

Gladstone Regional Council

Corporate Standard

Title	MOTOR VEHICLE
Corporate Standard No.	CS-2022-01
Business Unit/s	PEOPLE CULTURE AND SAFETY
Date of Approval by CEO	
Date of Effect	01 JUNE 2022
Review Date	
Date Repealed	

1.0 PURPOSE:

This corporate standard provides the conditions applicable to the use of business supplied motor vehicles.

2.0 SCOPE:

This corporate standard applies to all users of business supplied motor vehicles. This includes contractors and volunteers to which the same responsibilities and conditions of an employee apply.

Legacy agreements between the business and an employee approved prior to the date of effect of this corporate standard and which conflict with the requirements of this corporate standard will continue to be honoured by the business until:

- the expiry of the agreement; or
- a change in the employee's employment or contract conditions occur; or
- there are compelling business requirements which necessitate a review of the existing agreement; or
- by mutual agreement.

A legacy agreement will only be recognised where there is existing documentation supporting that arrangement.

Whilst this corporate standard may restate parts of relevant legislation, industrial awards and the Certified Agreement to provide context for how the business applies the requirements of those documents, this corporate standard does not override the terms of any relevant legislation, industrial award or Certified Agreement and does not apply to the extent of any inconsistency.

This corporate standard does not apply to:

- Councillors to which the Councillor Expenses Reimbursement and Provision of Facilities Policy applies; and

- motor vehicles owned privately or under a novated lease arrangement, where the business is not the lessee of the motor vehicle and is not responsible for its maintenance, use, or allocation.

3.0 RELATED LEGISLATION:

- *Biosecurity Act 2014;*
- *Disaster Management Act 2003;*
- *Fringe Benefits Tax Assessment Act 1986 (Commonwealth);*
- *Gladstone Regional Council Certified Agreement 2021 (Certified Agreement);*
- *Heavy Vehicle National Law Act 2012;*
- *Human Rights Act 2019;*
- *Income Tax Assessment Act 1997 (Commonwealth);*
- *Local Government Act 2009;*
- *Local Government Regulation 2012;*
- *Transport Operations (Road Use Management) Act 1995;*
- *Transport Operations (Road Use Management – Road Rules) Regulation 2009.*

4.0 RELATED DOCUMENTS:

- Asset Disposal Corporate Standard;
- Australian Tax Office – Work Related Car Expense – cents per kilometre method;
- Code of Conduct Policy;
- Complaint Management Process Corporate Standard;
- Corporate Travel and Accommodation Corporate Standard;
- Drug and Alcohol Corporate Standard;
- Employee Employment Agreements;
- Letters of Appointment;
- Motor Vehicle Pre-Start Checklists;
- Procurement Policy;
- Procurement Corporate Standard;
- Position Descriptions;
- Queensland Police – What to do in a Traffic Crash Flyer;
- Safe Work Procedures;
- Secondment Form;
- Motor Vehicle Specification List;
- National Heavy Vehicle Accreditation Scheme and Chain of Responsibility Safety Management System – Maintenance Management System Manual.

5.0 DEFINITIONS:

To assist in interpretation of this corporate standard, the following definitions apply:

"Authorised User" means the person allocated a business supplied motor vehicle for use.

"Business" means Gladstone Regional Council.

"Business Supplied Motor Vehicle" means a motor vehicle supplied by the business where the business is responsible for the motor vehicles allocation and retains control of, and is responsible for, the motor vehicle¹.

"Commuter Use" means travel between home and the work location taking the most direct route.

"Construction Plant" means plant and equipment used for earthmoving or civil construction i.e. excavator, front-end loader, road roller, grader, street sweeper, tractor, mower, and the like.

"Contractor" means a person or organisation external from the business, with whom the business has entered a contract for the provision of expert knowledge or services. For example, the use of an alternative provider to complete servicing of a motor vehicle or the engagement of a consultant to carry out specialised work.

"Employee" means a person employed directly by the business, either under an Employee Employment Agreement or the Certified Agreement.

"Driver Information Pack" means the collection of resources to assist employees in fulfilling their responsibilities in operating business supplied motor vehicles. A driver information pack will be available in all business supplied motor vehicles and will include information such as a copy of this corporate standard, accident procedures and contacts, prestart checklists, and so on.

"Fringe Benefits Tax" means the Commonwealth Government tax payable by the business on the fringe benefit of private use of a business supplied motor vehicle by an employee.

"Heavy Vehicle" means a vehicle that has a gross vehicle mass (GVM) or aggregate trailer mass (ATM) of more than 4.5 tonnes. The GVM of a vehicle is the maximum it can weigh when fully loaded, as specified by the vehicle manufacturer.

"Leader" means the Executive Team, Managers, Team Leaders and any other supervisory position that reports to a General Manager of the business.

"Legacy Agreement" means a documented arrangement that conflicts the requirements of this corporate standard and that has been approved prior to the date of effect of this corporate standard for the use of a motor vehicle that has been, and continues to be, authorised by supporting documentation detailing the vehicle use arrangement for an employee.

"Local Disaster Coordinator" means the employee appointed under section 35 of the *Disaster Management Act 2003*.

