Motor Vehicles (Councillors)

Head of Power

Local Government Act 2009
Local Government Regulation 2012

Objective

The objective of this Policy is to establish parameters for the use of Council-owned vehicles by Councillors.

Definitions

CEO means the Council’s Chief Executive Officer.

Councillors means the Mayor and Councillors.

Private Use is use of a Council-owned vehicle for private purposes.

Policy Statement

The Council will provide each Councillor with a motor vehicle allowance or a fully maintained motor vehicle for use in undertaking their responsibilities as Councillors (see Policy 2150-078 - Councillors Reimbursement of Expenses and Provision of Facilities).

Councillors may use a Council-owned vehicle for private purposes subject to the Councillor reimbursing Council for private use costs.

This reimbursement of private use costs is a payment to Council equivalent to 20% of the whole-of-life costs for the vehicle as determined by the CEO.

Councillors are able to choose, at the time of vehicle replacement/purchase, from the vehicles currently listed in the Private Use Vehicles List for Directors and Managers as approved by the CEO. This list is subject to change over time by the CEO in order to ensure value for money when purchasing vehicles for this purpose.

Councillors using a Council vehicle must complete a user agreement.

Generally only the Councillor, or their spouse/de-facto, may drive the Council vehicle. However, where circumstances warrant, a Councillor may authorise another person to act as a relief driver. The relief driver must hold a current drivers licence issued by an Australian State of Territory.

Generally, in such instances the Councillor must be in the Council vehicle while it is driven by the relief driver. This requirement does not apply when the relief driver is transporting the Councillor to and from a location for a work-related purpose.

Extra Features

The only optional extras that may be provided at the request of the Councillor are:

- roof racks; and
- tow bar.
Driving Requirements
No person is permitted to drive a Council-owned vehicle unless they hold a current driver's licence issued by an Australian State or Territory for the class of vehicle. Any Councillor whose licence is cancelled for any reason shall immediately notify the CEO and will automatically forfeit rights for usage of any Council-owned vehicle for at least the period of licence cancellation.

Drivers in Council-owned vehicles must at all times:
- comply with the law;
- show consideration for others on the road; and
- set a good example to other road users.

Where the Council's insurance is rendered null and void by the actions of a Councillor they may become personally liable for damages including third party vehicles, injury and property damage.

Roadworthiness
It is the Councillor's duty to ensure that the vehicle is maintained in a roadworthy condition. No vehicle is to be driven if there is any doubt as to its roadworthiness. This must be brought to the attention of Fleet Services immediately. Vehicles shall not be driven in areas where damage may be incurred due to unfavourable ground conditions. Drivers must exercise particular care and judgement at all times when driving Council-owned vehicles.

Refuelling of Vehicles
Vehicles are to be refuelled at the Council’s preferred supplier's service station or a Council depot using the fuel card issued to each vehicle. Accurate vehicle odometer readings must be recorded when refuelling all vehicles.

Infringements
Council will not be liable to pay any fines, penalties or costs incurred by the driver of a Council-owned vehicle.

The obligation for payment of any fines, penalties or costs resides with the person in charge of the vehicle at the time of the infringement. The Councillor is accountable for determining the driver at the time of the infringement if they were not in charge of the vehicle at that time.

If the actual driver cannot be determined, the Councillor will be held liable for the fines, penalties or costs involved. By default the Councillor is deemed to be using the vehicle at all times.

Storage of Vehicles
Wherever possible, Councillors are to store the Council-owned vehicle after hours within the confines of their residential property, and the vehicle must be securely locked at all times.

Signage
Any signage (temporary or permanent) applied to a Council-owned vehicle must be approved by the CEO prior to its installation on a vehicle.

Smoking in Vehicles
Smoking is prohibited in all Council-owned vehicles at all times.

Changeover of Vehicles
The changeover period for the various types of Council vehicles will be determined by the CEO.

Maintenance of Vehicles
The Councillor must ensure that oil, water and tyres are checked regularly and that the exterior and interior of the vehicle is kept in a clean reasonable condition. Councillors should note that Council will not meet the costs of cleaning the vehicle.
The Councillor must ensure that scheduled servicing is maintained in accordance with manufacturer’s recommendations. Fleet will advise the Councillor where the vehicle will be serviced and when it is due. The Councillor may be required to reimburse Council for any costs incurred by Council in cleaning the vehicle, repairing any damage, or deterioration in the condition of the vehicle, as a result of the Councillor’s actions, in excess of the Council's reasonable assessment of normal wear and tear.

**Accident or Breakdown Procedure**
In the event of an accident or breakdown, the procedure outlined in the ‘Vehicle User Guide’ placed in the glove box of each Council-owned vehicle must be followed.

**Replacement Vehicles**
Fleet Services will endeavour to source a replacement vehicle in a timely manner if a vehicle is off the road for repairs.

**Logbooks**
The Councillor will ensure the completion of any logbook relating to vehicle use as requested by Council.

### Related Documents

Policy 2150-078 - Councillors Reimbursement of Expenses and Provision of Facilities

### Review Triggers

This policy will be reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents. Reviews of this policy will occur as required, or at least once every two years.

### Responsibility

This Policy is to be:

1. implemented by the CEO; and
2. reviewed and amended in accordance with the “Review Triggers” by the CEO.

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