



BOULIA SHIRE COUNCIL

Motor Vehicle Policy

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Summary:	To establish Council procedure and guidelines for the provision of motor vehicles as a job facility
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Related documents:	
Responsible Section	Executive
Responsible Officer	Director of Works and Operations
Legislation	Local Government Act 2009

1. BACKGROUND:

The Motor Vehicle 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 while acknowledging we are isolated and the decisions, we make impact on the community beyond the regional boundaries. The Council constantly assesses the social, environmental and financial implications in maintaining a motor vehicle fleet and therefore the ongoing provision of motor vehicles may change depending upon the circumstances prevailing at the time and the overall cost benefit to the Council.

2. OBJECTIVE:

Council has motor vehicles available for use by employees in order to meet the operational needs of the Council. Council is also prepared to provide opportunities for employees to salary package private use of such motor vehicles as part of an employment package.

This document outlines the conditions applicable to the use of a Council provided vehicle to employees.

3. CONDITIONS OF VEHICLE USE

Employees using Council vehicles are required to comply with the following requirements.

- a. The vehicles must be used strictly in accordance with laws of Australia and Australian States and Territories. Any fines or charges imposed on a vehicle will be the responsibility of the driver at the time of the incident.
- b. Drivers must at all times during operation of the vehicle comply with Council's policy 114 concerning Drug and Alcohol Use including when "on-call". In the case of employees who have private use of a Council vehicle, the driver must be within the legal driving limits if driving a Council vehicle outside normal working hours.
- c. Smoking is not permitted in Council vehicles at any time.
- d. All drivers of Council vehicles must hold a valid open driver's license at the time of driving a Council vehicle, including where appropriate adhering to the provisional license restrictions. Should your license be suspended or become invalid it is the Employees responsibility to advise Council.
- e. Wherever possible the vehicle is to be garaged under cover at the Officer's place of residence. Where covered parking is not available, the vehicle must be parked in the employee's property, off the road reserve.

- f. Employees who have commuter use should ensure arrangements are made for vehicles to be left at the Council Depot while the employee is on leave.
- g. The vehicle must not be used:
 - i. For purposes which unreasonably risk damage to the vehicle (eg rally driving racing)
 - ii. For transportation of persons for goods for hire or reward
 - iii. For any unlawful purposes
 - iv. Whilst it is in an unsafe or defective condition, and
 - v. For any personal business venture.
- h. Failure to comply with these conditions may result in disciplinary action for the employee or losing the entitlement to private or commuter use of the vehicle.

4. ACCIDENT / EMERGENCY DAMAGE

- a. If the vehicle is stolen or damaged in an accident, employees are required to report and comply with the directions of emergency services, police and render assistance as necessary. As soon as is practicable any accident, theft or damage should be reported to the CEO or his delegate and an insurance Claim Form prepared. Claim forms can be obtained from and lodged with the Director of Works and Operations (DWO) as soon as possible the DWO can decide whether a claim is to be submitted.
- b. If the vehicle is damaged due to an accident or is otherwise unavailable for private use the CEO may authorise the cost of alternative transport or a replacement hire car on such terms and conditions as the CEO determines are appropriate in the circumstances.
- c. Council comprehensively insures all Council vehicles with no excess payable by the employee in the event of an accident. However, in the event that a Council vehicle is used unlawfully or contravenes the insurer's policy resulting in the insurance cover or the manufacturer's warranty being negated, all associated costs will be passed on to the driver.
- d. Where the driver is involved in an accident whilst on private use and is convicted of an offence under the Transport Operations (Road Use) Management Act 1995, Council reserves the right to recover any expenses incurred as a direct result of that accident.

5. VEHICLE OPERATING COSTS & MAINTENANCE

- a. Drivers are responsible to ensure that the vehicle is kept clean, both inside and out, that the oil, water and tyre pressure are within normal range and that the vehicle is regularly serviced.
- b. The Council shall pay all expenses relating to the maintenance and running of the vehicle including registration, maintenance, repairs, tyres, fuel and oil.
- c. Fuel for the vehicle is to be obtained from the Depot bowser during working hours. (Depot is closed on weekends, refuel prior to the weekend.)
- d. Fuel / Credit Cards are only to be used when out of town OR if the Depot bowser is out of order or unable to provide fuel.
- e. Employees may be required to pay a contribution or part of the cost of fuel and or maintenance costs in accordance with the type of use permitted or their employment contract.
- f. Drivers must report any operational problems or any maintenance requirements to their supervisor as soon as possible after the problem is noticed and must not drive the vehicle if unsafe or if it is likely to cause damage to the vehicle.
- g. Council may provide a credit card or fuel card for the purchase of fuel. These Cards must only be used by the nominated Council officer in accordance with the directions of the CEO.
- h. The driver must contact the Workshop Mechanic and arrange for the vehicle to be serviced in accordance with nominated scheduled servicing.