"Minor, Infrequent, and Irregular Travel" means trips that are a short deviation on the overall work related trip being undertaken and are happening or occurring at long intervals

¹ The business may be responsible as the owner of the vehicle under the *Transport Operations (Road Use Management) Act 1995* or the *Transport Operations (Road Use Management - Road Rules) Regulation 2009* or as the hirer of the vehicle under a lease or hire agreement or by virtue of an agreement or other undertaking with the owner of the vehicle by which the vehicle has been placed in the business's control for allocation to others for use. The business is not responsible for motor vehicles held by others under a novated lease arrangement where the business is not the lessee of the vehicle.

or not often, not consistent, habitual or regular, and not characterised by any fixed principle, method or rate (in accordance with Tax Ruling 2007/12).

"Motor Vehicle" means a vehicle propelled by a motor that forms part of the vehicle including any attachments to the vehicle (i.e. trailer).

"Motor Vehicle Specification List" means the approved minimum specifications of a business supplied motor vehicle.

"Motor Vehicle User Agreement" means a documented arrangement that sets out the conditions applicable to the allocation of a business supplied motor vehicle to an Authorised User.

"Operational Pool Vehicle Administrators" means the appointed custodian of a business supplied motor vehicle that is made available for the operational requirements of the business.

"Private Use" means the use of business supplied motor vehicles for purposes other than the operational requirements of the business.

"Rostered-On-Call-Periods" means periods of time when an employee is required to be available to fulfill the operational requirements of the business by being on call outside standard operational hours.

"Taking the Most Direct Route" means taking the most direct route between home and the place of work of the Authorised User. This allows for minor, infrequent and irregular variations from the most direct route.

"Volunteer" means a person who assists the business in the delivery of services to the community of the persons own free will and for no financial or other compensation.

6.0 CORPORATE STANDARD STATEMENT:

6.1 Allocation

6.1.1 Motor Vehicle and Category of Use

A business supplied motor vehicle shall only be allocated to meet the operational requirements of the business.

The General Manager (excluding Category D Use) is responsible for determining that there is an operational requirement for the allocation of a motor vehicle, including the applicable category of use, whilst having regard to the needs defined by the respective request for a motor vehicle.

The General Manager is also responsible for determining that there is no longer an operational requirement for the allocation of a motor vehicle (excluding Category D Use).

A review of the operational requirement for the allocation of an existing motor vehicle and the applicable category of use will be undertaken by the Leader of the Authorised User:

- prior to the scheduled replacement of the motor vehicle; or
- where there is a change in the Authorised User's position or contract conditions; or
- where there are compelling business requirements which necessitate a review.

Recommendations made from the review must be approved by the General Manager.

6.1.2 Authorised User

An Authorised User will be determined and appointed in accordance with:

- the needs defined by the respective request for a motor vehicle (approved by the General Manager); or
- determination of new position (approved by the Chief Executive Officer); or
- position redesign requests (approved by the respective General Manager or the Chief Executive Officer where determined by the impact of change).

Operations Support Services and People Services must be advised of all Authorised User appointments and the applicable category of use.

6.1.3 Temporary Reallocation

The temporary reallocation of a motor vehicle will only apply in the following circumstances:

- the business supplied motor vehicle is currently allocated to an Authorised User; and
- the person being allocated the motor vehicle is being provided with Category A or B Use whilst being allocated the vehicle.

Any variation to an existing motor vehicle allocation whilst an employee is undertaking a secondment placement for which the incumbent employee is allocated a motor vehicle must be approved in writing by the respective General Manager.

6.2 Categories of Use

6.2.1 Category A Use – Commuter

This category of use applies where a business supplied motor vehicle with commuter use is provided to an employee. This category of use allows for limited private use (commuter use) of the motor vehicle by the Authorised User only.

A business supplied motor vehicle may be provided under this category of use where:

- the employee holds a supervisory position or specialist senior role; and
- the position held by the employee requires regular physical attendance by the employee at multiple worksites at the start or finish of the workday by motor vehicle each week (i.e. 3 or more different worksites) for the purposes of direct supervision of employees or contractors or for the inspection of works; and
- the requirement to start or finish at these multiple worksites rather than at the employee's designated work location is supported by the employee's supervisor; and
- the relevant General Manager has reviewed the potential increase in productivity and the potential additional costs to the business including any additional fringe benefit tax and is satisfied that the additional costs to the business for the increased productivity are warranted.

Only the Authorised User (with approved commuter use under a Motor Vehicle User Agreement) may use the business supplied motor vehicle for limited private use (commuter use). An exception may be granted to allow for the carrying of passengers for private purposes as outlined in section 6.5.5.

In circumstances where the employee takes a period of leave of five (5) or more consecutive business days, the motor vehicle must be garaged at a business-controlled facility and be made available for the operational requirements of the business.

Motor vehicles supplied under this category of use shall be fully maintained (including servicing, registration, fuel, insurance, and other maintenance) at the business's cost.

6.2.2 Category B Use - Tool of Trade

This category of use applies where a business supplied motor vehicle is provided to an employee for tool of trade use.

