



**DRIVER POLICY**

**2019/2020 FINANCIAL YEAR**



## **1. Aim of the Policy**

To reduce at-fault accident costs and injuries by promoting a safe driving culture within the organisation.

## **2. Objectives of the policy**

2.1 To ensure that staff who drive vehicles in the course of their work demonstrate safe, efficient driving skills and other good road safety habits at all times.

2.2 To maintain all municipality vehicles in a safe, clean and roadworthy condition to ensure the maximum safety of the drivers, occupants and other road users, and reduce the impacts of municipality vehicles on the environment – this also applies to personal vehicles used for work purposes.

## **3. Code of conduct**

3.1 While driving municipal vehicles or own vehicles for work purposes, staff must comply with traffic legislation, be conscious of road safety and demonstrate safe driving and other good road safety habits.

3.2 All drivers must adhere to all their responsibilities as a driver licence holder, i.e. the actions listed in this section are not exhaustive and all traffic laws and conditions of vehicle driver licences will apply.

3.3 The following actions in council vehicles will be viewed as serious breaches of conduct and dismissal may be a consequence:

3.3.1 being under the influence of drugs or alcohol while driving;

3.3.2 driving while disqualified or not correctly licensed;

3.3.3 reckless or dangerous driving causing death, injury or damage;

3.3.4 failing to stop after an accident; or

3.3.5 any actions that warrant the suspension of a licence.

#### **4. Responsibilities as an employee**

- 4.1 Every driver of a municipal vehicle must:
- 4.1.1 ensure they hold a current driver licence for the class of vehicle they are driving, including a PDP if required, and this licence is carried when driving a municipal vehicle;
  - 4.1.2 Within 24 hours, notify their supervisor or manager if their driver licence has been suspended or cancelled, or has had limitations placed upon it;
  - 4.1.3 be responsible and accountable for their actions when operating a municipal vehicle or driving for the purposes of work;
  - 4.1.4 display the highest level of professional conduct when driving a municipal vehicle;
  - 4.1.5 regularly check the oil, tyre pressures, radiator and battery levels of municipal vehicles they use;
  - 4.1.6 comply with traffic legislation when driving;
  - 4.1.7 assess hazards while driving and anticipate 'what if' scenarios;
  - 4.1.8 drive within the legal speed limits, including driving according to the prevailing conditions (emergency vehicles to drive at the appropriate speed based on circumstances);
  - 4.1.9 wear a safety belt at all times;
  - 4.1.10 never drive under the influence of alcohol or drugs, including prescription and over the counter medication if they cause drowsiness;
  - 4.1.11 avoid distraction when driving – the driver will adjust car stereos / mirrors etc. before setting off, or pull over safely in order to do so;

- 4.1.12 report any near-hits, crashes and scrapes to the vehicle to their manager, including those that do not result in injury, and follow the accident procedures outlined in this policy;
  - 4.1.13 report infringements to a manager at the earliest opportunity; and
  - 4.1.14 report vehicle defects to a manager before the next vehicle use.
- 4.2 In addition, it is required that all drivers:
- 4.2.1 take regular and adequate rest breaks;
  - 4.2.2 stop when tired;
  - 4.2.3 plan their journeys, taking into account pre-journey work duties, the length of the trip and post-journey commitments;
  - 4.2.4 must adhere to these rules when driving their own vehicle for the purposes of work;
  - 4.2.5 must seek the employer's agreement before using their private vehicle for work;
  - 4.2.6 must ensure that the vehicle is legally registered, warranted and insured for the purposes of work – the employee must show evidence of this on request;
  - 4.2.7 must not carry loads for which the vehicle is unsuited, nor may they carry more passengers than for which there are seat belts in the relevant vehicle; and
  - 4.2.8 may not use the vehicle in conditions for which it was not designed (such as off-road).
  - 4.2.9 may not transport any private person in council vehicles, unless authorised otherwise by the Municipal Manager or his / her

delegated nominee and with an indemnity. Failure to adhere to this clause will result in disciplinary action being taken against the employee.

