



Policy

46 PRIVATE USE OF COUNCIL VEHICLES

Preamble:

This Vehicle Policy is to be read in conjunction with Council's General Policy, and in particular:

- General Policy number 14: Mayor's sedan, and
- General Policy number 44: Smoke free environment policy

Objective:

- 1 To ensure that appropriate vehicles are available to allow Council officers to undertake their functions in an efficient manner while minimising the adverse environmental impact resulting from the operation of the vehicle fleet.
- 2 To enable Council to remain competitive with other employers in attracting and retaining skilled staff whilst minimising the cost of remuneration packages.
- 3 To enable Council to provide an employee benefit but also acknowledging it provides a financial benefit to the Council. These savings occurring as a result of release from payment of award car allowances and costs otherwise incurred from garaging, washing, cleaning, decreased need for car parking facilities and an increase in revenue from employees contributing towards car leasing.

1 CATEGORIES:

- **Group 1**

This user group comprises the General Manager and Directors who shall be provided with a fully maintained vehicle (or remunerated equivalent) appropriate to the position with unrestricted use in accordance with this Policy and the agreement covering his/her conditions of employment.

A vehicle of a standard equivalent to a Holden Statesman, Ford Fairlane will generally be provided. The type of vehicles may be varied to take account of market forces where it is considered a better change over price may be obtained or to suit the requirements of the employee where it will not result in significant financial impact on the Council. All variations shall be approved by the General Manager.

- **Group 2**

This user group comprises officers on contract, employed on Band 18 or above of the Local Government Award and Section Managers.



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A vehicle appropriate to the office is made available to the holders of these positions for both official and unrestricted private use, subject to compliance with provisions of this policy. The provision of a motor vehicle to positions in this user group recognises not only the status of the position but the factor of market competitiveness for such positions.

A vehicle of a standard equivalent to a Holden Executive or Ford XT will generally be provided. The type of vehicles may be varied to take account of market forces where it is considered a better change over price may be obtained or to suit the requirements of the employee where it will not result in significant financial impact on the Council. All variations shall be approved by the General Manager.

In response to issues of global warming and rising fuel costs, options of LPG fuelled vehicles and smaller more fuel efficient vehicles will be provided.

Integration of LPG fuelled vehicles into the fleet to be at the discretion of the General Manager on recommendation of the Department Director.

Employees will be encouraged to change to smaller vehicles where it is considered by Department Directors that the vehicle will be suitable for the work commitments of the employee. Incentives offered as encouragement will be personal satisfaction of contributing to the environment and financial incentive of reduced lease payments. All arrangements to be approved by the General Manager.

- **Group 3**

This user group comprises employees where a vehicle of suitable type contributes an essential component to the effective conduct of the employee's position (job required) and unrestricted private use of the vehicle is regarded as an industry standard. While a sedan will generally be provided for these positions, where the employee so requests, a utility may also be provided if appropriate.

In response to issues of global warming and rising fuel costs LPG fuelled vehicles will be integrated into the fleet to be at the discretion of the General Manager on recommendation of the Department Director.

- **Group 4**

Vehicles for business use only, but taken home by the user. Vehicles which are available for business use only and which are allocated to positions and are not available for private use, other than for on call water and sewerage operators who are required to have the vehicle with them at all times, including when on call. These are strictly 'job required' vehicles. This user group comprises those employees who require the constant use of a vehicle in the performance of their duties, where the incumbent is required to be 'on call' or frequently starts/finishes on the job or are required to attend a range of duties away from their usual place of business. The allocation of this vehicle is to the position as a Council facility.



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A vehicle type of utility/light truck is to be provided in this group.

In response to issues of global warming and rising fuel costs LPG fuelled vehicles will be integrated into the fleet to be at the discretion of the General Manager on recommendation of the Department Director.