This category of use will only be provided where the use satisfies the following pre-requisites:

1. the vehicle supplied under this category must be a motor vehicle designed to:
 - a. carry a load of more than one (1) tonne²; and
 - b. be required for the transport and use of equipment of substantial bulk³ to justify the need for a motor vehicle to transport it and where there are sound reasons for the equipment to be transported to the employee's home;and
2. the employee's private use is limited to⁴:
 - a. travel (taking the most direct route) by the employee between:
 - i. the place of residence of the employee; and
 - ii. the work location of the employee or any other place from which or at which the employee performs duties of his or her employment; or
 - b. travel by the employee that is incidental minor, infrequent, and irregular to travel while performing the duties of his or her employment.

This category of use does not allow for any other private use other than that set out above.

Only the Authorised User (with approved commuter use under a Motor Vehicle User Agreement) may use the business supplied motor vehicle for limited private use (commuter use).

In circumstances where the employee takes a period of leave of five (5) or more consecutive business days, the motor vehicle must be garaged at a business-controlled facility and be made available for the operational requirements of the business.

Motor vehicles supplied under this category of use shall be fully maintained (including servicing, registration, fuel, insurance, and other maintenance) at the business's cost.

² Refer to section 47(6) of the *Fringe Benefits Tax Assessment Act 1986* (FBTAA).

³ The requirement to transport bulky equipment must be consistent not irregular.

⁴ Refer section 136(1) of FBTAA which further states that any use of a car by an employee or associate that is not exclusively in the course of producing assessable income of the employee will constitute private use.

6.2.3 Category C Use - Operational

This category of use applies where a business supplied motor vehicle is provided to an employee for business purposes use only.

Motor vehicles under this category of use will be allocated to an:

- employee (Authorised User) based on operational need; or
- employee for operational rostered on-call periods; or
- employee on a temporary basis from a motor vehicle pool managed by Operations Support Services based on operational need; or
- Operational Pool Vehicle Administrator as custodian of the motor vehicle to make available the motor vehicle for the operational requirements of the business.

Motor vehicles under this category of use must be garaged at a business-controlled facility outside of normal business hours when not being used for business purposes. The motor vehicle may be garaged at an employee's home during rostered-on-call-periods or as outlined within this section.

This category makes no allowance for any private use beyond such private use:

- whilst the employee is rostered to be on call only and is limited to:
 - travel (taking the most direct route) by the employee between:
 - the place of residence of the employee; and
 - the work location of the employee or any other place from which or at which the employee performs duties of his or her employment; or
 - travel by the employee that is incidental minor, infrequent, or irregular to travel while performing the duties of his or her employment; or
- that may be incidental arising from home garaging to facilitate employee attendance at an approved training course, conference, or the like where the Authorised User or Operational Pool Vehicle Administrator has been consulted prior to such private use; or
- temporary commuter use approved by the Manager Operations Support Services to meet the operational requirements of the business.

Motor vehicles supplied under this category shall be fully maintained (including servicing, registration, fuel, insurance, and other maintenance) at the business's costs.

6.2.4 Category D Use – Emergency Services

This category of use applies to business supplied motor vehicles made available by the business for use by emergency service groups.

The *Disaster Management Act 2003* requires the business to ensure it has a disaster response capability which includes the ability to provide equipment to effectively deal with, or help another entity deal with an emergency situation or a disaster within the local government area.

Council will, by resolution, determine when such vehicles may be purchased for allocation to an emergency service group and the applicable conditions of use.

In a declared disaster situation, the Local Disaster Coordinator, in consultation with the Manager Operations Support Services, may temporarily allocate a business supplied motor vehicle to an emergency service group to use during the declared disaster situation.

Motor vehicles supplied under this category of use are only made available to the organisation for use by members of that organisation for the purposes of meeting the organisation's objectives.

6.3 Motor Vehicle Specifications

6.3.1 Motor Vehicle Specification List

The Motor Vehicle Specification List will provide the base standard specifications for vehicles used by the business. The list will consider:

- the operational needs of the business;
- whole of life costing;
- fringe benefits;
- safety considerations;
- motor vehicle types (i.e. sedan, utility);
- vehicle telematics; and
- standard accessories.

The Motor Vehicle Specification List including amendments (as required) is approved by the Chief Executive Officer.

Requests for new or replacement motor vehicles will be considered whilst having regard to the Motor Vehicle Specification List and the needs defined by the respective request.

All requests for new or replacement motor vehicles will be considered by the Operations Support Services Team in consultation with subject matter experts where required. The Operation Support Services Team will further consider the needs defined by the respective request and recommend circumstances where the operational requirements of the business require motor vehicle specifications in addition to the base standards provided under the Motor Vehicle Specification List.

The Operations Support Services Team are responsible for recommending the motor vehicle specifications to be included in the scope of works for the RFX. The scope of works for all motor vehicle purchases must be approved by the Manager Operations Support Services prior to release.

6.3.2 Modifications

Requests for modifications to a business supplied motor vehicle must be provided in writing detailing the operational need for such modifications. The General Manager Operations, Manager Operations Support Services, or Team Leader Workshops must approve (subject to financial delegation) such requests prior to such modifications being undertaken.