6. OFFICER RESPONSIBLE FOR DAMAGE IN CERTAIN CIRCUMSTANCES

Notwithstanding anything herein contained to the contrary, the Officer will be liable for any damage to the vehicle caused by the negligent act or omission of the Officer or his/her spouse, children, agents, servants, passengers, invitees or persons authorised by him/her. This includes intentional damage, knowingly driving the vehicle in an unsafe manner or condition or without having carried out routine servicing and checking of oil, tyre pressure and water levels.

7. TERMINATION / VARIATION TO CONDITIONS OF USE

- a. The agreement for use of a Council vehicle shall terminate on the termination of the employment of the Officer with the Council, from whatever cause the termination arises.
- b. The CEO may at any time call upon the employee to return the vehicle to the possession of the Council for the purposes of replacement of the vehicle and in such event the Officer shall return the vehicle and shall accept the substituted vehicle in place thereof and the provision of this policy shall apply to the substituted motor vehicle.
- c. Upon termination the vehicle shall be returned in good order and condition by the Officer to the premises at which the Office of the Council is situated at the time or to any such other place as the CEO directs.
- d. Permission to use vehicles can be withdrawn at any time if any of the above conditions are not complied with. A driver in breach of the alcohol and non-prescribed drugs rules is not to resume driving a Council vehicle until specifically authorised to do so in writing by the CEO.
- e. It is very important to realise that if an employee is required to be able to drive vehicles as part of his/her employment, and they lose the appropriate license to drive, his or her service may be terminated at the discretion of the CEO.

8. CASH COMPONENT/PAYOUT:

Staff who are allocated private use of a vehicle as part of a salary package are not permitted to a payout of the nominated cash component in lieu of the value included in the employee's contract/agreement, should they choose not to accept the terms and conditions of Council's policy, or lose their entitlement due to a breach of the conditions of the Council's policy.

TYPES OF VEHICLE USE

9. Business Use

- a. Where a vehicle is not available for private or commuter use out of operational hours it must be secured in the Council depot or other suitable location as determined by the Chief Executive Officer (CEO) or delegate.
- b. Where provided, Council signage and identification must not be removed or covered under any circumstances.
- c. These vehicles must only be driven by an authorised and licensed Council employee.
- d. When requested, the employee must complete an accurate vehicle log book.

10. Commuter Use

- a. This type of vehicle use provides Commuter Use of a fully maintained vehicle to a Council employee who is allocated a vehicle as part of their role with Council.
- b. The Chief Executive Officer gives permission to the employees who are on call and have Commuter Use of these vehicles, any change to this, needs to be authorised by the Chief Executive Officer. The vehicle must only be driven by an authorised and licensed Council employee.
- c. Any employee that is allowed commuter use of the vehicle must only drive that vehicle for business use and for travel between their home and their work.
- d. Where provided, Council signage and identification must not be removed or covered under any circumstances.
- e. When requested, the employee must complete an accurate vehicle log book
- f. The vehicle, while the Officer is on leave must be left at the Depot.

11. Private Use (Restricted)

- a. Conditions same as for Commuter Use except that the vehicle can be driven by the employee for private purposes.
- b. The vehicle is not permitted to be driven outside of a radius of 600klm from Boulia without the written approval of the Chief Executive Officer.
- c. The employee's spouse/partner may drive the vehicle outside of normal business hours subject to the same restrictions.
- d. The Private Use is available for all outside work hours including RDO's and annual leave. During work hours the vehicle remains a pool vehicle and must be available for use by other staff, as and when required.
- e. When requested, a log book must be kept to ascertain vehicle usage and this log book must distinguish between private use & work use. In accordance with the ATO requirements, commuting to and from work must be included as part of the private use component
- f. A copy of the log book must be provided to the Chief Executive Officer as and when required.
- g. Council vehicles are to be made available if required by Councilors or Officers, for the conduct of Council business.

12. Private Use (Unrestricted)

- a. The vehicle is available for use by the employee and their spouse/partner provided that the driver has an appropriate drivers license. No other person, other than an authorized Council employee, is to drive the vehicle, other than in an emergency, without specific approval of the CEO.
- b. The vehicle must be available for Council use during normal business hours except when the employee is on approved leave.
- c. Council vehicles are to be made available if required by Councilors or Officers, for the conduct of Council business.
- d. Private Use is limited to the State of Queensland unless otherwise approved by the Mayor or Chief Executive Officer.
- e. Contract Employees with Private Use have a component included in their Employment contract at a current rate of \$15,000 per annum or in accordance with Council's decision.
- f. Retention of the vehicle for periods of paid and unpaid leave in excess of ten weeks within any twelve-month period must be negotiated with the Mayor.