2 PRIVATE USE

- (a) Allocation of vehicles for private use in accordance with Council's policy will be the responsibility of the General Manager on the recommendation of the Department Director.
- (b) All vehicles purchased by Council will be fitted with at least air conditioning, power steering, ABS brakes, mudflaps, tow pack, cruise control and driver's airbag. For station wagons cargo barriers will be provided.
- (c) Employees who wish to fit accessories to cars may be permitted to do so at the employee's own expense. No credit will be given where accessories remain on the vehicle at trade-in. Should accessories be removed at any time, the employee must restore any damage to the satisfaction of the Director Technical Services.

3 RECORDS

- (a) Employees provided with private/commuter use privileges will maintain and provide records required by Council.
- (b) Any purchase of fuel is to be recorded and receipts forwarded to Council monthly.
- (c) If a logbook is provided to identify drivers using the vehicle, the officer allocated the vehicle is to ensure that each driver completes the logbook as required.

4 OPERATION AND MAINTENANCE

- (a) Council will service and maintain the vehicles by providing:
 - Servicing and maintenance to all such vehicles, including registration and insurance.
 - A fuel card for purchase of fuel outside Berrigan. Unless otherwise specified in the employee's conditions of employment, the employee shall reimburse Council for private travel undertaken within 30 days.



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- All Council cars will be registered for membership with the NRMA or similar road service arrangement and Council will carry full comprehensive insurance on the vehicles.
- (b) Employees with private use facilities are responsible for:
 - Washing and cleaning the car as required,
 - Polishing the car when required,
 - Attending to overnight security, garaging the vehicle off the road and under cover where possible,
 - Notifying the Council mechanic of all defects in the operation of the vehicle or damage to the vehicle, no matter how minor, and
 - Ensuring that normal running items such as petrol, oil, battery, radiator, tyre pressures etc. are checked at regular intervals and appropriate maintenance undertaken.
- (c) In the event of accident or breakdown, the driver is to utilise the services of the NRMA or approved road service organisation as appropriate. If the vehicle requires towing, the NRMA is to be requested to provide the usual free service and the driver is to inform the Director Technical Services as soon as possible thereafter.
- (d) In the event of an accident the following procedures must be followed:
 - i) Obtain all necessary details from the other driver, ie.
 - Name
 - Address
 - Telephone numbers
 - Licence number
 - Names of witnesses, if any
 - Location details (street, suburb, town)
 - ii) All accidents must be reported to the Section Manager and an insurance claim form, and accident investigation form, must be completed, no matter how trivial. An Accident Investigation Report Form should be completed with an OH&S representative following any incident which:
 - results in a claim for Workers Compensation.
 - results in an injury with the potential for a Workers' Compensation Claim, or
 - results in no serious injury but which, under slightly changed circumstances, could have been subject to a Workers' Compensation Claim.

All other forms associated with accidents need to be completed quickly and accurately by the relevant staff and forwarded for prompt processing.

These include the:



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- Accident report book.
 - Employer's report of injury form - Statecover
 - Employee's compensation claim form – Statecover
 - Accident Investigation Report Form - Berrigan Shire Council
- iii) Under no circumstances should the driver of the Council vehicle admit responsibility for the accident or sign any acknowledgment in this regard.
- iv) Under no circumstances are repairs to be authorised by employees. Repairs are to be authorised by the Director, or directly by the Insurer.
- v) The Police must be called to the scene of the accident in the following circumstances:
- If any person is injured and an ambulance has been called.
 - If any damage has been done to third party property, eg. house, fence, awning, etc.
 - If there is a conflict over which driver was at fault.
- vi) If an injury has been sustained by a Council employee it must be reported to the Section Manager and Payroll Officer and/or Technical Officer, as soon as possible and within 48 hours.
- vii) Outside the local area, a towing contractor authorised by the NRMA should be used and the Section Manager advised of the location to which the vehicle has been taken.
- viii) A replacement vehicle may be available at usual Council hiring prices charged to the department/centre/institute by contacting the Section Manager.
- ix) Record details of the accident in the Accident Book at each work site. When the injury is serious another staff member should assist in the recording of the accident and also arrange for medical assistance and support services as appropriate.
- (e) Should an accident or breakdown occur in an area remote from the city, the driver may get urgent repairs or replacement parts up to the value of \$500. Reimbursement will be made on production of receipts. Where the breakdown or damage is of such a nature that the vehicle will be unable to be driven for several days, no action on repairs is to be undertaken without the approval of the Director Technical Services. If in the event the employee is stranded outside the Shire of Berrigan as a result, the employee may hire, at the Council's expense, a vehicle of a similar standard for a period of no more than 24 hours to enable the employee to return to Berrigan or to have transport until the Council's vehicle is repaired.