Modifications to a business supplied motor vehicle will only be approved where such modifications:

- are legal; and

- provide a benefit to the business; and
- do not reduce the value of the motor vehicle; and
- do not expose the business to an increased insurance risk or cost unless that increased insurance risk or cost is warranted having regard to the business benefit to be gained.

If modifications are carried out by, or on behalf of, the Authorised User without prior approval, the business will:

- remove the modifications and reinstate the motor vehicle to its original specifications; and
- seek to recover all expenses it incurs as a result from the Authorised User.

6.3.3 Markings

6.3.3.1 Logo

All business supplied motor vehicles must be marked with the corporate logo and the respective asset number in the centre of each front door.

The Chief Executive Officer may determine circumstances where the operational requirements of the business require the motor vehicle to be unmarked (i.e. motor vehicles used for surveillance or similar duties). In these circumstances, the motor vehicle's asset number must still be displayed on the vehicle.

Motor vehicles will not be marked with venue specific logos.

6.3.3.2 Motor Vehicle Wraps

A motor vehicle wrap may be applied to a business supplied motor vehicle upon written request defining the need and benefit and subject to approval by the Manager Operations Support Services after consulting with Brand and Communications.

Requests will only be approved in circumstances where the design:

- meets the business's Brand Guidelines; and
- promotes a service of the business (i.e. Library Out and About service); or
- promotes safety (i.e. stop drop and go at schools).

A venue specific logo may be included in a motor vehicle wrap.

6.4 Key Responsibilities

6.4.1 Employees

Employee responsibilities include:

- holding a valid licence appropriate for the motor vehicle being driven or operated including supplying the business with a current copy of licence/s;
- advising People Services of any changes in licence conditions including but not limited to change in class and any suspensions or disqualification of any licence/s;
- only driving if physically fit to drive;

- obeying traffic laws and regulations and complying with the business's policies, corporate standards, and associated procedures;
- for heavy vehicles, satisfying the responsibilities set out in the National Heavy Vehicle Accreditation Scheme and Chain of Responsibility Maintenance Management System Manual;
- payment of infringements (business and private use) and toll road and parking charges (private use);
- reporting to their Leader and lodging an incident in Beakon where an infringement has been issued to the employee whilst operating a business supplied motor vehicle and/or where applicable, an infringement issued to the employee whilst operating a private vehicle for private purposes results in that employee being unable to meet the licence component of their role;
- using the applicable motor vehicle booking system when using vehicles in Category C Use, excluding motor vehicles being used for operational rostered on call periods;
- undertaking a prestart, including visual inspection of the motor vehicle, where the employee is the first operator of the day;
- contacting the Workshop to report a fault and in circumstances where the employee is unsure if a motor vehicle is in a fit condition to operate;
- not driving or operating an unroadworthy, unsafe, or unregistered motor vehicle at any time;
- appropriately restraining loads prior to travel;
- familiarising themselves with the motor vehicle (i.e. adjusting seat, steering wheel, mirrors);
- for heavy vehicles, completing an induction prior to operating;
- for construction plant, completing an induction and demonstrating competency prior to operating;
- completing the motor vehicle's logbook and, where applicable, fringe benefit declarations;
- maintaining the motor vehicle in a clean and tidy manner, including to prevent the spread of weed and seed;
- reporting all damage and incidents (including near miss) to their Leader and Operations Support Services, maintaining all relevant information and documents (i.e. photographs of damage), lodging an incident in Beakon, and where required, completing all relevant insurance documents;
- using one motor vehicle where more than one employee is travelling to the same location for the same purpose, where practicable;
- in approved circumstances, where the motor vehicle is not parked overnight at a business-controlled facility, safely parking the motor vehicle within the confines of or adjacent to the property at which they are staying;
- locking unattended motor vehicles including the securing of tools, equipment, and other items;
- ensuring the motor vehicle has sufficient fuel after use;
- reversing motor vehicles into parking spaces; and
- committing to keep the motor vehicle a smoke free area.

6.4.2 Authorised User

In addition to employee responsibilities, the Authorised User is responsible for:

- entering into a Motor Vehicle User Agreement for Categories of Use A and B, including where the motor vehicle is temporarily reallocated during a secondment placement;
- maintaining the motor vehicle in a clean and tidy manner including regular washing/cleaning;
- monitoring motor vehicle usage, ensuring all servicing is scheduled and undertaken in consultation with Operations Support Services;
- the home garaging of the motor vehicle (Categories of Use A and B);
- the home garaging of the motor vehicle during rostered-on-call-periods only (Category C Use);
- the garaging of the motor vehicle at a business-controlled facility when the vehicle is not being used for business purposes (Category C Use);
- cleaning of the motor vehicle (Categories of Use A and B);
- cleaning of the motor vehicle may be allocated as part of the employee's duties (Category C Use);
- making the motor vehicle available for use by other employees when the Authorised User is at work (Categories of Use A , B, and C); and
- providing Operations Support Services with completed prestart checklists at the end of each month;
- providing Financial Operations with completed logbooks at the end of each month for Category C Use; and
- providing Financial Operations with completed logbooks as requested for Categories of Use A and B.