## **5. Responsibilities as an employer**

5.1 The employer will take all steps to ensure council vehicles are as safe as possible and will not require staff to drive under conditions that are unsafe and / or likely to create an unsafe environment, physical distress, fatigue, etc. The employer will do this by undertaking the following tasks:

5.1.1 giving priority to safety features when selecting new vehicles;

5.1.2 giving authorisation to take Council vehicles home where appropriate – a yearly schedule must be prepared by the fleet co-ordinator which will include details of all vehicles and drivers authorised to take Council vehicles home – taking home of Council vehicles is subject to the following:

5.1.2.1 the vehicle must be behind locked gates; and

5.1.2.2 the schedule must be signed by the relevant Head of Department to acknowledge and authorise the fact that the vehicle will be on private premises.

5.1.3 Through the fleet co-co-ordinator ensuring all vehicles are well maintained and that the equipment promotes driver, operator and passenger safety by:

5.1.3.1 servicing the vehicles according to manufacturers' recommendations;

5.1.3.2 setting up procedures where employees check vehicles' oil, water, tyre pressures and general cleanliness on a monthly basis, then record the inspections;

- 5.1.3.3 keeping maintenance schedules in the glove compartments of all vehicles, which are completed each time the vehicles are serviced;
  - 5.1.3.4 following the maintenance schedules in the vehicles' manuals; and
  - 5.1.3.5 setting up a procedure to identify and rectify faults as soon as practicable.
- 5.1.4 Regular checking of tracking reports. Regular checking of tracking reports and consistent disciplinary action where non-compliance with policy is observed.
- 5.1.5 Collecting and collating statistics on incidents, accidents and their causes, including:
- 5.1.5.1 the number of accidents;
  - 5.1.5.2 who was thought to be at fault;
  - 5.1.5.3 the probable causes of the accidents and other;
  - 5.1.5.4 contributors, such as unrealistic work schedules;
  - 5.1.5.5 the financial cost of all accidents;
  - 5.1.5.6 the number of prosecutions; and
  - 5.1.5.7 the number of near-miss events
- 5.1.6 Taking into account individual drivers' needs by requiring staff to keep driving logs that are regularly checked by a supervisor / manager.
- 5.1.7 Identifying driver training needs and arranging appropriate training or retraining, including providing:

- 5.1.7.1 a thorough induction to the municipality's road safety policies and procedures;
- 5.1.7.2 driver training opportunities to all staff;
- 5.1.7.3 driver assessment and required training as part of all staff inductions requiring driving duties;
- 5.1.7.4 advanced driver training or specific practical training as required and identified;
- 5.1.7.5 regular staff seminars or refresher meetings on safety features, fatigue, driver responsibility, drink-driving and fuel-efficient driving; and
- 5.1.7.6 driver training log updates on personnel files.

5.1.8 Encouraging better fuel efficiency by:

- 5.1.8.1 promoting a car pool scheme for work car use;
- 5.1.8.2 promoting a workplace travel plan;
- 5.1.8.3 providing training on, and circulating information about, travel planning and efficient driving habits; and
- 5.1.8.4 encouraging the use of other transport and / or remote conferencing whenever practical.

**6. What employees must do if there is an accident in a municipal vehicle**

- 6.1 Immediately stop the vehicle at the scene or as close to it as possible, making sure the vehicle is not obstructing traffic. Ensure own safety first. Help any injured people and call for assistance if needed.

