

Unrestricted Private Use although not restricted to within the State of South Australia. The CEO must be advised of all use of the vehicle outside the State of South Australia.

In exchange for the unrestricted private use of the vehicle, the employee is required to surrender his/her right to payment for all authorised overtime and allowances. (TOIL, penalty rates, payment for overtime or any other allowances).

All vehicles are considered to be pool vehicles during business hours

### 6.2 Level 2 - Restricted Private Use.

Restrictive Private Use of the motor vehicle will be allowed by Council, provided that whenever the motor vehicle is required for official Council purposes as directed by the CEO or a Director, the vehicle will be made available for such use.

Restricted Private Use includes use of the vehicle during periods of leave with the payment of all fuel costs whilst on leave.

Restricted Private Use is restricted to within the State of South Australia. In exchange for the restricted private use of the vehicle, the employee is required to surrender his/her right to payment for all authorised overtime and allowances. (TOIL, penalty rates, payment for overtime or any other allowances).

Short, infrequent use in States adjoining to the State of South Australia may be authorised by the CEO in writing. This may be based on a contribution by the staff member as determined by the CEO.

All vehicles are considered to be pool vehicles during business hours.

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### **6.3 Level 3 - Restricted Private Use within the boundaries of the District Council of the Copper Coast.**

Restrictive Private Use of the motor vehicle will be allowed by Council, provided that whenever the motor vehicle is required for official Council purposes as directed by the CEO or a Director, the vehicle will be made available for such use.

The vehicle is available for private use by the employee within the boundaries of the District Council of the Copper Coast.

Restricted Private Use does not include use of the vehicle during periods of leave.

All vehicles are considered to be pool vehicles during business hours.

### **6.4 Level 4 Commuter Use (Travel to and from work).**

For the purpose of motor vehicle safety outside of normal working hours, and/or for the response to work related events outside of normal working hours, employees will be allowed to drive the Council motor vehicle to and from work. No other usage of the Council motor vehicle, outside of that usage required for Council work, unless specifically authorised by the CEO or Director, will be permitted.

This provision will apply to Council Pool vehicles. All vehicles are considered to be pool vehicles during business hours

### **6.5 Benchmark Motor Vehicles**

<b>Class of Motor Vehicle</b>	<b>Description</b>
<b>Class 1</b>	A vehicle of appropriate standard to enable the incumbent to undertake the duties of their office. Generally an executive vehicle with high equipment levels.
<b>Class 2</b>	An executive level vehicle with standard options.
<b>Class 3</b>	Vehicle will be middle of the range. Vehicle may need to be optioned to suit their specific requirements.
<b>Class 4</b>	Vehicle will be the base model. Vehicle may need to be optioned to suit their specific requirements.

See schedule 1 – Classifications for Motor Vehicles

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## 6.6 Vehicle Options and Accessories

The fitting of all accessories must be approved by the CEO (or delegate). Approval will only be given where the accessories address genuine operational requirements. These fall into two categories:

### **Standard Accessories:**

These are accessories that are considered standard for council vehicles and generally do not incur any additional costs:

- Air-conditioning
- Automatic/power steering (passenger vehicles)
- Mudflaps
- Cargo barriers on wagons
- Driver's airbag
- Bonnet and headlight protectors
- Floor mats
- ABS

### **Extra Accessories:**

These are a range of functional or safety accessories that may be approved for genuine operational needs. Examples include:

- Roo bar
- Tow bar
- Winch
- Airbags (side)
- Long-range fuel tank
- Extra spare tyre/rim
- Roof racks
- Window tinting

**Accessories unlikely to be approved as they are considered comfort items include:**

- Sunroof
- CD Stacker
- Alloy Wheels

Any accessories fitted must:

- Be in accordance with the manufacturer's recommendations;
- Not compromise warranty; and
- Comply with Australian Design Rules.

Base model vehicles will be selected, unless operational requirements necessitate inclusion of options. If so, a higher specification vehicle that includes such options as standard, and represents better value for money *may* be considered. In such cases, substantiation must be provided.

By negotiation in writing, employees may pay to have additional accessories fitted. The employee must contribute the full cost and agree that should the accessories require any bolting, clamping or in any other way alters or damages the vehicle when the accessory

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is fitted or in use, then the accessories will become the property of the Council and be sold with the vehicle.

## **6.7 Purchase**

The District Council of the Copper Coast has a purchasing policy which should be adhered to. In all cases, where possible the purchase of vehicles shall be from local businesses.

The Fuel Consumption Label is an Australian Government initiative to promote consumer demand for vehicles with good fuel efficiency and lower greenhouse impact. All new vehicles up to 3.5 tonnes gross vehicle mass sold in Australia, regardless of fuel or body type, are required to have a Fuel Consumption Label on the front windscreen. This includes passenger cars, four wheel drives and light commercial vehicles.