6.4.3 Operational Pool Vehicle Administrators

In addition to employee responsibilities, the Operational Pool Vehicle Administrators are responsible for, in respect of operational pool motor vehicles:

- administration of the motor vehicle booking system, including assisting employees with the booking process;
- ensuring the safe keeping of keys;
- monitoring motor vehicle usage, ensuring all servicing is scheduled and undertaken in consultation with Operations Support Services;
- providing Operations Support Services with completed prestart checklists at the end of each month;
- providing Financial Operations with completed logbooks at the end of each month; and
- determining ad-hoc out of business hours motor vehicle use requests.

6.4.4 Leader

In addition to employee responsibilities, the Leader is responsible for:

- approving the use of a private motor vehicle for business purposes;
- notifying People Services of changes to an employee's licence; and

- reviewing the operational requirement for the allocation of an existing motor vehicle and the applicable category of use including making recommendations to the General Manager.

6.4.5 Manager Operations Support Services

In addition to employee and leader responsibilities, the Manager Operations Support Services is responsible for:

- approving the scope of works for all motor vehicle purchases;
- approving motor vehicle modification requests (subject to financial delegation);
- approving the use of an alternative provider to complete servicing of a motor vehicle;
- in consultation with Brand and Communications, approving the application of motor vehicle wraps; and
- approving temporary commuter use of a motor vehicle under Category C Use to meet the operational requirements of the business.

6.4.6 General Managers

In addition to employee and leader responsibilities, the General Manager is responsible for:

- where applicable, appointing an Authorised User during the determination of new position or position redesign requests following determination from the Chief Executive Officer that there is an operational requirement for the allocation of a motor vehicle;
- approving, in writing, variations to existing motor vehicle arrangements for which the incumbent employee is allocated a motor vehicle;
- approving requests by Authorised Users of Category A Use to carry passengers for private purposes in a business supplied motor vehicle;
- prior to allocations of a business supplied motor vehicle under Category A Use, reviewing the potential increase in productivity and the potential additional costs to the business including any additional fringe benefit tax and being satisfied that the additional costs to the business for the increased productivity use are warranted;
- determining there is an operational requirement for the allocation of a motor vehicle having regard to operational and contractual requirements;
- allocating the category of use to be provided to an Authorised User within Categories of Use A, B, and C;
- approving recommendations made from the review of the allocation and assigned category of use for a motor vehicle; and
- withdrawing the provision of a motor vehicle having regard to operational and contractual requirements.

6.4.7 Chief Executive Officer

In addition to employee responsibilities, the Chief Executive Officer is responsible for:

- approving the Vehicle Specification List (including amendments as required);
- approving the content of the Motor Vehicle User Agreement;
- approving circumstances where the operational requirements of the business require a motor vehicle to be unmarked.

6.4.8 People Culture and Safety

In addition to employee responsibilities, the People Culture and Safety business unit are responsible for:

- managing the Motor Vehicle User Agreement process including identifying when such agreements are required, the expiry of agreements, and maintaining a register of such agreements and their status;
- managing legacy agreements including maintaining a register of such agreements and their status;
- administration of licence records;
- investigating, providing advice, and/or supporting outcomes for complaints regarding the conduct of an employee (i.e. allegations of inappropriate use of motor vehicles) in accordance with the Complaint Management Process Corporate Standard; and
- monitoring and investigating infringements (business and private use) and toll road and parking charges (private use) in circumstances where the employee responsible for the offence/charge has been identified, advised of such infringement/charge and the infringement/charge remains unpaid.

6.4.9 Operations Support Services

In addition to employee responsibilities, Operations Support Services are responsible for:

- maintaining all motor vehicle records in TechnologyOne;
- ensuring all motor vehicles are registered and roadworthy;
- undertaking motor vehicle pre-handover and return checklists with Authorised Users;
- where applicable, providing an induction for heavy vehicles and construction plant;
- monitoring motor vehicle usage and undertaking (by trade qualified employee) scheduled servicing of motor vehicles or arranging an alternative provider to complete servicing;
- developing and making available in all motor vehicles a driver information pack;
- determining motor vehicle replacement intervals;
- investigating and assessing motor vehicle damage to determine if the motor vehicle can safely continue to be operated and the most appropriate remedial action (i.e. repairs by business, insurance claim);
- administering insurance claim process for motor vehicle damage;
- administering the damages expenses recovery process arising from inappropriate use of a motor vehicle in collaboration with People Services;
- administration of the booking of fleet pool motor vehicles;
- administering motor vehicle modification requests;
- allocating a fuel card to a motor vehicle where required;
- collaborating with Financial Operations for the fringe benefit tax return;
- investigating infringements (business and private use) and toll road and parking charges (private use) to identify the employee responsible for such offences/charges and transferring such charges to the responsible employee;
- determining the most appropriate disposal method for a motor vehicle;
- considering all requests for new or replacement motor vehicles and the needs defined by the respective request;
- considering the circumstances where the operational requirements of the business require motor vehicle specifications in addition to the Vehicle Specification List; and

- recommending the motor vehicle specifications to be included in the scope of works for a request for quote/tender.