- 6.2 If any person has been killed or injured, call the police and an ambulance immediately. Do not move your vehicle unless it is causing a serious obstruction, in which case mark its position if you are sure there are no injuries.
- 6.3 Report the accident to immediate Supervisor as soon as possible, but within 24 hrs, to a police station and furnish full particulars.
- 6.4 When in an accident with a third party, the vehicles are not permitted to be moved from the scene. A traffic Officer must be contacted to do the relevant measurements, accident sketch and accident report prior to moving the vehicles involved in the accident.
- 6.5 If there is not a third party involved in the accident, the driver must report the accident in writing, to the supervisor within 24 hours or the next working day if the 24 hours falls within a weekend or public holiday.
- 6.6 Under no circumstances admit liability to any person at all or at any time or agree to any payment offered or made to a third party.
- 6.7 Try to obtain the following information:
  - 6.7.1 details of the other vehicle(s) and registration number(s);
  - 6.7.2 name(s), address(es), ID number(s), home telephone number(s) and work telephone number(s) of the other vehicle owner(s) and driver(s);
  - 6.7.3 name(s) and address(es), ID number(s), home and work telephone number(s) of any witnesses, including the occupants of the other vehicle(s) concerned;
  - 6.7.4 name(s) of insurer/broker(s) with respect to the other vehicle(s);



- 6.7.5 The nature and extent of the damage caused to the other vehicle(s) in this particular accident only;
  - 6.7.6 The name, address, ID number, home telephone number and work telephone number and estimated age of any passengers and / or pedestrian(s) involved in the accident and, if possible, details of any person(s) killed or injured, as well as the nature and extent of the injuries.
  - 6.7.7 A description of animals and fixed objects involved in the accident and the name and address of the owner, in the case of animals and also the name and estimated age of any herdsman (men) who tended or drove the animals, as well as the nature and extent of injuries and damage;
  - 6.7.8 Measurements for the preparation of a sketch of the scene of the accident;
  - 6.7.9 Whether or not the road was fenced in on either sides or one side only; and
  - 6.7.10 Any other relevant information
- 6.8 In the event of any third-party admitting liability, endeavour to obtain a written statement from him / her to that effect.
- 6.9 Provide the following information to any other person having reasonable grounds for requesting the information:
- 6.9.1 driver's name and address, municipality details and the number of the vehicle and trip authority number.

- 6.10 If another vehicle that is unattended is damaged, leave a note on the vehicle with driver's contact details.
- 6.11 All accidents need to be reported ASAP to the South African Police Service and a case number must be obtained.
- 6.12 All accidents must within 24 hours be reported to the driver's supervisor / manager.
- 6.13 Report the accident to the Transport Office as soon as possible.
- 6.14 Take photographs at the accident scene if possible.
- 6.15 If a driver of a vehicle is suspected of being under the influence of intoxicating liquor or narcotic drugs, this fact must be brought to the attention of the police or traffic officer present at the scene of the accident with the least possible delay.

## **7. Reporting the accident (other than to the police)**

The driver of a vehicle involved in an accident must make a suitable endorsement in the logbook / log sheet of the vehicle and must without delay complete the accident report form, obtainable from the Transport Officer, and must submit the reports, together with statements by witnesses and other supporting documents, in duplicate to the Transport Office.

## **8. Completion of accident report forms**

The Transport Office must ensure that the responsible Head of Department is notified furnishes by sending the completed incident report.

The Transport Office must arrange for a technical report to be completed in respect of the vehicle concerned.

All completed forms must be submitted to the Transport Officer. The Transport

Officer after ensuring that the necessary forms have been completed and must send the original report forms and all the supporting documentation to the Finance Department which should be directed to Municipal Insurers. A copy of the report forms and supporting documentation must be filed appropriately.

## **9. Accident repairs**

Where repairs are necessary to a vehicle that was involved in an accident, the Transport Office shall, in consultation with the Municipality Insurers, obtain written quotations in terms of Municipality procurement policy and shall arrange the repair of the vehicle where applicable.

## **10. Towing of Municipal Vehicles**

10.1 In the event of an accident within the Midvaal area of jurisdiction which necessitates the towing of a Municipal vehicle, for whatever reason, the driver must without delay contact the Transport Officer or Direct Supervisor who will contact the approved merchant and a towing vehicle will be dispensed to the location of the vehicle.