The label indicates how many litres of fuel a vehicle will use to travel 100 kilometres and how many grams of carbon dioxide the vehicle would emit for each kilometre. The rating is based on a standard test procedure so you can reliably compare the performance of different models under identical conditions. All council vehicles will carry a Fuel Consumption of 12 or less.

## **6.8 Disposal**

It is a general requirement that standard passenger, light commercial and four wheel drive general purpose motor vehicles (under one tonne capacity) are retained for;

- Annual km's are less than 10,000km - up to 100,000 km
- Annual km's are more than 10,000km - up to the end of the warranty period

The above criteria are subject to review by the CEO, based on budget constraints, fit for use or safety related issues.

The replacement criteria for other vehicles are to be aimed at achieving the best long-term return on investment for each vehicle type. Appropriate economic analysis should be regularly undertaken to determine when non-standard passenger and four wheel drive and commercial vehicles above one tonne but less than seven tonne capacity should be replaced.

Commercial vehicles of seven tonnes or greater capacity may be retained until the end of their useful economic life. The condition, running costs and use of such vehicles should be reviewed annually.

Vehicles should be "traded in" on the replacement vehicle, unless a private sale can be undertaken through a local paper and achieve a higher price than the quoted trade price.

Vehicles disposed of by insurance company write-off may be subject to a registration rebate.

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Staff positions within council that possess a Council motor vehicle at the time of this policy being adopted, but do not require a vehicle within this policy will not receive a new vehicle under this policy, unless negotiated with the CEO.

## 6.9 Return of Vehicle (including trade in)

When returning a vehicle, the vehicle is to:

- Be presented in a clean, well maintained and roadworthy condition
- Have keys and remotes (including duplicates), fuel card(s) and Owner's/service Manual returned with the vehicle.
- Have all accessories attached if paid for by the District Council of the Copper Coast.
- Have all service records with proof of services (i.e. authorised service centre stamps).
- Have no outstanding accident damage or accident/incident reports. Any damage must be reported at least six weeks prior to arranging the return of the vehicle.
- Have all personal effects removed from the vehicle.

The employee responsible for the vehicle must organise for a condition report to be sent to the CEO for information.

## 6.10 Equipment Use

The Council's assets and resources are there primarily for Council purposes. They may be used for **reasonable private purposes only** if they are supplied as part of a contract of employment (such as a mobile telephone or personal computer) or are included on the following list.

The following equipment may be utilised in a reasonable and equitable way by all employees if they are suitably trained and/or licenced or have the assistance of another staff member who is adequately trained and/or licenced;

- Trailers
- Light Plant (at the discretion of the Director)
  - Small truck < 4.5ton
  - Bobcat
  - Slasher
  - Ride on rough mowers
  - Backhoe

**Note:** Light plant prestart check lists must be completed before use.

Arrangements should be made through the Maintenance Supervisor and equipment should be returned in a clean condition with the fuel tanks full.

Utilising equipment to assist Not-for-Profit organisations out of hours is at the authorisation of the Council (motion at a formal meeting).

Consumables cannot be taken

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This section also prohibits the use of Council equipment for personal use on Council property unless it has been specifically provided for that purpose or with permission from a Director or the CEO.

**7. Delegation**

The policy will apply from the date of endorsement, to all employees. Council's CEO is responsible for ensuring that compliance with the Policy occurs.

Enquiries in relation to this Policy should be directed to the Human Resource Officer.

**8. Adoption and Review**

The effectiveness of this Policy will be reviewed and evaluated as required and a report provided to Council for consideration and adoption.

**9. Availability of Policy**

All Employees will have access to this policy via the Shared Drive or by obtaining a copy through their Manager

Employees that are required to drive a Council Motor Vehicle will be given a copy of this policy & required to sign a declaration to state they have read & understood the policy. This declaration will then be placed on the employee file.

Members of the public may inspect this Policy at the principal office of the District Council of the Copper Coast, 51 Taylor Street, Kadina and, on payment of a fee obtain a copy.

The Policy will also be available for viewing on the Council's website.

Signed -----

Mayor

Date

Signed -----

Chief Executive Officer

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## Schedule 1

### Classifications of Motor Vehicles

Classification	Class of Motor Vehicle	Restriction Level
Mayor	Class 1	For carrying out the role of Mayor
CEO	Class 1	Level 1
Director	Class 2	Level 1
Manager	Class 3	Level 2
Other position's	Class 4	Level 3

Any other Classifications within Council that require a vehicle, will need to be negotiated and authorised by the CEO.

The CEO has discretion within this policy to move staff between Class 4 & 3 and/or Level 3 & 2

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