6.4.10 Financial Operations

In addition to employee responsibilities, Financial Operations are responsible for:

- completing the fringe benefits tax return in collaboration with Operations Support Services;
- journaling internal plant hire costs; and
- maintaining financial attributes of motor vehicle records in TechnologyOne (i.e. annual depreciation calculation, apportioning insurance premiums, etc).

6.4.11 Governance and Risk

In addition to employee responsibilities, Governance and Risk are responsible for:

- ensuring all motor vehicles are insured; and
- providing advice on the level of cover and conditions applicable to the business's motor vehicle insurance policy.

6.5 General Conditions of Use

6.5.1 Motor Vehicle User Agreement

All Authorised Users for Categories of Use A and B (including where the motor vehicle is temporarily reallocated during a secondment placement), except where otherwise set out in this corporate standard, must enter into a Motor Vehicle User Agreement with the business for use of the allocated business supplied motor vehicle for the category of use allocated. Such agreements must be fully executed prior to the Authorised User receiving the motor vehicle.

In addition to any termination provisions within a Motor Vehicle User Agreement, an agreement will also be terminated when:

- there is a change in position held by the Authorised User;
- the allocation of a business supplied motor vehicle to the Authorised User is removed;
- there is a change in category of use applicable for the business supplied motor vehicle used by the Authorised User; or
- by mutual agreement.

People Services will maintain a register of all Motor Vehicle User Agreements. The register will include information such as:

- the document set id for each fully executed agreement in the business's record management system (ECM);
- Authorised User details;
- allocated category of use;
- motor vehicle details (i.e. asset number); and
- commencement and expiry date of the agreement.

People Services will also maintain a register of legacy agreements.

6.5.2 Licence Requirements

Any person driving a business supplied motor vehicle must hold a valid licence appropriate for the motor vehicle being driven or operated including supplying the business with a current copy of the licence/s.

In circumstances where an employee's licence is changed, suspended, or cancelled the person must notify their Leader and Learning and Development. Further, where a person's licence is suspended or cancelled the right to drive or operate a business supplied motor vehicle is forfeited for the period of the licence suspension or cancellation.

6.5.3 Motor Vehicle Familiarisation

Upon allocation of a motor vehicle (excluding the temporary reallocation of a motor vehicle) Operations Support Services will complete the Motor Vehicle Pre-Handover Checklist with the Authorised User.

Prior to operating a business supplied motor vehicle, all employees must familiarise themselves with the motor vehicle. This includes:

- adjusting the driver seat, head restraint, steering wheel, and mirrors as required;
- identifying locations of hand brake, light, indicator, and other controls;
- determining whether sufficient fuel is available for travel;
- where applicable, ensuring the motor vehicle is parked in an appropriate location to allow loading/unloading; and so on.

Any employee operating heavy vehicles and construction plant must complete an induction prior to operating the motor vehicle and must also demonstrate competency for each motor vehicle operated. Inductions are supplemented by Safe Work Procedures (SWP).

6.5.3.1 Prestart

A prestart inspection must be undertaken for all business supplied motor vehicles on each day the motor vehicle is operated to ensure that the motor vehicle is in a fit condition to operate.

Prestart checklists will be available in all business supplied motor vehicles with the employee who is the first operator of the motor vehicle for the day responsible for undertaking the prestart checklist. Subsequent operators must satisfy themselves that the motor vehicle is in a safe and roadworthy condition prior to operating (whether that by via completion of a prestart checklist or visual inspection only).

Completed prestart checklists are to be provided to Operations Support Services at the end of each month by the Authorised User or Operational Pool Vehicle Administrator.

In circumstances where a fault or defect is identified during the prestart inspection, the defect is to be noted on the prestart checklist and Operations Support Services is to be immediately notified.

Operations Support Services will review the defect and determine if the motor vehicle can safely continue to be operated and schedule the defect for repair as required.

Should the defect compromise the safe operation of the motor vehicle or make the motor vehicle unroadworthy, the motor vehicle must be parked in a safe location (if not already) and tagged out of service. The motor vehicle must not be operated until the default has been rectified.

6.5.4 Logbooks

A motor vehicle use logbook will be available in all business supplied motor vehicles and must be completed in accordance with the requirements set out in the table below:

Category of Use	Vehicle Use Logbook Requirements
<p>Category A Use - Commuter</p> <p>and</p> <p>Category B Use - Tool of Trade</p>	<p>Full logbook to be kept for a minimum of 12 consecutive weeks every five (5) years ⁵; and</p> <ul style="list-style-type: none"> • on change of Authorised User; • on change of contract or employment conditions; • on change of residential address; • on change of more than 10% of total kilometres travelled during logbook period; and • on change of more than 10% in the type of use, i.e. private vs business. <p>The Authorised User must sign a Fringe Benefits Tax declaration after March of each year (or upon permanent return of the vehicle) to report private use other than that between home and work has been minor, infrequent and irregular.</p> <p>If private use has occurred that is not minor, infrequent, and irregular, advice should be sought from Financial Operations before completing the Fringe Benefits Tax declaration.</p>
<p>Category C Use - Operational</p>	<p>Full logbook to be kept for all usage.</p> <p>A Manager or delegate from the employee’s respective team must sign a Fringe Benefits Tax declaration at the end of March of each year (or upon permanent return of the vehicle) to confirm that there has been no private use.</p>

Regardless of the above, in circumstances where a business supplied motor vehicle is temporarily reallocated to another employee in accordance with section 6.1.3, a full logbook must be completed for the duration of the temporary allocation. Furthermore, a Fringe Benefits Tax (FBT) declaration must also be completed upon return of the motor vehicle to the assigned Authorised User.