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- (f) The Director Technical Services will co-ordinate the subsequent action to recover or repair the vehicle. The driver could be expected to assist in the return of the vehicle to Berrigan in his or her own time. This is consistent with the principle that private use should not result in significant extra costs to Council.

5 GENERAL CONDITIONS OF USE

- (a) All participants in the private use car scheme shall, subject only to the operation of clause 4 (c) and (e) above, be allowed full and unrestricted private use of vehicles, including weekends and periods of leave.
- (b) All cars owned by Council are available as pool cars even though private use rights are conferred. Council requires first priority at all times.
- (c) Unrestricted private use of the vehicle shall be limited to the participating employee and his/her partner. Members of the employee's immediate family who have a current driver's licence, may also drive the vehicle, however under no circumstances shall they to use the vehicle for their own private use. In other words, they could assist by driving the vehicle to pick-up or drop-off the employee locally if required. The employee may authorise other licensed drivers to drive the vehicle while they are passengers in the vehicle to allow for rotation of drivers on long journeys etc. The employee shall not permit drivers with 1st year provisional or learners driver licenses to drive the vehicle, however, in any emergency circumstances any licensed driver authorised by the Council employee may drive the vehicle.
- (d) All drivers of Council vehicles shall comply with all of the regulations laid down under the Motor Traffic Act or, any other State or Federal legislation, any parking ordinances, regulations and the like, and shall be personally liable for any fine which may result from infringement. In the event a licence is cancelled or restricted the officer is to advise Council's Director Technical Services immediately.
- (e) In the event of a Council officer having their licence suspended or restricted, then in the case of the suspension, the officer is forbidden to drive any Council vehicle.
- (f) In the case of a restricted licence, the officer can only use such vehicle within the limits of any such restriction, eg to carry out duties associated with normal working duties.



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- (g) Where a Council employee fails to observe the above conditions, Council reserves the right to seek recovery of the cost of any damages caused to Council's vehicle by that officer.
- (h) Where an insurance claim for damage to a Council vehicle or third party property is denied by the insurer, particularly where a council officer may be found to be under the influence of drugs and/or alcohol, then the Council officer will be liable for the damage and loss sustained to both the Council vehicle and any third party property.
- (i) At the General Manager's discretion, where a Council driver is involved in damage to Council vehicles and/or third party property, the Council reserves the right to take the following action:

The action taken will give consideration to the nature of the damage and the degree of negligence on the part of the Council officer and may result in either one or all of the following being applied:

- Payment of the insurance excess
 - Payment of cost of repairs or portion thereof
 - Withdrawal of private use privilege where applicable; and
 - Withdrawal of total use of the vehicle.
- j) Where the withdrawal of use is made, such withdrawal will be for a period determined by the General Manager.
- k) Because a car has been assigned to an employee for their business and private use, Council believes it has a right to expect that the vehicle will be treated as though it were the private motor vehicle of that employee. This greater feeling of responsibility by employees should enhance the value of the car to Council and improve the public relations image because of the condition in which the car is kept.
- l) Cleanliness of vehicles will be checked at regular intervals by the Director Technical Services or his nominee. Dirty vehicles which are drawn to the attention of the Director Technical Services will be, if he considers it necessary, reported to the relevant Section Manager for action. On the third offence, the General Manager may instruct that the officer be removed from the private use scheme.
- m) The vehicle is to be brought onto the job every day during employment, other than leave periods, and such vehicle is to be used for all normal duties within the area.
- n) Vehicles are not to be used for rally or endurance racing.



