Motor Vehicle

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 and Council employees.

Definitions/Application

Definition

In this Policy:

CEO means the Council’s Chief Executive Officer.

Commuter Use is use of a vehicle to travel between home and the worksite/workplace.

Law includes Council policies and directives.

Private Use is use of a council-owned vehicle for work and private purposes.

Authorised User means a person authorised by the CEO to use a Council-owned vehicle.

Policy Statement

The Council provides vehicles to meet its operational requirements.

Private Use
Authorised Users with Private Use are able to choose, at the time of vehicle replacement/purchase, from the vehicles listed in the Private Use Vehicles List as approved by the CEO.

Private Use vehicles are subject to use by other Council employees when available.

CEO approval is required for Private Use for periods of:
- leave in excess of thirteen weeks; and
- unpaid leave greater than three weeks.

Authorised Users must complete a user agreement.

Generally only the Authorised User, or their spouse/de-facto, may drive the Council vehicle. However, where circumstances warrant, the Authorised User 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 Authorised User 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 Authorised User to and from a location for a work-related purpose.
The Mayor and Councillors may be provided with a vehicle for the term of the Council to fulfil their responsibilities as Councillors. Vehicles may be used by the Mayor and Councillors for private use subject to reimbursement of private use costs as determined by the CEO. The type of vehicles provided to the Mayor and Councillors will be similar to vehicles currently provided. This will be determined by the CEO in consultation with the Mayor and each Councillor. In determining the type of vehicles available to the Mayor and Councillors, the CEO will have due regard to whole of life costs, operational needs, environmental and safety considerations.

Commuter Use
Authorised Users with Commuter Use will be allocated vehicles from the Commuter Use Vehicles List as approved by the CEO.

Authorised Users must complete a user agreement.

Authorised Users with Commuter Use must not use the vehicle:

- to transport family members or members of the public, unless for work related purposes;
- to transport other Council employees to and from work, unless they live on a direct route to work or meet the driver at the premises where the vehicle is garaged;
- to visit private or non-work related locations other than isolated instances such as stopping at a shop on the way home via the direct route; and
- during work breaks for private purposes.

Commuter Use vehicles are to be made available to Council employees during Council’s standard hours of operation and must be returned to the workplace in all instances of leave exceeding two days unless the relevant Manager determines there is a reasonable operational need for the vehicle during the Council employee’s absence.

The CEO, Director or Manager may authorise a “once-off” Commuter Use of a vehicle due to the operational or business requirements of a Council employee’s role.

Commuter Use may be withdrawn from an Authorised User should it be determined that there is no longer an operational need for the vehicle, or this type of vehicle use.

Extra Features
The only optional extras that may be provided are:

- Floor mats
- Window tinting
- Roof racks (at the request of the Authorised User)
- Tow bar (at the request of the Authorised User)
- Lockable rear cover for utility vehicles (at the request of the Authorised User)
- Weather shields and bonnet and head-light protectors (at the request of the Authorised User)
- Mud flaps (at the request of the Authorised User)

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, except where authorised tuition to upgrade a licence is being undertaken. Any Councillor or Council employee whose licence is cancelled for any reason shall immediately notify the CEO (Councillor), or Manager Human Resources (Council employees) 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 or Council employee they may become personally liable for damages including third party vehicles, injury and property damage.

**Roadworthiness**
It is the Authorised User'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 Authorised User 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 Authorised User will be held liable for the fines, penalties or costs involved. By default the Authorised User is deemed to be using the vehicle at all times.

**Storage of Vehicles**
Wherever possible, Authorised Users 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.

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

**Identification**
All vehicles, other than those with Private Use, are to be clearly identified with a Council logo permanently affixed to both front doors of the vehicle, unless otherwise approved by the CEO (eg. vehicles on surveillance or similar duties).

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

**Maintenance of Vehicles**
The Authorised User 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. Authorised Users with Private Use entitlements should note that Council will not meet the costs of cleaning the vehicle.

The Authorised User must ensure that scheduled servicing is maintained in accordance with manufacturer's recommendations. Fleet will advise the Authorised User where the vehicle will be serviced and when it is due. The Authorised User 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 Authorised User'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 Authorised User will ensure the completion of any logbook relating to vehicle use as requested by Council.

Any other Council employee using a vehicle other than the Authorised User must complete the user logbook.

Review Triggers
This Policy will be reviewed for applicability, continuing effect and consistency with related documents and the Law when any of the following occurs:

(1) The related documents are amended.
(2) The related documents are replaced by new documents.
(3) Amendments affecting the scope and effect of a Policy of this nature are made to the Law.
(4) Other circumstances as determined from time to time by a resolution of Council.

Otherwise, this Policy is to be reviewed at least once every two years for relevance and to ensure that its effectiveness is maintained.

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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