Authorised Users and Operational Pool Vehicle Administrators must provide all completed logbooks to Financial Operations:

- for Category C Use at the end of each month; and
- for Categories of Use A and B as requested.

6.5.5 Passengers

Generally, the carrying of passengers (other than employees) is only permitted where the operational requirements of the business necessitate.

An Authorised User with Category A Use may apply to their General Manager for approval to carry passengers for private purposes in a business supplied motor vehicle. A copy of all requests (including outcome) approved or otherwise, are to be provided to People Services.

6.5.6 Towing

The towing of trailers, boats, or similar items is only permitted where the item being towed is a registered business asset or in circumstances where the business has hired the item in accordance with the Procurement Policy and Procurement Corporate Standard to meet the operational requirements of the business.

6.5.7 Carrying of Animals

The carrying of animals in business supplied motor vehicles is prohibited, except in motor vehicles allocated for that purpose⁵ where it is subject to:

- the business supplied motor vehicle is suitable for the carrying of such animals within the motor vehicle; **and**
- the animals are constrained within an appropriate animal harness or animal cage whilst being carried within the motor vehicle; **and**
- the surfaces of the motor vehicle on which the animal or the animal cage is placed are protected from damage.

6.5.8 Offsite Storage

Authorised Users with an allocated Category A and B Use may garage a business supplied motor vehicle overnight at a location other than a business-controlled facility. The Authorised User must:

- store the motor vehicle after hours:
 - within the confines of, or adjacent to, their residential property (motor vehicles must not be parked across footpaths); or
 - the property at which they are staying whilst away; or
 - or at a secure parking area if Authorised User is away from their residential address overnight;
- ensure that tools and equipment are locked in the motor vehicle out of sight or kept within secure locked boxes on the motor vehicle; and
- ensure that the vehicle is securely locked at all times whilst unattended.

⁵ Vehicles used for enforcement and regulation of animals that are required to be used to collect and transport animals.

For completeness, motor vehicles allocated under Category C Use must be garaged at a business-controlled facility unless being used for operational on-call purposes. An exception may also be provided for motor vehicles that require incidental home garaging or garaging at an alternative location to facilitate employee attendance at an approved training course, conference, or the like. In these circumstances, the motor vehicle must be stored in line with the Authorised User requirements outlined in this section.

6.5.9 Refuelling

The business makes available fuel facilities for business supplied motor vehicles at the Gladstone, Calliope, Miriam Vale, Agnes Water and Tannum Sands depots and the Benaraby Landfill. In the first instance, all motor vehicles are to be refuelled at these facilities.

A fuel card may be allocated to a motor vehicle in circumstances that may require the motor vehicle to be refuelled outside of normal business hours or where the motor vehicle is required to travel to locations that limit the ability to refuel the motor vehicle at a business facility.

The business does not endorse the use of a corporate credit card to purchase fuel. Where extenuating circumstances necessitate the use of a corporate credit card to refuel a motor vehicle the employee must:

- obtain a tax invoice/receipt;
- note on the receipt the odometer reading prior to refuelling the motor vehicle; and
- reconcile the credit card expense.

6.5.10 Travel for Funeral Services

Employees may use a business supplied motor vehicle to attend a funeral service within the Gladstone Regional Council area for a past Calliope Shire Council, Miriam Vale Shire Council, Gladstone City Council or Gladstone Regional Council employee.

This section applies to attendance at the funeral service only and does not extend to include attendance at the wake.

6.5.11 Infringements and Other Charges

An employee or Authorised User who is the driver of a business supplied motor vehicle at the time of the alleged offence or incurred charge is responsible for the payment of:

- infringements (business and private use);
- toll road and parking charges (private use); and
- additional FBT imposed on the business resulting from unauthorised private use of a business supplied motor vehicle.

In the event the business receives an infringement notice or invoice directly for the circumstances outlined above, the Authorised User or the employee nominated the driver of the motor vehicle is responsible for:

- payment of the infringement or charge; or

- providing a statutory declaration or other documentation nominating the driver at the time of the alleged offence or incurred charged.

6.6 Incidents and Accidents

6.6.1 Accidents, Near Misses, and Breakdowns

In the event of an accident (including a near miss) or breakdown, the employee is required to:

- as soon as practicable, report the accident to their Leader, Operations Support Services, and lodge an incident in Beakon;
- obey traffic laws and regulations, including (where applicable) reporting the accident to the Queensland Police Service;
- not accept or acknowledge on behalf of the business any liability arising from the accident;
- where applicable, record the names, addresses, and vehicle registration of others involved in the accident along with the details of witnesses;
- maintain all relevant information and documents (i.e. photographs of damage) and complete required documentation (i.e. insurance documents); and
- in circumstances where the employee is unsure if the motor vehicle is in a fit condition to operate or if the motor vehicle cannot be operated contact the Workshop during business hours or for outside of business hours, the contact details provided in the driver information pack.

