



Muswellbrook Shire Council

VEHICLE FLEET SAFETY POLICY

Policy No. S5/7



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POLICY OBJECTIVES

Introduction

Most Council staff (and Councillors from time to time) may be required to drive a Council vehicle in the course of their daily duties. This means that these vehicles are “workplaces” in accordance with the Occupational Health and Safety Act 2000 and associated Regulations. Council, as an employer, through its managers, supervisors and staff must all fulfil an active role in managing driver and vehicle safety. Council must ensure that all drivers of Council vehicles and plant are well educated, trained and competent in road and vehicle/plant safety, and that Council vehicles and plant are suitable for the task from a safety viewpoint.

Objectives

All occupational health and safety hazards must be managed; motor vehicle and plant are no exceptions. This Policy and associated Procedures is designed to assist management in;

- Purchasing suitable vehicles and plant
- Preventing driver related incidents involving motor vehicles, medium and heavy vehicles and plant with other road users and the community generally.
- Reducing personal injury and property damage resulting in fewer traumas to staff and their families.
- Reducing vehicle damage thereby reducing repair costs and insurance premiums.
- Providing better value for every ratepayer dollar spent on drivers, vehicles and plant.
- Contributing to an improvement in road safety in the local community.
- Minimising Council's exposure to litigation.

DEFINITIONS

Councillor - a person elected or appointed to civic office, and includes a mayor.

Driver – a staff member or Councillor driving or operating a vehicle or plant owned by Council. (Including a driver, approved by the General Manager, who is a spouse/partner of a Councillor.)

Manager: - includes line managers and supervisors.

Nominated Staff Member: - a staff member responsible for the care, maintenance and repair of a designated vehicle.

Senior Manager: - the General Manager and each Director in Council.

Vehicle: - (Motor) vehicles includes motor bikes, cars, utilities, small trucks, large trucks (requiring a NSW driving licence of the appropriate class), plant requiring WorkCover Certificates of Competency to operate (eg. Backhoe), and mechanical mobile equipment.

POLICY STATEMENT

1. Accountability

- a. Each Director will be responsible for obtaining continuous improvement in fleet safety by leading and coordinating the work of all relevant departments and work areas.
- b. Managers will implement management systems that ensure that drivers are accountable for their driving actions, and that they comply with *Road Transport (various) Acts*, relevant safety and other regulations.
- c. Managers will ensure that drivers hold a current driving licence and that the vehicles are safe to drive.

2. Occupational Health and Safety

- a. Managers will ensure that the provisions of the Occupational Health and Safety Act are implemented in relation to employees as drivers, and to their vehicles as workplaces.
- b. Managers will ensure that contractors have management systems in place to ensure compliance with the Occupational Health and Safety Act and Council's policy and procedures, and are to conduct random checks to ensure that their management systems are operating effectively.

3. Safer Drivers

- a. Managers will ensure that regular or occasional drivers hold the appropriate licence, and have the necessary competence.
- b. Managers will ensure that management systems are established and implemented to detect and rectify inappropriate driver and vehicle safety behaviours.

4. Safer Vehicles

- a. The task for which new vehicles and plant are to be purchased, will have a risk assessment conducted prior to tender or purchase.
- b. All vehicles purchased will have incorporated recognised design safety features. For example, vehicles should be demonstrated to have performed well in recognised crash test research in comparison to other vehicles.
- c. Vehicles will be fitted with recognised and approved safety equipment that is generally available to the fleet market to ensure driver and passenger safety in the event of a major collision, and in dealing with the results of the collision.
- d. All vehicles will be maintained to at least the manufacturers' standards, and to higher standards where government regulations require.
- e. Drivers are to contribute to the maintenance process by conducting regular routine checks.
- f. A culture where drivers will be encouraged to operate vehicles in a manner which optimises the operational and safety performance and resale value of the vehicle(s) will be encouraged.

5. Evaluation

- a. Accidents and incidents will be investigated to determine if appropriate corrective actions are needed to be put in place.

LEGISLATION

- a. Occupational Health and Safety Act 2000
- b. Occupational Health and Safety Regulations 2001
- c. Road Transport (Safety and Management) Act 1999
- d. Road Transport (General) Act 2005
- e. Road Transport (Driver Licensing) Act 1998

VEHICLE FLEET SAFETY PROCEDURES

A Vehicle Purchase, Usage and Maintenance

1) Purchase of Plant and Vehicles

Vehicles and all Plant will only be purchased after a risk assessment of the vehicle/Plant item has been conducted and reviewed by the OHS Committee in consultation with the users. The risk assessment must identify that the vehicle/plant item to be purchased is suitable for the task/s for which they are to be purchased.

