

POLICY

TITLE:	Motor Vehicle Use Policy		
DIRECTORATE:	Corporate Services		
ADOPTED BY:	Council Resolution:		
DATE OF ADOPTION:	29 November 2024	DATE OF REVIEW:	29 November 2026
POLICY NUMBER:	CP58		
LEGISLATIVE REF:	<i>Local Government Act 2019; Section 174</i> <i>Traffic Act 1987 (NT)</i> <i>Traffic Regulations 1999 (NT)</i> <i>Fines and Penalties (Recovery) Act 2001 (NT)</i> <i>Information Act 2002 (NT)</i>		

1. INTRODUCTION

1.1. Purpose

The purpose of this Policy is to provide guidance and assistance to all workplace participants in relation to all vehicle matters, including but not limited to the allocation, provision, entitlement, use and responsibility as this relates to Barkly Regional Council (BRC) vehicles.

1.2. Scope

This Policy applies to all persons who drive a Barkly Regional Council (BRC) owned or leased vehicle, including but not limited to an elected member, employee, subcontractor, contractor and volunteer.

This Policy applies specifically to Council's light vehicles; however, the same principles and requirements apply to the use of Council's heavy vehicles and plant.

1.3. Definitions

Authorised Driver – is an employee, contractor or volunteer that 1) possess the appropriate driver's licence; 2) has presented their drivers licence to Human Resources; and 3) has signed and returned a copy of this Policy to their Manager or Human Resources, and 4) who is authorised to drive a Council vehicle.

1.4. Responsibilities

All persons within scope of this Policy are required to adhere to this Policy and its associated procedures.

The Director of Infrastructure and Fleet is accountable for the overall management of this Policy.

2. POLICY STATEMENT

This Policy aims to provide clarity as to the entitlements and responsibilities in the allocation, driving, care and maintenance of light vehicles which are owned, leased and operated.

For those employees not covered by the EA, vehicles are allocated according to any terms and conditions outlined in your employment contract.

For employees who are covered by the EA, vehicles are allocated according to the category options below.

2.1 Category 1 – Commuter Use (Tool of Trade)

- The authorised driver of the vehicle is the employee/contractor only (except in a genuine case of emergency where the driver is incapacitated through injury or illness).
- The driver must bring the vehicle to Council premises each working day, and the vehicle is to be available as a pool vehicle during the individual's working hours.
- Vehicles are provided to travel to and from work or for work purposes by the most direct and practical route, which may include for example, grocery shopping on the direct route home.
- The vehicle will likely be used during the individual's working hours to carry out work.
- The driver is required to bring the vehicle to work each day, including leaving the vehicle at Council ahead of any form of leave including rostered days off.
- In instances of personal illness or injury, the individual is responsible for bringing the vehicle to Council ahead of the individual's usual commencement time; or if this is genuinely not possible due to such incapacity, Council may arrange for collection of the vehicle.

2.2 Category 2 – Pool Vehicles

- These vehicles are available for the purpose of call out or routine work, to attend meetings, training or conferences; provided the driver is an authorised driver.
- The vehicles (if not allocated to private use) must remain at a Council depot outside of business hours, unless it is genuinely more practical to keep the vehicle overnight, as decided on a case-by-case basis by the driver's Director.
- Every individual using a Council Pool Vehicle is responsible for adhering to established procedures for the booking, usage and care of vehicles and signing keys in and out.
- The person in control of the vehicle (who signed the vehicle in and out for their use and who holds the keys) is deemed to be the person responsible for the vehicle.

2.3 Authorised Driver Responsibilities

- 1) An authorised driver must have a current driver's licence applicable to the class of vehicle being driven and must provide to Council upon request a copy of their current license.
- 2) A driver must immediately advise their direct Manager if their license is cancelled or suspended, or if there is any other limitation (including medical condition) that restricts their driving.
- 3) In accordance with the Traffic Regulations 1999 (NT) an interstate driver's licence must be transferred to an NT Drivers Licence within 3 months of taking up residence in the NT.
- 4) Learner drivers and provisional drivers are not permitted to drive council vehicles unless approved by the Director of Infrastructure and Fleet.
- 5) All vehicles must be housed in the BRC Depot, or a secure administration office car park each night unless specifically allowed otherwise.
- 6) If the driver has commuter or private use of a vehicle, it must be parked within the boundary of the driver's property at night and not be parked on the road reserve.
- 7) Apart from the full private use category, the only passengers who may travel in BRC vehicles are those who are carrying out approved work or service delivery on behalf of Council.
- 8) The operator is responsible for pre-start safety checks and ensuring servicing of the vehicle is maintained in accordance with maintenance schedule.

