

Policy Type	Corporate
Function	Personnel
Policy Owner	Chief Executive Officer
Policy Contact	Chief Executive Officer
Effective Date	8 August 2023

Purpose

Burdekin Shire Council maintains a fleet of motor vehicles to meet its operational needs. Council aims to ensure its fleet is safe, efficient, and cost-effective.

This policy outlines the conditions for provision, maintenance, and use of Council light vehicles.

Scope

This policy applies to all motor vehicles under Council's control (owned or leased).

The policy covers:

- Vehicle use types;
- Conditions of use (including care and maintenance); and
- Infringement notices.

All associated documents (such as user manuals), which detail responsibility for the use, care and maintenance of vehicles, should be read in conjunction with this policy.

Exceptions

This policy does not apply to vehicles purchased by employees via novated lease arrangements under salary packaging arrangements.

Principles

- It is recognised that Council's workplace is the Burdekin Shire and that cost-effective modes of transport are essential for carrying out Council functions. From time to time, it will be necessary to conduct Council related business outside the Shire.
- Council will provide vehicles that are suitable for the task as one mode of transport.
- Council will purchase or lease vehicles that will provide the optimum financial outcome for Council over the life of the vehicle.
- The quantity and types of vehicles within Council's fleet will be determined based on sound fleet management principles including safety, business needs, frequency and type of use, value for money, maintenance, and efficiency.
- Council retains the right to have the first call on the use of all Council vehicles in Category 1 and Category 2 for Council purposes and for Category 3 vehicles only during normal hours of work.
- Under the *Work Health and Safety Act 2011*, all Council vehicles are deemed to be a workplace for the purpose of business/commuter use.

Policy Statement

Vehicle Classes

The class of vehicle shall be chosen to meet operational needs as determined by the Chief Executive Officer (CEO) or his/her delegate. The choices of vehicle shall include:

- 2WD or 4WD, single-cab, twin-cab or extra-cab utility
- SUV
- Standard sedan
- Van and small bus

Diesel vehicles are preferred, and eight-cylinder vehicles are excluded.

In general, vehicles provided for Commuter Use (Category 2) will be vehicles, such as utilities, that do not attract Fringe Benefits Tax (FBT). Council may consider purchasing eligible electric cars that may be exempt from FBT according to the current Australian Taxation Office rulings upon further evaluation of whole of life costs, resale values and configuration of recharge infrastructure.

Identification

All business and commuter use vehicles (Category 1 and Category 2) shall be clearly identified with the Council logo and plant number permanently affixed to both front quarter panels of the vehicle, unless the Chief Executive Officer approves another arrangement to meet Council business needs, e.g. vehicles on surveillance or similar duties.

Included Features

All vehicles will be fitted with the following as standard equipment:

- Air conditioning
- Seat covers or upholstery protection
- Power assisted steering
- Cruise control
- Window tinting
- Floor mats
- Mudflaps
- Bluetooth connectivity

Any officer requiring additional options and features to those listed above must have his/her request approved in writing by the relevant Manager together with an approved method of meeting any additional costs involved.

Vehicle Replacement

The replacement period for the various types of Council vehicles is based on lifecycle costing principles and will be reviewed annually to ensure the optimum financial outcome for Council is achieved.

At vehicle replacement time, supervisors are to review the ongoing requirements for the vehicle in conjunction with the Workshop Supervisor and/or Fleet Administration.

Operating Costs

Council will meet all servicing, maintenance, registration, insurance, operating and FBT costs (if applicable).

Telematics and Vehicle Use Monitoring

Telematics technology enables the collection of vehicle data, including location, speed, distance travelled, route travelled, time idle, harsh braking, fuel consumption and other relevant vehicle data. The capture and reporting of this data assists Council to monitor and improve on the efficient and responsible use of fleet vehicles and contribute to the safety of Council's workers.

All category 1 and category 2 vehicles (as outlined in the use categories below) will be equipped with telematics systems to facilitate monitoring and reporting of vehicle usage. The data collected shall be used for purposes such as optimising vehicle routes, monitoring fuel efficiency, identifying maintenance needs and cross-checking and verifying timesheet entries.

Vehicle telematics may also be used to identify a user of a vehicle which has been returned with damage, in an untidy/unclean or unusable condition (including no fuel) or to identify the driver if a traffic or parking infringement notice is received.

Vehicle Use Categories

Category 1 – Business Use

Business Use is the use of a vehicle at any time to meet business needs and to provide optimum customer service. Unless otherwise authorised in accordance with this policy, all Category 1 vehicles will be marked with the Council logo and plant number and outside of normal business hours, will be garaged at a Council facility.

There shall be no private use of Category 1 vehicles unless otherwise approved by the CEO with appropriate consideration given to any possible FBT implications.

Category 2 – Commuter Use

Commuter Use is the provision of a marked vehicle for commuting directly, by the shortest possible route as approved by the relevant Manager, between the employee's residence and designated normal place of work or the employee's residence and a location other than the designated normal place of work where the employee may be required to start and/or finish work to meet business needs.

