

## 2.5 C-2SUOV05 – Staff Use of Vehicles and Sundry Equipment

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### Policy

#### Objective

To clarify the conditions of use for the Shire of Dandaragan (Shire) supplied vehicles and Sundry Equipment by staff and Councillors and to ensure:

- (i) the maximisation of vehicle availability for business use;
- (ii) the minimisation of Fringe Benefit Tax (FBT) liabilities; and
- (iii) an attractive employment benefit for staff.

#### Policy Statement

The Shire is charged with responsibility for providing a range of services to meet the needs and wants of the local community. To enable effective delivery of services and management of resources the Shire provides a range of vehicles, plant and equipment.

#### Definitions

<b>Fully Maintained</b>	means that the Shire of Dandaragan meets all costs associated with the operation of the vehicle during all approved use. This includes the cost of licensing, insurance, fuels and oils, tyres and servicing by an authorised service centre.
<b>Shire Supplied</b>	means a vehicle either purchased by or leased by the Shire of Dandaragan.
<b>Unrestricted Private Use</b>	means a fully maintained, Shire supplied vehicle allocated for use by an officer, the spouse or partner, for private purposes outside of working hours including periods of approved leave ( <i>except long service leave and leave without pay if not otherwise addressed by the employee's contract</i> ).
<b>Restricted Private Use</b>	means a fully maintained, Shire supplied vehicle allocated for use by an officer, for private purposes outside working hours.
<b>Commuter Use</b>	means the use of a fully maintained Shire supplied vehicle for the purpose of commuting between the officer's place of employment and residence.
<b>Sundry Equipment</b>	Means items of small plant such as lawnmowers, brushcutters and light plant trailers.

#### General Conditions

- (i) Shire owned vehicles remain the property of the Shire at all times.

- (ii) An employee's employment contract or engagement letter will specify the type of private use (if any) that is applicable to their position.
- (iii) The Chief Executive Officer may permit the occasional use of Shire owned Sundry Equipment by permanent employees.
- (iv) The vehicle or sundry equipment is housed in a secure and preferably off street location, and kept locked at all times when not in use.
- (v) Shire owned vehicles shall be included in a car pool for use during business hours. The vehicle will be available for Shire business on a daily basis (excluding approved periods of leave). This will take precedence over private use.
- (vi) All Shire owned vehicles with a level of private use shall carry a log book which must be completed for a minimum of three (3) months per annum by all drivers of the vehicle.
- (vii) The nature and type of vehicle to be allocated shall be based on business requirements unless approved otherwise by the Chief Executive Officer.
- (viii) In regards to Restricted Private Use, during periods of leave that exceeds two (2) days, the vehicle is to be assigned to another staff member for use, as determined by the Chief Executive Officer, unless the Officer's Contract of Employment states otherwise.
- (ix) Officers not entitled to use of the vehicle on Annual Leave in excess of two (2) days are required to relinquish the vehicle at the conclusion of their final working day prior to going on leave and collect it on the morning of their first working day after the conclusion of their leave.
- (x) When the vehicle is not required during annual leave it is to be garaged at the Shire Depot unless approved by the Chief Executive Officer.
- (xi) Only authorised persons (a Shire employee or a nominee of the employee with private use) may drive a Shire vehicle. In an emergency any person holding a WA Drivers Licence may drive the vehicle.
- (xii) No smoking is permitted in Shire vehicles at any time.
- (xiii) Excessive speeding or alcohol and drug offences while driving may result in the Shire withdrawing the use of a vehicle.

### **Employee Responsibilities**

- (i) Sign their acceptance to the Shire's conditions of use of a Shire vehicle, which governs use, care and maintenance as detailed in this document.
- (ii) Acknowledge that all persons driving a Shire owned vehicle shall hold a current Western Australian Driver's Licence.

An employee whose licence has been suspended shall immediately advise their supervisor and arrange for the vehicle to be returned to the Shire Depot.

The employee will notify the HR Officer of the situation and arrange to have any deduction of payments (if being made) discontinued until the suspension expires and / or private use rights are resumed.