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- o) Council vehicles should not be used for private commercial advantage outside Council activities, with the scope of this condition determined by the General Manager's discretion.
- p) The employee is required to retain receipts or any expenditure and submit all receipts to the relevant Council officer.
- q) In the event that the vehicle is damaged and is temporarily not roadworthy every attempt will be made to provide temporary transport from within the Council's vehicle fleet, which is currently not assigned.
- r) Private use of a Council vehicle shall not commence until the employee concerned has signed Council's Private Lease Agreement form and authority for deduction from salary or wages of lease fees. The General Manager/Director has responsibility for preparing leasing agreements and authorities for deduction of lease fees.
- s) The Director Technical Services is to ensure that each vehicle travels at least 40,000kms annually and this may be achieved by alternating allocated vehicles of equal standard to other employees to achieve this.
- t) Should the General Manager so direct a Council insignia shall be displayed on the vehicle during working hours.
- u) The employee may terminate any agreement for private use by giving 3 months notice. Notwithstanding where immediate withdrawal of private use has been determined the Council shall give 12 months notice to terminate any private use agreement. Private use may also be withdrawn if the employee changes his/her duties or position with the Council.
- v) If a leased vehicle is involved in frequent accidents, currently determined at 2 in every 3 years, when driven by a person who is not an employee of the Council and these accidents are shown to be the fault of that particular driver, then the General Manager may refuse that person driving rights to the vehicle or under exceptional circumstances terminate any agreement.
- w) Prior to any tender for the vehicle the officer is to wash the vehicle and vacuum and clean the inside of the car and the boot. All rubbish and articles in the car are to be removed. If in the event the car is not satisfactorily cleaned, Council will arrange for the cleaning of the vehicle and an account for such cleaning will be forwarded to the officer for payment.



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- x) The limit on how long an employee may retain the use of the vehicle while on holidays, long service leave and other similar extended periods of leave will, when in excess of four weeks, be at the discretion of the general manager.
- y) While not attempting to unnecessarily restrict the private use of the vehicle, the vehicle may be driven up to 2000km (one way) from Berrigan (and then return), but further travel is subject to the approval of the General Manager.

6 VEHICLE REPLACEMENT

- (a) Vehicles shall be changed over at between 40,000kms and 80,000kms or two years whichever comes first.
- (b) Vehicles will be disposed of by auction, trade or by tender as the market forces determine.
- (c) When a vehicle is to be replaced, quotations for trade, tender and/or private purchase may be advertised in a local newspaper at the discretion of the Director Technical Services.
- (d) When evaluating quotations and private purchase offers, an assessment of offers is to allow for separate purchase and supply which will yield a better result than best price net (refund) offered.
- (e) Council members and staff may purchase Council vehicles offered for sale by submitting a private offer to purchase in the same manner and under the same conditions as dealers and members of the general public. Where this occurs the staff member must advise the General Manager that a tender has been lodged.

7 PAYMENT FOR PRIVATE USE

- (a) For staff given access to use Council vehicles privately, they are to execute Council's Private Lease Agreement form.
- (b) Payment for private use is to be determined by the General Manager for the following financial year in June annually.
- (c) Payment for a "private-use" vehicle shall be equivalent to a weekly amount paid after tax of an amount equivalent to the Fringe Benefit Tax applicable to the vehicle. Any payments in excess of this can be deducted from officer's annual salary and be "salary sacrificed" from their pre-tax remuneration.



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- (d) The officer is to authorise such a deduction by way of a Council Agreement.
- (e) For officers in Groups 1 and 2, the quantum of deduction for private usage shall be in accordance with their contract of employment.
- (f) Officers will reimburse Council, following the guidelines in 3(a-c), for fuel consumed due to private use during:
 - weekends
 - public holidays which fall adjacent to a weekend
 - All leave
 - Rostered days off which fall adjacent to a weekend at a rate determined from time to time by the General Manager.

(Adopted by Council 19/7/06)