Managers are responsible for ensuring relevant officers sign a Commuter Use Agreement which will outline the type of vehicle assigned and the relevant conditions of use. Private use of any Category 2 vehicle is prohibited, unless detailed in the Commuter Use Agreement and approved by the CEO, with appropriate consideration given to any FBT implications. Commuter Use Agreements are to be reviewed every two years and may be revoked if a breach of this Policy occurs. Employees who reside outside of the Burdekin Shire are ineligible for Commuter Use Vehicles.

During normal business hours, these vehicles will be made available to meet business needs. Commuter Use may include casual or temporary commuter use. Casual commuter use does not require a Commuter Use Agreement. Temporary commuter use of more than two weeks will require a Commuter Use Agreement to be signed.

During absence from the workplace, due to Annual Leave, Sick Leave, or Long Service Leave in excess of one working day, the Responsible Officer of any Category 2 vehicle shall return the vehicle to Council.

When a section is reliant on a vehicle to carry out Council business, i.e. where one vehicle is used by several officers in that section, that vehicle shall also be returned by the Responsible Officer on his/her rostered days off. The relieving officer of that section shall be responsible for the vehicle for that period.

Category 3 – Full Private Use

The Officer shall receive full private use of a Council vehicle or vehicle deemed to be a tool of trade as agreed between the parties, fitted with the standard equipment and the additional features of upholstery protection, cargo floor protection, and tonneau cover (if relevant). Any features in addition to these will require the approval of the CEO.

The following conditions apply to all full private use (Category 3) vehicles:

- The Officer shall have full unrestricted private use of the vehicle, including weekends, public holidays and periods of paid leave up to a maximum of six weeks or unpaid leave up to a maximum of three weeks.
- Fuel will be supplied for all travel within Queensland while the officer is on annual or long service leave for a period of up to and including six weeks. For any travel outside of Queensland the officer will be responsible for meeting the fuel costs.
- The Officer may, with the approval of the CEO, add additional options outside of the included features listed above. The Officer shall be responsible for the initial cost of the option (net lifecycle cost), with Council responsible for including the options at vehicle change over time. The value of the additional options will be excluded from the calculation of the purchase price of the vehicle for determining the salary sacrifice contribution by the employee.
- Council will meet all servicing, maintenance, registration, comprehensive insurance, operating and FBT costs.
- The Council will meet the cost of membership of RACQ roadside assistance. In the event of an accident or breakdown, the officer is to utilise the services of RACQ as appropriate. A replacement vehicle shall be provided if required.
- The vehicle is to be on duty when the officer is on duty and available for use by Council Officers or Councillors during office hours.
- The changeover period for the vehicle shall be based on lifecycle costing principles and will be reviewed annually or as required by the Manager Technical Services to ensure that the vehicle will provide the optimal financial outcome for Council for the life of the vehicle. Based on these principles the current changeover review will occur at four years or approximately 100,000 kms.
- For full private use (Category 3), the vehicle may be driven by another nominated licensed driver as decided by the responsible officer.
- The vehicle is to be stored, maintained (appearance wise), and the reporting of mechanical defects and damage shall be dealt with in accordance with Council's plant operating procedure.
- The annual salary sacrifice amount for the chosen vehicle is excluded from the income of the employee (refer Section 23L of the Income Tax Assessment Act 1936) and the benefit received is not subject to income tax in the hands of the employee.
- If an Officer chooses not to take a Council provided vehicle during periods of paid leave in excess of two weeks in each case individual consideration shall be given to whether or not the amount, representing the annual vehicle component, shall be apportioned on a pro-rata basis subject to the vehicle being surrendered for exclusive Council use for the period of leave.
- Full Private Use is as detailed in each employment contract for eligible officers.
- Officers who reside outside of the Burdekin Shire are ineligible for Full Private Use.
- The cost to eligible officers of a Full Private Use vehicle will be as follows:

Vehicle Class	Annual Salary Sacrifice Amount
Vehicles (excluding 8 cylinder vehicles) with a GST- inclusive value not to exceed 70% of the luxury car tax threshold	\$12,000

Vehicles (excluding 8 cylinder vehicles) with a GST- inclusive value not to exceed 85% of the luxury car tax threshold	\$15,000
Vehicles (excluding 8 cylinder vehicles) with a GST- inclusive value of up to 100% of the luxury car tax threshold	\$18,000
Special purpose vehicles that fall outside these guidelines will require Council's approval.	

- Where the business use of a Category 3 - Full Private Use vehicle exceeds 75% of the total annual usage of the vehicle, the CEO may exercise discretion to reduce the salary sacrifice amount the employee is required to contribute by up to 20% in recognition of the reduced FBT liability for the vehicle.