- (iii) The Officer/Councillor, whilst the vehicle is being driven by that Officer/Councillor, or their spouse or partner, will be responsible for any traffic infringements or parking fine received.
- (iv) In the event of an accident or damage to a vehicle or sundry equipment to:
  - (a) Report as soon as practicable to the HR Officer, any involvement in a motor vehicle accident or upon sustaining general damage to the vehicle.
  - (b) Report any accident in a motor vehicle to the Police where required by law.

- (c) Not accept or acknowledge any liability on behalf of the Council arising from an accident.
- (d) Complete as soon as practical after the accident, the appropriate claim form and in consultation with the employee's supervisor, an incident report, and return them to the HR Officer.
- (e) Employees or their nominated person found to be driving a Shire owned vehicle under the influence of drugs or alcohol will be held personally responsible for any repairs or legal action resulting from any accident in which they are involved.

Similar conditions shall apply to damage occurring as a result of inappropriate behaviour.

The full costs relating to damage will be recovered from the employee. The employee would not normally be liable for any insurance excess costs involved if damage to the vehicle occurs in circumstances defined within authorised use.

- (v) Ensure the vehicle is maintained and cleaned. This will include:
  - (a) Weekly check of oil, water and tyres.
  - (b) The vehicle is to be maintained in a clean and tidy condition at all times. Cleaning (internal and external) will be undertaken during the employee's own time.
  - (c) Additional features including advertising material, shall not be added to the vehicle unless it can be determined that these are required to undertake the functions of the person using the vehicle.
  - (d) The vehicle is to be made available for service maintenance and repairs as required. Mechanical defects are to be resolved via local mechanics or authorised dealerships for warranty work as soon as practicable
- (vi) Acknowledge that all vehicles are designated as work places and shall be used in accordance with the Shire's Occupational Safety and Health Policies including the maintenance of a smoke free environment.
- (vii) Ensure that the first aid kit and fire extinguisher supplied, where fitted, with the vehicle is kept fully serviceable at all times.
- (viii) Ensure all vehicles or sundry equipment shall be used in a manner that is appropriate and consistent with the nature of work requirements. Vehicles other than 4-wheel drives should not be taken off-road.

Employees shall be responsible for paying for any damage that occurs when a vehicle or sundry equipment has been deemed to have been used inappropriately. Reconditioning costs at change over may be recovered from staff if the vehicle is excessively damaged through negligence. The Executive Manager Infrastructure shall report excessive reconditioning costs to the relevant Chief Executive Officer. The Chief Executive Officer shall decide if excessive costs are required to be paid by the officer.

- (ix) Employees are to ensure that passengers and load limits are not exceeded at any time. Off-road use is not permitted except where the vehicle is designed for such use.

### **Fringe Benefit Tax Reporting**

All Fringe Benefits Tax (FBT) reporting requirements are to be completed and submitted to the Human Resources Coordinator by the due date. These include:

- (i) Log books of vehicle use are to be completed when requested.
- (ii) Annual returns giving details of:
  - (a) any employee using the vehicle,
  - (b) the start and finish dates/times of each period of use, and
  - (c) details of the vehicle use when allocated to another person.
- (iii) Employees allocated vehicles for commuting or private use are required to notify the Senior Finance Officer of any changes to the allocation of the vehicle (e.g. during leave or staff rotation etc.). Failure to do so will result in the Shire assuming the vehicle is still under the employees control and associated fringe benefits will be attributed to the employee.
- (iv) The responsible Officer must provide fuel receipts which were paid for personally, by that Officer, to the Accountant by the 10 April of each year to verify contributions made by that Officer for Fringe Benefit Tax (*FBT*) purposes.
- (v) Employees superannuation surcharge and government benefits may be affected by their reportable FBT and employees allocated a vehicle are expected to actively take part in reducing the Shire's FBT liabilities.
- (vi) Employees are required to submit a log book of their business and non-business related travel for a period of 90 days during any FBT year (1 April – 31 March).

### **Breach of Conditions of Use**

If the Officer responsible for the vehicle fails to meet any of the conditions of use, the Chief Executive Officer may, after considering the seriousness of the non-compliance, withdraw the use of the vehicle for other than work related activities for a period considered appropriate by the Chief Executive Officer.

Any such action shall be notified in writing to the officer and a copy placed on the Officer's personnel file.

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