The requirements identified in the risk assessment will become part of the tender/purchase documents.

2) Usage

Council vehicles may not compete in any car rally or competition or be used for a private or business commercial activity.

Only authorised drivers are permitted to use Council vehicles and plant. Any unauthorised use may result in disciplinary action. For example, using a Council vehicle for private purposes when not authorised to do so.

All vehicles not participating in the Private Use Scheme shall carry the Council insignia in a conspicuous position.

3) Driver Education

Council recognises that vehicles and plant are now defined as a workplace and as such has a responsibility for the safety of employees. Everyone (drivers/operators and Council) hold responsibility in regards to safe driving.

Unsafe or unlawful practices, including speeding, using drugs and alcohol, failure to wear seat belts, driver fatigue, traffic infringements and driver conduct will be addressed.

The goal is to ensure **Council employees** get home to their family and friends everyday...safely.

4) Vehicle Familiarisation

All drivers will undergo a vehicle/plant familiarisation provided by either the vehicle manufacturer's representative, supplier or qualified driver.

5) Accidents

Any driver in an accident involving damage to another vehicle, property or personal injury must notify their relevant depot vehicle workshop immediately.

Obtain the name, address, licence number and insurance details of the other party, plus names and addresses of any witnesses.

A Vehicle Accident Report must be completed within 24 hours of the accident if possible. Failure to do so may result in disciplinary action.

Do not admit liability or responsibility for the accident. Make no statement(s) verbally or written to the other party(s). Statements are only to be given to the police.

For further details on motor vehicle accident procedures, please refer to Council's Driver Instruction Manual.

NOTE: Personal belongings are not covered by Council's insurance.

6) Accident Investigation and Review

All accidents are investigated by the Property Officer to assist with accident prevention strategies. The relevant Manager or equivalent Supervisor will review all at fault or other accidents referred to them by the Property Officer in accordance with the Motor Vehicle Accident Policy.

7) Vehicle Incident Reporting Process

"Vehicle Incident" can be defined as: Council Officer/Councillor/contractor/member of the public observes or receives a vehicle safety operational breach which may include a "near miss". For example, load not restrained; near miss collision with driver/operator at fault; speeding in Depot; report of a driver driving in a non-safe manner; close contact with power lines.

Because the "action" is considered to be a safety breach, the OHS Coordinator must be informed as soon as possible. This is done by the officer observing/receiving the breach.

8) Vehicle and Plant Maintenance

Council shall service and maintain vehicles in accordance with the manufacturer's recommended service schedules. Drivers and/or operators are to arrange with the relevant Fleet Workshop for a suitable time to present their vehicle for maintenance or repair.

B Driver responsibilities

1) Policy Breaches

Repeated breaches of the policy shall be reported by the employee's Director to the General Manager who may remove the driver from either

Private Use or Take Home privileges, or from driving or operating a Council vehicle, truck or item of plant.

2) Licences - Driver/Operator

All drivers who are required to operate Council vehicles must hold a current NSW driver's licence issued by the Roads and Traffic Authority and/or the appropriate WorkCover Authority and internal licence to operate plant.

Drivers who require a licence to carry out their work and who have had their licence cancelled fully or partially shall immediately notify their supervisor or the General Manager. Failure to notify will be considered a serious misdemeanour which may result in disciplinary action.

All licences of drivers must be presented for viewing to ensure currency. This will be done at least annually by the staff members' Manager. A copy will be taken and included on the staff members' dossier. Staff requiring licence endorsement (use of larger/heavier vehicles) for reasons of work should contact their supervisor.

A person who drives a vehicle as a learner or provisional licence holder must comply with the provisions of their licence.

3) Alcohol and Other Drugs - Drink Driving and Positive Drug Test

A driver convicted of drink driving or under the influence of drugs may be removed from driving any Council vehicle.

A driver convicted of drink driving or under the influence of drugs in association with an accident or who is in breach of any other insurance policy condition (eg leaves the vehicle unlocked and unattended or leaves a key or spare key in the vehicle) will be liable for the full policy excess payable by Council and for all other non-recoverable costs associated with the repair of Council's vehicle and any third party vehicle in the event the insurer should refuse to pay the claim.

4) In Vehicle Communication and Mobile Phone Usage

Hand held mobile phones are not to be used whilst driving. There is a specific charge for this offence under the Road Transport (Safety and Management) Act 1999. Any penalty incurred is the responsibility of the officer driving.

Drivers shall be encouraged to divert their mobile phone to message bank while driving and attend to calls only when the vehicle is parked. Where possible, drivers should pull over when speaking on a hands free phone. If this is not possible then speaking should be kept to a minimum.