General Conditions of Use

Position	Responsibility	Category 1 Vehicles	Category 2 Vehicles	Category 3 Vehicles
All Vehicle users	Conduct prestart checks, complete logbook.	✓	✓	✓
	Vehicle is maintained in a clean and tidy manner, free from rubbish and other items.	✓	✓	✓
	Fuel level to be sufficient to enable business use by other officers when vehicle is returned to chambers/depot.	✓	✓	✓
	Tools and equipment must be locked in the vehicle or kept within secure locked boxes on the vehicle.	✓	✓	✓
	Vehicle to be locked securely when unattended.	✓	✓	✓
	Vehicle must be stored at Jones Street Depot or other Council property as approved by the relevant Manager when not in use.	✓		
	Vehicles are to be parked off street within the confines of a residential property where possible to minimise impacts on residential amenity. Vehicles must not be parked across footpaths.	✓	✓	✓
Supervisors and Managers	Regularly check that all vehicle use conditions are being complied with.	✓	✓	
Managers, Safety and Quality Coordinator, Senior Governance Officer, HR officers (within responsibility of role)	Investigate breaches of this policy.	✓	✓	✓
CEO	Provide approval for commuter user agreements.		✓	

Smoking is prohibited in all Council vehicles at all times.

Vehicles shall not be driven in areas where damage may be incurred due to unfavourable ground conditions. Drivers shall exercise particular care and judgement at all times when driving vehicles.

The Council vehicle assigned to a Responsible Officer may not be used:

- for transportation of persons or goods for hire or reward;
- for any unlawful purpose;
- whilst it is in an unsafe or defective condition; or
- for any purpose in the pursuit of a private commercial activity, i.e. a personal business venture.

In addition, a Council vehicle must not be used to compete in any race, speed test, car rally or competition whatsoever, nor shall the vehicle be used in any manner that may contravene the vehicle manufacturer's warranty.

A Responsible Officer must hold a current licence appropriate for the vehicle being operated and shall notify the CEO if a situation arises that will prevent the Responsible Officer being able to meet this requirement. No person is permitted to drive a Council vehicle unless they hold a relevant current Driver's Licence, except where authorised tuition to upgrade a licence is being undertaken.

Infringements

Under no circumstances will the Council be liable to pay any fine or costs incurred by the driver of a Council vehicle if that person infringes Road Traffic Regulations, the Local Laws of any Local Government with respect to parking restrictions, or any other regulation that relates to the use of vehicles.

The onus for payment of a fine or other cost resides with the offender.

A Responsible Officer convicted of drink driving or consumption or use of an illegal drug at any time shall automatically forfeit rights for usage of the Council vehicle for at least the period of licence cancellation (if any).

In the instance of parking or traffic infringements, if the actual driver cannot be determined, the Responsible Officer shall be held liable for the penalties involved.

A Responsible Officer, who receives a Traffic Infringement Notice, may be deemed in contravention of this policy and may be subject to Council's Disciplinary Procedures.

A Responsible Officer shall notify his or her Manager or CEO of the Traffic Infringement Notice within seven days of its issue.

Breaches of this Policy and Complaints

Contravention of this policy may attract disciplinary action in accordance with Council's Code of Conduct for Workers.

Approvals to use Council vehicles (in any category) may be reviewed if complaints are received from the public.

Risk Management

This policy mitigates the risk of unauthorised use of Council vehicles and consequential increase in operational costs of vehicles.

Legislation

Income Tax Assessment Act 1936 (Cth)
Work Health and Safety Act 2011 (Qld)

Definitions and Abbreviations

Casual commuter use	is business related commuter use of an allocated vehicle on a short term, irregular and ad hoc basis. Typically, this would involve business related commuter use being necessary for only one or two nights and must be approved by the relevant Manager.
Light vehicle	is a motor vehicle with a Gross Vehicle Mass (GVM) of 4.5 tonnes or less.
Minor, infrequent and irregular private use	means private use in addition to commuter use or travel that is incidental to travel in the course of an officer's duties of employment. Minor, infrequent and irregular private use attracts Fringe Benefits Tax (FBT).
Responsible Officer	means a Council employee designated by the relevant Manager.
Temporary Commuter Use	is business related commuter use of an allocated vehicle for other than permanent or casual use. Typically, this will involve the authorisation of commuter use for the duration of a "special" project or to undertake a "special" inspection activity. Temporary business-related commuter use must meet the criteria for business related commuter use and the approving officer must specifically assess the cost of alternatives including the option of work redesign.

Related Documents

Reference Number	Document Title
ECM 1068863	Burdekin Shire Council Code of Conduct for Workers
SAQ-OSD-0002	Smoke Free Workplace Operational Standard
SAQ-OSD-0004	Drug and Alcohol Operational Standard
SAQ-POL-0001	Work Health and Safety Commitment Statement
TRN-OSD-0002	Training and Development Operational Standard

Document History and Version Control

Title of Document	Vehicle Policy
Document Reference Number	GOV-POL-0010 Rev 3
Review Schedule	24 months
Council Meeting Date	8 August 2023
Council Resolution Number	1765708