

## Motor Vehicle Policy

### 1. Background

This policy has been developed in reference to the *Motor Vehicles Act 1959*, *Road Traffic Act 1961*, and the *Commissioner's Determination 3.2*. Carclew is committed to promoting and encouraging the safe and efficient use of vehicles in the workplace and/or for official purposes.

### 2. Purpose

To outline the requirements for employees who are authorised to use a company, personal or other short-term hire/lease vehicle for work related purposes.

### 3. Scope

Staff, contractors and Board members who are authorised to use motor vehicles in the course of their engagement.

### 4. Definitions

Company car/vehicle	Carclew owned, sponsored or leased vehicle
Private/ personal vehicle	Privately owned / leased vehicle by the employee
Fleet SA	South Australian Government agency that provides a centralised fleet management service to the South Australian Government
Senior Management	For the purpose of this document refers to the General Manager, Head of Programming, and/or Senior Managers

### 5. Policy Statement

Carclew is committed to protecting the health, safety and welfare of its employees, including when using vehicles in the workplace or for work related purposes. Staff whom are authorised to drive a vehicle in order to carry out official business are expected to obey all road rules, act responsibly, drive safely and demonstrate safe driving practices to other road users.

Drivers are responsible for any expiation notice/penalty and/or infringement incurred whilst using the Carclew, private or other hire/lease vehicle for work related purposes. These fees will not be reimbursed. A body corporate fee applies to businesses that fail to nominate the driver responsible for camera detected mobile use, speeding and/or red light offences. A body corporate that successfully nominates the responsible driver will not incur the body corporate fee. The staff member may receive demerit points and/or a fine.

It is Carclew's policy that if you have approval to drive a vehicle for work related duties, you must:

- Hold an appropriate and current South Australian Driver's Licence in accordance with the *Motor Vehicles Act 1959*.
- Drive safely and with due care, attention and obey all road rules in accordance with the *Road Traffic Act 1961* and the *Australia Road Rules*.
- Be in a fit and capable state to drive, and not under the influence of any medication, alcohol, drugs and/or condition that may impair your ability to operate the vehicle.
- Ensure that you and any passengers wear a seatbelt and/or child restraint that is properly adjusted and fastened, whether the vehicle is moving or stationery but not parked.



- Consider the effects of consuming alcohol prior to driving any vehicle. Drivers are encouraged to completely avoid the consumption of alcohol and drive within the legal limits.
- Not use a mobile phone whilst driving and consider the need for using hands-free devices. Having a conversation on a hands-free communication system can distract your concentration and can incur a charge of “*driving without due care*”.
- Accurately record, monitor and maintain vehicle usage. This includes keeping the vehicle clean, tidy and returned with at least half a tank of petrol after each use. Not smoke in any Carclew or other hire/lease vehicle.

#### 5.1 Carclew vehicles

Carclew vehicles must be used for business purposes. Staff, contractors and Board members who are required to use a Carclew vehicle for official business must provide a copy of their current valid South Australian Driver's Licence. *Please refer to Administration for further details.*

##### 5.1.1 Personal use

Personal use of a Carclew vehicle may be permitted with prior approval from the Chief Executive or Carclew Board. This may include the transportation of family members and will be valid for the specified period.

##### 5.2.1 Gig Rig

The 'Gig Rig' is a large and heavy vehicle with handling characteristics considerably different to that of an ordinary sedan or wagon. An underlying risk assessment will be consulted before Carclew staff or external stakeholders are given permission to drive Carclew's 'Gig Rig'.

#### 5.2 Privately owned/leased vehicles

Staff are encouraged to refrain from using personal vehicles for official purposes. The use of private vehicles for work related purposes must be authorised by the Chief Executive or member of senior management prior to use. If approval is granted it is the owner's responsibility to ensure that the vehicle is registered, covered by comprehensive insurance and third-party property damage insurance and that the vehicle is in a roadworthy condition. The use of a private vehicle for official business may be eligible for a taxable expense deduction or may be reimbursed for incurred expenses on a per kilometre basis, subject to prior approval. *Please refer to Motor Vehicle Procedure / Administration for further details.*

#### 5.3 Fleet SA / short term hire or leased vehicles

The use of a Fleet SA or other short-term hire/lease vehicle must be for work related travel and be authorised by the Chief Executive or member of senior management. The hiring of such vehicles is permitted if the Carclew vehicle or taxi is not available or feasible. These vehicles are to be used for work related business and not for personal use. Costs incurred for the hire of such vehicles are charged to the program/project area.

##### 5.2.1 Four Wheel Drive Vehicles

- If four-wheel drive vehicles are required to undertake Carclew duties, four-wheel drive training is required prior to use. At least two staff members and/or authorised project members must undertake training prior to project departure date and there must be at least two people in the vehicle at any one time. Courses are available through the Transport Training Centre located at Regency Park.