The use of two-way communication will be kept to a minimum whilst driving. For extended two way communication, the driver should park the vehicle.

5) Traffic Infringements

All traffic infringements are the responsibility of the driver. **A driver logbook should be kept when the vehicle is in a "pool" situation.**

The nominated staff member, ie the person the vehicle is allocated to, is accountable for any penalty incurred unless the driver can be identified or the vehicle has been reported stolen.

To ensure that the person who incurs the penalty can be identified, the use of Council vehicles is to be logged. A logbook must be maintained for drivers other than the person to whom the vehicle is allocated. The nominated staff member who keeps the logbook should be the person who gives out the key.

6) Vehicle Loads

This information outlines the general responsibilities of Council drivers engaged in the transportation of plant, equipment and materials on Council trucks.

i) General Responsibilities

Drivers are to comply with all Roads and Traffic Authority rules and requirements and with the general requirements of Council's Vehicle and Plant Policy. Drivers will be held responsible for all infringements of the general road rules, eg speeding, failing to give way where required, illegal parking etc.

Council drivers are expected to consider and allow for increased braking distances, changes in the performance, cornering and handling characteristics of their trucks when loaded and to drive accordingly.

Drivers must be aware of the loads to be carried on their vehicles and the requirements for adequately securing them during transportation.

ii) Compliance and Enforcement

Drivers who are involved in any aspect of transporting loads on New South Wales roads have responsibilities under the Compliance and Enforcement Bill (C&E) of the *Road Transport General Act 2005*. This Act prescribes a "chain of responsibility" that places responsibilities not only on the driver but on all parties involved in road transport. This includes the driver's supervisor, schedulers and co-ordinators, forklift operators, loader operators and any other staff involved in the transportation process. The NSW Roads and Traffic Authority has the delegation to enforce compliance.

Whilst the C&E chain of responsibility also involves supervisors and truck loaders, it is generally accepted that in Council it is the driver who is in the best position to exercise the necessary control and influence over loading operations. Drivers must take an active and responsible part in the correct loading of their truck.

Loading a truck correctly places two significant responsibilities on the driver to comply with the requirements of Vehicle Mass Limits and Vehicle Load Restraints, as follows:-

iii Vehicle Mass Limits

Truck drivers must be aware of and accept responsibility for complying with the requirements of the RTA Road Mass Limits for the truck they are operating.

Truck drivers must know the:-

- Gross vehicle mass of the truck - as determined by the manufacturer
- Permissible axle load limits for the truck - as determined by the RTA
- Payload of the truck - calculated by subtracting the vehicle's tare weight from either its gross vehicle mass or from the RTA mass limit for that vehicle's axle configuration, whichever is the lower figure
- Optimum position for the load with regard to the permissible axle load limits

A Load Data Sheet is provided in the cabin of all Council trucks and it is the driver's responsibility to be familiar with the truck's relevant load information and to ensure this information is readily available at all times.

When using a weighbridge, drivers should be aware that the dockets issued only provide the vehicle's total mass. Generally, a weighbridge cannot be used to accurately assess individual axle loadings. It is similar with load cells fitted to load shifting equipment. These attachments can display a progressive total of the weight being loaded onto a truck, but not the separate load placed over individual axle groups.

Most loads carried by Council trucks are not weighed over a weighbridge. Therefore, drivers are required to exercise due diligence in the loading of their trucks. Drivers are expected to check their loaded vehicle's posture prior to moving onto a public road. If a loaded truck looks overloaded, is listing to one side or leaning forward or rearward, the driver must re-position the load, even if this means tipping it off and having it re-loaded.

Compliance with mass load limits requires consultation and co-operation between the truck driver and the forklift, crane or other load shifting equipment operator. In accordance with legislation introduced in September 2005, the RTA investigation into overloading will examine beyond the driver and will include each person's actions during the process leading up to the incident. This includes the supervisor and the loader of the truck.

iv Vehicle Mass Limit Infringements

RTA infringement notices for overloading are always issued direct to the Council as the owner of the truck. A decision as to whether or not the driver will be held responsible for the breach and/or disciplined will be considered case by case by the General Manager.

Factors to be considered in assisting the General Manager may include but not be limited to:-

- Did the driver have access to a weighbridge?
- Was the load put on the truck by a loader or excavator without a load cell?
- For trucks with a GVM of up to 22,500kgs, was the truck overloaded by more than
 - 250kgs on the steer axle?
 - 1 tonne overall?
- Was it possible to determine the mass/m³ of the material and make a reasonable calculation as to the load mass?
- Was the load a rigid load rather than a load of loose material?
- Was the load placed by a crane or forklift in which case the driver had full control of the load's positioning?
- Was there direct instruction from a supervisor that the load was okay to transport as it was?