2.4 Due Diligence Requirements

- 1) Drivers must always ensure that BRC vehicles are driven in a safe, professional and courteous manner, and in a way that upholds BRC's values, code of conduct and image within the community.
- 2) The completion of pre-start safety checks at least once per fortnight for town-based vehicles; and prior to any out-of-town travel is a requirement of this Policy.
- 3) Smoking in all BRC vehicles is strictly prohibited.
- 4) Being under the influence, or consuming, of alcohol or illicit drugs in all BRC vehicles is strictly prohibited.
- 5) Carrying material which can be deemed to be offensive, or illegal is strictly prohibited, including soft or hard pornography, political or religious material or propaganda.
- 6) Keys must not be left in parked vehicles at any time and without exception, and the vehicle must be locked with windows closed when left unattended.
- 7) Council assets (i.e., files, equipment, phones, laptops etc.) must not be left in any vehicle overnight and should be within the line of sight of the driver if left unattended.
- 8) Council assets (working tools and equipment etc.) must only be left in vehicles where the vehicle is constructed to keep these assets safely locked.
- 9) GPS tracking devices are installed in Council vehicles to enable surveillance for safety compliance purposes; however, such information may be utilised in any relevant disciplinary or other legal proceedings against any driver.

2.5 Safe Operation of Vehicle

- 1) To ensure the safe operation of vehicles, and the safety of the driver and passengers, drivers must ensure that as a minimum, the following factors apply:
 - a. Vehicles must be driven in a safe and responsible way with regard to road conditions.
 - b. All road rules must be complied with.
 - c. Vehicles are not to be operated by any driver under the influence of alcohol or illicit, prescription or other drugs. Drivers are subject to the requirements of Council's *Alcohol and Drug Policy*.
 - d. Vehicles are not to be operated by a driver who is fatigued. To prevent fatigue regular breaks are mandated, at least ten minutes every 2-3 hours, with a planned longer break at five hours. Please refer to Council's *Fatigue Management Policy*.
 - e. Driving on unsealed and remote roads (particularly at night) requires additional care and attention, including observance of extreme weather, floodways and restricted areas.
- 2) BRC vehicles must not be used for recreational (non-work) 4WD driving.
- 3) Driving a BRC vehicle at night on non-sealed roads is not permitted unless it is a requirement of your role (example: night patrol), or written permission has been provided by the Director of Infrastructure of Fleet.

2.6 Maintenance

- 1) Vehicles are an asset of the BRC, for which the value must be maintained.
- 2) Vehicles must be made available to the Fleet Manager for servicing in accordance with the manufacturer's specifications.
- 3) If any malfunction of a vehicle, however minor, has been observed, the driver must advise the Fleet Manager immediately.
- 4) The driver is responsible for the regular checking of fuel, coolant, oil, battery fluid, brake fluid, windscreen washer fluid and tyre pressure.

- 5) The operator must maintain the vehicle (internal and external) in a clean and tidy condition at all times, ensuring no food scraps and other refuse is left in the car.

2.7 Penalty Notices and Convictions

- 1) Without exception, the authorised driver of a BRC vehicle at the time of driving the vehicle is responsible for all infringements and fines incurred in accordance with and pursuant to the Fines and Penalties (Recovery) Act.
- 2) A driver convicted of drink driving or consumption or use of an illegal drug in association with a crash, incident or other damage sustained as a result of such consumption, will be held personally liable for all costs, damage and liability associated with injuries and repairs to the vehicle/s
- 3) If a driver is charged and found guilty of a driving offence which results in cancellation or suspension of their licence, all BRC vehicle use will be suspended immediately and the vehicle returned to BRC, and legal action may also be taken, as necessary.

2.8 Accident Procedure

If a BRC vehicle is engaged in an accident or incurs damage (however minor), then the driver is responsible for immediately notifying their immediate Supervisor or Manager.

An Incident Report must be completed by the end of that day. Should an insurance claim be warranted, full details must be provided to Council as required.

3. BREACH OF POLICY

A failure by drivers comply with this Policy may result in disciplinary action, up to and including summary dismissal. It may also result in access to BRC vehicles being withdrawn, and where criminal activity is involved, the involvement of the Police.

Individuals are hereby notified that they may be held personally liable for any contravention of this Policy, as it is possible that Council's insurance policies may not cover such contraventions.

Notice is hereby provided that an individual's ongoing employment may be terminated if they are unable to carry out the driving requirements of their role.

4. RELEVANT POLICIES

Policies and procedures to be read in conjunction with this policy are:

- 1) Codes of Conduct
- 2) Work Health and Safety Policy
- 3) Discipline Policy
- 4) Fatigue Management Policy
- 5) Risk Management Policy
- 6) Alcohol & Drug Policy
- 7) Enterprise Agreement

5. IMPLEMENTATION AND REVIEW

5.1. Implementation

Relevant personnel will be made aware of this Policy. It is not a requirement of the Act for this Policy to be published on the Barkly Regional Council website.

5.2. Review

This policy will be reviewed on or before 29 November 2026.

6. VARIATIONS, REVOCATIONS AND/OR CHANGES

Barkly Regional Council reserves the right to revoke and/or amend this policy from time to time as is considered necessary to better manage its business and/or to comply with any legislative requirements. Employees will be given sufficient notice of any such revocations, amendments, or changes.

7. APPROVAL

This policy is approved.

Chris Kelly
Chief Executive Officer



Signature

29 Nov 2024

Dated

END