6.6.2 Insurance

Motor vehicles owned by the business are insured under a comprehensive insurance policy with cover generally provided by the insurer where the employee:

- holds a valid licence appropriate for the motor vehicle being driven or operated;
- was obeying traffic laws and regulations at the time of the accident;
- is not convicted of being under the influence of alcohol or any prohibited substance.

The business's insurance policy requires the payment of a deductible (excess) in the event of a claim. In circumstances where the business supplied motor vehicle is being used by the employee in accordance with this corporate standard, the business will accept the payment of the deductible.

Costs incurred by the business that are not covered under an insurance policy or cannot be recovered from an employee under section 6.6.3 will be costed to the relevant team of the employee operating the motor vehicle at the time of the accident.

6.6.3 Damage Arising from Inappropriate Use

In circumstances where the business supplied motor vehicle is being used by the employee in contravention of this corporate standard, the business may recover all costs incurred resulting from the accident from the employee. This may include the deductible for a claim under the business's insurance policy or all costs where a claim cannot be made.

6.7 Hire Motor Vehicles

On occasion, a business supplied motor vehicle may not be available and a hire motor vehicle may be used in circumstances where:

- there is a temporary need for an additional motor vehicle/s to meet the operational requirements of the business (i.e. water meter reading periods); and
- as outlined in the Corporate Travel and Accommodation Corporate Standard.

A hire motor vehicle is considered a business supplied motor vehicle and the requirements of this corporate standard must be complied with. The following conditions also apply:

- the motor vehicle is to be hired in accordance with the Procurement Policy and Corporate Standard;
- only employees who are 21 years or older are eligible to hire a motor vehicle;
- all terms and conditions of hire by the rental company must be complied with;
- the motor vehicle is to be used for business purposes only;
- the rental company's insurance deductible for an accident is to be \$2,000 or less per incident where practicable; and
- where more than one employee is travelling to the same location for the same purpose one motor vehicle will be hired where practicable.

The specifications of a hire motor vehicle will be determined on a case by case basis having regard to the needs defined by the respective request and the operational requirements of the business.

6.8 Use of Privately Owned Motor Vehicles for Business Purposes

The use of a private motor vehicle for the operational requirements of the business is not endorsed. In the unusual circumstance that a business supplied motor vehicle is not available, Leader approval is required prior to the employee using a private vehicle.

Where Leader approval has been given:

- an employee may claim for mileage which will be paid at the all-inclusive rate prescribed by the relevant employment award; and/or
- the business's motor vehicle insurance policy may provide some cover (subject to annual renewal terms and conditions).

For completeness, this section does not apply to the use of a private motor vehicle for the operational requirements of the business where it is a requirement of the employee's employment agreement. In these circumstances, the conditions of the employment agreement prevail.

6.9 Replacement of Motor Vehicles

The replacement interval of motor vehicles will be determined by Operations Support Services considering:

- condition assessment;
- safety;
- the operational needs of the business; and

- costings.

A motor vehicle may be replaced with a new vehicle or an unallocated business owned motor vehicle having regard to section 6.3.1.

6.10 Return of Motor Vehicles

Upon the return of a motor vehicle for replacement or where there is no longer an operational need for the motor vehicle, the Authorised User and representative from Operations Support Services will undertake a motor vehicle return checklist to:

- account for and condition assess the returned motor vehicle including extras and accessories;
- receive the keys, fuel card, and logbook;
- note any damages; and
- complete a FBT declaration.

A copy of the completed motor vehicle return checklist is to be provided to Financial Operations and People Services. The completed FBT declaration must also be provided to Financial Operations.

6.11 Disposal

Prior to the disposal of a motor vehicle, Operations Support Services will consider:

- usefulness, including remaining useful life;
- current market value;
- annual maintenance costs;
- ability for reallocation;
- impact of the disposal;
- safety and risk; and
- any other factor deemed relevant to the circumstance.

All motor vehicle disposals will be transparent, equitable, and should achieve market value. The method of disposal will be in accordance with the Asset Disposal Corporate Standard and the *Local Government Regulation 2012* to the extent it refers to valuable non-current assets.

7.0 ATTACHMENTS:

Nil.

8.0 REVIEW TRIGGER:

This corporate standard will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or the CEO; or
3. Three years from date of effect.

TABLE OF AMENDMENTS		
Document History	Date	Notes (including the prior CS No, precise of change/s, etc)
Originally Approved	7 March 2017	
Amendment 1	23 February 2022	Consolidation of P-2017-08 Motor Vehicle Policy and corporate standard into single document (corporate standard). Other amendments include: removal of attachments and noted as a related document in lieu; consolidation of categories of use; preferred vehicle list amended to motor vehicle specification list; daily prestart extended to all vehicles; new vehicle familiarisation section; removed contribution section; etc.
Amendment 2		
Amendment 3		

APPROVED:

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LEISA DOWLING
CHIEF EXECUTIVE OFFICER

DRAFT