All determinations will be made in consultation with the driver and the appropriate Union.

v Load Restraints

To improve road transport safety, the NSW RTA has adopted the National Transport Commission's (NTC) Load Restraint Guide. This guide provides technical information for truck drivers, engineers, designers and truck body builders. Council staff must be aware of and comply with the requirements of this guide which may be called up at law.

In all cases, truck drivers are expected to:-

- Supervise the placement of any load onto the truck
- Ensure the load does not exceed the vehicle dimension limits
- Ensure the load is securely restrained to comply with the Guide
- Regularly inspect the condition of load restraint equipment
- Cover all loose loads that are subject to movement by wind during transit
- Drive with load in mind

It is generally accepted that currently there is no effective means of tying down large boulders in tipper bodies. This type of load is to be contained inside the tipper bin so that nothing can bounce or slide out of the truck. Rocks and the like must not be stacked higher than the sides of the truck body. It is also accepted that loose loads of sand, gravel and the like cannot be effectively restrained from spilling out of a tipper bin in a truck rollover situation. However, these loads must be covered to prevent any loss of materials from the bin due to wind during normal transit.

The principles of the NTC's Load Restraint Guide apply equally to drivers of all light commercial vehicles. Loads transported inside a van or on a utility or trailer must be restrained from movement. All loads must be covered and tied down correctly when required.

vi Load Restraints Infringements

RTA Inspectors issue infringement notices for incorrect load restraints direct to the driver of the vehicle.

Council provides adequate load restraint equipment, vehicles fitted with appropriate tie down points and training in load restraint techniques. As Council drivers have all the equipment, knowledge, control and influence to comply with the load restraint requirements they are expected to do so.

For all infringements relating to incorrectly secured and restrained loads, on or in the vehicle, Council will hold the driver responsible. In the case of a dispute the driver may appeal to the General Manager.

vii Container Weight Declarations

The Compliance and Enforcement Bill requires that drivers transporting containers (including ex shipping containers used as site sheds) must carry a Container Weight Declaration (CWD) each time the container is transported on a public road. The CWD must provide:-

- The weight of the container and its contents. It is not an offence to overstate the total weight of the container
- The number and particulars of the container necessary to identify the container
- The name and business address in Australia of the responsible entity
- The date of the declaration

The supervisor consigning the container from the site is to complete the CWD for the driver to carry during the trip.

7) Vehicle Care and Maintenance

All vehicles and plant are to be maintained in accordance with Council's Daily Check Lists and Driver Instruction Manual (including manufacturers' manuals). Vehicles must be presented to the relevant workshop for all servicing on time and in a clean and tidy condition.

All defects must be reported immediately to the relevant workshop. All daily checks must be completed prior to operation.

8) Unfair Wear and Tear

Council reserves the right to pass on the cost of unfair wear and tear to the driver.

9) Smoke Free Workplace

Council has a responsibility under its Occupational Health and Safety Management System to provide and maintain a work environment that protects staff, contractors and visitors from the passive health effects originating from cigarette smoke.

As part of this commitment, a smoking ban applies in any enclosed Council building, structure (such as amenities, mobile caravans etc),

mobile plant or vehicles. Private use vehicles are also included in the smoke free workplace program to reduce the risk of forced passive smoking by any driver or passenger in the vehicle and to encourage safe driving as per Council's Fleet Safety Policy.

C Roadside Service

NRMA membership or equivalent manufacturer's roadside service will be provided for all private use vehicles.

D Fuel Cards

Drivers must observe the following rules:-

- The card is to be used only for the Council vehicle for which it is issued. Using the card for any other purpose is a breach of Council's Code of Conduct and will be grounds for dismissal.
- Council has approved the use of fuel cards for all full private use motor vehicles. Fuelling of "private use" vehicles is to be done whenever possible outside normal working hours. Fuel obtained while on leave is to be purchased using the card. Plan your trips to ensure service station availability (currently Caltex).
- Vehicles issued with cards will not be issued with Council bowser "keys".
- Lost cards are to be reported to the Finance Officer responsible, with a written request for replacement.
- Use the appropriate fuel for the vehicle or plant item.
- To ensure the integrity of Council's fleet database, please ensure that accurate odometer readings are given to the service station attendant.
- Council's lease rate for all vehicles includes a weekly charge for the fuel card that is reviewed annually.
- Where fuel card 'failure' has required an officer to privately pay for fuel which would have otherwise been charged to the Council fuel card then application supported by receipts may be made to the Accounts Payable Officer for consideration of a refund.

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:				
Meeting Date:				
Review Date:	April 2010			
Rescind Date:				