#### 5.4 Transporting passengers

Carclew permits the transportation of passengers in a company or private vehicle where it is required in order to carry out your duties as an employee. The driver must have prior approval and ensure that each passenger is wearing a seatbelt as per the *Road Traffic Act 1961*.

#### 5.5 Transportation of children and/or young people

Children and/or young people may be transported in a company vehicle with written consent prior to travel from parent/guardianship and the Chief Executive or member of senior management.

A privately owned vehicle may not be used to transport children and young people who participate in Carclew projects and whom are not directly related to you, even if you have authorisation to use your private vehicle for work purposes. An exemption may apply to this in the case of an emergency situation.

#### 5.6 Learner's permit / provisional license

Unlicensed drivers are not permitted to drive any vehicle for work related purposes. Likewise, employees who hold a 'learner's permit' are also not permitted to drive a vehicle for official business. Drivers holding a provisional licence are permitted to drive company vehicles; however, they are required to display the appropriate notification i.e. 'P plates' whilst driving.

#### 5.7 Accidents

A full report must be submitted to Carclew Administration as soon as practicable, but within 24 hours, if a Carclew vehicle is involved in an accident. Accidents resulting in vehicle damage and/or personal injury must be reported to SA Police. If applicable, Fleet SA or another hire/lease company will also require a report in the event of an accident.

#### 5.8 Insurance

In case of an accident whilst driving a company vehicle for work related purposes the excess may be charged to the program/project area utilising the vehicle at the time. However, Carclew accepts no responsibility for:

- Property damage and third-party bodily injury incurred in the use of a privately owned motor vehicle for work related purposes.
- Drivers driving under the influence of drugs or alcohol. The driver will be personally liable for damages and insurance excess in the event of an accident.
- In attentive driving or driving without due care.
- The vehicle being used for unauthorised purposes. The driver will be required to pay full costs of any damages that may be incurred while in use.

#### 5.9 Motor vehicle security and theft

Vehicles used for work related purposes must be parked in a safe and secure place at all times and should be secured correctly when not occupied. Confidential documents, information or expensive equipment must not be left in vehicle when unattended. If a vehicle or possession(s) from within the vehicle are stolen while being used for official work-related duties, report to SA Police and Carclew Administration as soon as possible.

#### 5.10 Traffic /parking infringements

The liability for the payment of any traffic infringement notices or parking fines issued rests with the driver of the vehicle at the time. If you receive an infringement

notice while using a Carclew or Fleet SA vehicle you must be aware that it may incur a corporate fee for which the responsible driver is also liable.

**5.11 Motorcharge Fuel Card**

The Motorcharge fuel card is to be kept with the Carclew vehicle key and is to be used when refuelling. It is for the purchasing of fuel and oil, and is not to be used for personal items. If the fuel card is lost or stolen you must advise Carclew Administration immediately and the misplaced card will be deactivated.

**5.12 Maintenance and appearance**

Administration Office will arrange any spontaneous repairs that are required between scheduled services. However, it is the responsibility of the driver to ensure the official cars are kept clean and tidy, tyre pressure and oil and coolant are checked prior to the use and between scheduled services. Drivers must carry out a visual check of tyres and general cleanliness before use of the vehicle. The windscreen, windows and headlights are to be kept clean to ensure clear vision and report all required repairs and maintenance to Carclew Administration as soon as practicable.

**5.13 Code of Conduct**

The same guidelines found in Carclew's Code of Conduct apply to all representatives of Carclew who are required to drive in the course of their engagement. Any breach of Carclew policies will be taken seriously and may be deemed misconduct and result in disciplinary action; in accordance with appropriate legislative procedures.

**6. Responsibility for implementation**

The Chief Executive will advise staff members of the policy upon endorsement by the Carclew Board. The policy will be available on the Carclew Server, listed on the Carclew Policy webpage and included in induction.

**7. Legislation and Supporting Documents**

<i>South Australian Modern Public Sector Enterprise Agreement: Salaried 2021</i>
<i>Public Sector Act 2009</i>
<i>Motor Vehicles Act 1959</i>
<i>Road Traffic Act 1961</i>
<i>Commissioner's Determination 3.2: Employment Conditions Item 10. Motor Vehicle - Appendix 2 – Use of Government Vehicles and Appendix 3 – Use of privately owned or leased vehicles for work related travel</i>

**Acknowledgment**

*In developing this policy Carclew has drawn on resources prepared by the SA Government and Commissioner's Standards.*

**Disclaimer**

*This policy does not represent legal advice. If you have any queries about your obligations, you should seek your own independent legal advice.*