

Motor Vehicles (Councillors) Policy

Policy Type:	Statutory
Functional Group:	City Administration
Policy Owner:	General Manager Governance and Executive Services
Responsible Manager:	General Manager Governance and Executive Services
Corporate Plan link:	Our Engaged Council
Approved By:	Council resolution
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Objective

It is Council's responsibility to ensure that Councillors are not financially disadvantaged when carrying out their duties and responsibilities set out in s12 of the *Local Government Act 2009*.

This policy provides a framework for Councillor use of Council-owned vehicles provided in accordance with the Reimbursement of Expenses and Provision of Facilities Policy.

Statement

City of Moreton Bay (Council), through its Corporate Plan, is committed to providing services that deliver our community's shared vision: *Our Moreton Bay. Amazing places. Natural spaces.*

This policy supports the Organisational Excellence Strategy 2042, particularly *We are good leaders in governance and sustainably manage our finances and assets.*

Council will provide each Councillor with a motor vehicle allowance or a fully maintained motor vehicle for use in undertaking their responsibilities as Councillors (see Councillors Reimbursement of Expenses and Provision of Facilities Policy).

Councillors may use a Council-owned vehicle for private purposes subject to the Councillor reimbursing Council for private use costs.

This reimbursement of private use costs is a payment to Council equivalent to a percentage of the whole-of-life costs for the vehicle as determined by the CEO. This payment by Councillors is based on the percentage of private use as demonstrated by 3 months of completed log books.

Councillors are able to choose, at the time of vehicle replacement/purchase, from the vehicles currently listed in the **Councillor Use Vehicles List** as approved by the CEO. This list is subject to change over time by the CEO in order to ensure value for money when purchasing vehicles for this purpose.

Councillors using a Council vehicle must complete a user agreement.

Generally, only the Councillor, or their spouse/de-facto, may drive the Council vehicle. However, where circumstances warrant, a Councillor may authorise another person to act as a relief driver.

Generally, in such instances the Councillor must be in the Council vehicle while it is driven by the relief driver. This requirement does not apply when the relief driver is transporting the Councillor to and from a location for a work-related purpose.

Driving Requirements

No person is permitted to drive a Council-owned vehicle unless they hold a current driver's licence issued by an Australian State or Territory for the class of vehicle. Any Councillor whose licence is cancelled for any reason shall immediately notify the CEO and will automatically forfeit rights for usage of any Council-owned vehicle for at least the period of licence cancellation.

Drivers in Council-owned vehicles must at all times:

- comply with the law;
- show consideration for others on the road; and
- set a good example to other road users.

Where the Council's insurance is rendered null and void by the actions of a Councillor they may become personally liable for damages including third party vehicles, injury and property damage.

Roadworthiness

It is the Councillor's duty to ensure that the vehicle is maintained in a roadworthy condition. No vehicle is to be driven if there is any doubt as to its roadworthiness. This must be brought to the attention of Fleet Services immediately.

Vehicles shall not be driven in areas where damage may be incurred due to unfavourable conditions.

Drivers must exercise particular care and judgement at all times when driving Council-owned vehicles.

Refuelling of Vehicles

Vehicles are to be refuelled at the Council's preferred supplier's service station or a Council depot using the fuel card issued to each vehicle. Accurate vehicle odometer readings must be recorded when refuelling all vehicles.

Infringements

Council will not be liable to pay any fines, penalties or costs incurred by the driver of a Council-owned vehicle.

The obligation for payment of any fines, penalties or costs resides with the person in charge of the vehicle at the time of the infringement. The Councillor is accountable for determining the driver at the time of the infringement if they were not in charge of the vehicle at that time.

If the actual driver cannot be determined, the Councillor will be held liable for the fines, penalties or costs involved. By default the Councillor is deemed to be using the vehicle at all times.

Storage of Vehicles

Wherever possible, Councillors are to store the Council-owned vehicle after hours within the confines of their residential property, and the vehicle must be securely locked at all times.

Signage

Any signage (temporary or permanent) applied to a Council-owned vehicle must be approved by the CEO prior to its installation on a vehicle.

Smoking in Vehicles

Smoking is prohibited in all Council-owned vehicles at all times.

Changeover of Vehicles

The changeover period for the various types of Council vehicles will be determined by the CEO.

Maintenance of Vehicles

The Councillor must ensure that oil, water and tyres are checked regularly and that the exterior and interior of the vehicle is kept in a clean reasonable condition. Councillors should note that Council will not meet the costs of cleaning the vehicle.

The Councillor must ensure that scheduled servicing is maintained in accordance with manufacturer's recommendations. Fleet will advise the Councillor where the vehicle will be serviced and when it is due. The Councillor may be required to reimburse Council for any costs incurred by Council in cleaning the vehicle, repairing any damage, or deterioration in the condition of the vehicle, as a result of the Councillor's actions, in excess of the Council's reasonable assessment of normal wear and tear.

Accident or Breakdown Procedure

In the event of an accident or breakdown, the procedure outlined in the 'Vehicle User Guide' placed in the glove box of each Council-owned vehicle must be followed.

Replacement Vehicles

Fleet Services will endeavour to source a replacement vehicle in a timely manner if a vehicle is off the road for repairs.

Logbooks

The Councillor will ensure the completion of any logbook relating to vehicle use as requested by Council.

Application

This policy applies to City of Moreton Bay Mayor and Councillors.

Related Documents

Relevant legislation

- *Local Government Act 2009*
- *Local Government Regulation 2012*

Council documents

- Councillors Reimbursement of Expenses and Provision of Facilities Policy
- Councillor Use Vehicle List

Definitions

Term	Definition
Council	City of Moreton Bay / Moreton Bay City Council
Councillor	The Mayor and all Councillors of City of Moreton Bay
City	Moreton Bay City Council Local Government Area
CEO	Chief Executive Officer of Moreton Bay City Council
Private Use	Use of a Council owned vehicle for private purposes

Document Control

Document History			Official Version: 70433072
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Version 1	32-2150-006 (P.09/2373)	1.9.2009	PDF
Version 2		28.4.2010	A9035854
Version 3	Coordination (P.14/191)	18.2.2014	A8605079
Version 4	Coordination (P. 16/2251)	8.11.2016	A13289092
Version 5	General Meeting (MP 20/630)	13.5.2020	A17831339
Version 6	Administrative amendment only: 'Formatting, review date and position titles' Approved by Director Finance & Corporate Services	2.10.2020	A20903363
Version 7	General Meeting (MP 24/517)	24.7.2024	70182920