10.2 The driver of the Municipal vehicle must provide the Transport Officer with the following information:

10.2.1 His / her name.

10.2.2 The Registration number of the Municipal vehicle.

10.2.3 The make and type of the Municipal vehicle.

10.2.4 The location of the breakdown or accident.

10.2.5 The personal cellular number of the driver, if available.

10.2.6 The Kilometre reading of the Municipal vehicles.

10.2.7 The nature of the incident.

10.3 In the event of an accident outside of the Midvaal area of jurisdiction which necessitates the towing of a Municipal vehicles, the driver shall follow steps above.

**11. Motor Claims Procedures**

- 11.1 Make arrangements to safeguard the vehicle following an accident or, in the event of theft, notify the Police immediately.
- 11.2 In the case of an accident, please record full details of Third Party, i.e. name, address, model and registration number of vehicle, Employer, Insurers, etc. This will assist greatly in recovering damages should the Third Party be responsible for the accident, as will contact names, addresses and telephone numbers of witnesses.
- 11.3 Notify Aon immediately by phone, fax, e-mail or visit.
- 11.4 Submit the following Documents:
  - 11.4.1 Fully completed claim form signed by an authorised official of the company.
  - 11.4.2 Quotations / Repair estimates.
  - 11.4.3 Certified copy of both sides of driver's license.
  - 11.4.4 Police report where a third party is involved.
  - 11.4.5 Original Motor Vehicle Cancellation Certificate (In the event of Theft / Write-off).
  - 11.4.6 Vehicle keys (In the event of Theft).
  - 11.4.7 Confirmation of any outstanding fines.
  - 11.4.8 SAP letter confirming non-recovery of vehicle.

- 11.4.9 Copy of the original purchase invoice (In the event of Theft / Write-off).
- 11.4.10 Documentation substantiating any extra's fitted to the vehicle.
- 11.5 If necessary, the Aon Claims Department will arrange the appointment of an Assessor upon receipt of the claim documentation.
- 11.6 Assessor / Insurer will authorise repairs or pay cash in lieu.
- 11.7 Where repairs have been authorised by assessor insurer, the repairer/panel beater will bill insurer direct. However, you will be required to make your own arrangements direct with the repairer for payment of the first amount payable, i.e. policy excess or deductible.
- 11.8 Where a Person is injured, notification must be made immediately to the Road Accident Fund (RAF) and the necessary report form must be completed and sent to them. The contact number for the RAF is (011) 223-0000.
- 11.9 Where a third party is at fault, the insurer may pursue recovery from the third party by way of subrogation if they are liable to pay for damage to your vehicle. Aon will assist with the recovery of your costs up to the point where litigation becomes necessary.
- 11.10 Where your driver was to blame for the accident, report the incident immediately to Aon and do not admit liability. Aon will arrange for the third party to deal directly with the insurance company.
- 11.11 Where the loss / damage may be ascribed to unrest, the driver and passengers (where applicable) should be requested to provide a full statement describing the circumstances in detail, so as to facilitate claims against SASRIA / NASRIA.

**12. When an employee will be liable to pay the excess amount**

- 12.1 An accident is an occurrence which produces loss, damage, death or injury, and which occurred unintentionally and unexpectedly.
- 12.2 An excess is the amount that must be paid by Midvaal to the Insurance before the Insurance will compensate Midvaal for the rest of the loss.
- 12.3 An employee involved in an accident who are found to have been negligent will be liable to pay the excess amount, subject to 12.5 below.
- 12.4 If Midvaal Local Municipality has paid the excess to the Insurance on the official's behalf, the official remains responsible for the amount which will be deducted from his / her salary at month end, subject to 12.5 below.
- 12.5 Special exclusions on excess: Where the percentage of the official's contributing negligence is less than 50% (fifty percent), the official shall not be liable to pay the excess amount. The contributing negligence shall be deemed to be less than 50% when the official can prove that:
  - 12.5.1 he / she acted in the same way a reasonable person would have acted in the same / similar conditions;
  - 12.5.2 she / he did not act negligently; and
  - 12.5.3 provide adequate documented proof to substantiate the special exclusion, or to substantiate another party's majority portion of contributory negligence.