Vehicle rules of use guideline



**Acknowledgement**

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We acknowledge Aboriginal and Torres Strait Islander people as Australia’s first peoples and as the Traditional Owners and custodians of the lands and waters on which we rely. We pay respect to Elders past and present of the lands where we conduct our work and recognise their ongoing contributions as the first educators on the land now known as Victoria.

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Contents

[1. Introduction 1](#_Toc173246332)

[1.2. Private motor vehicle usage 1](#_Toc173246333)

[1.3. Use of private motor vehicle 1](#_Toc173246334)

[1.4. Driver’s license 1](#_Toc173246335)

[1.5. Insurance of private motor vehicle 1](#_Toc173246336)

[1.6. Shared driving 1](#_Toc173246337)

[1.7. Safe motor vehicle use 2](#_Toc173246338)

[1.8. Traffic laws 2](#_Toc173246339)

[1.9. Mobile phones and hand-held devices 2](#_Toc173246340)

[1.10. Vehicle-related incidents and hazardous situations 2](#_Toc173246341)

[1.11. Accident procedures 2](#_Toc173246342)

[1.12. Driver conduct 2](#_Toc173246343)

[1.13. Further assistance 3](#_Toc173246344)

[1.14. Definitions 3](#_Toc173246345)

[2. Managing this guideline 3](#_Toc173246346)

[2.1. Authorisation 3](#_Toc173246347)

[2.2. Accountability for the guideline 3](#_Toc173246348)

[2.3. Important dates 4](#_Toc173246349)

[3. Related documents 4](#_Toc173246350)

1. Introduction

The vehicle rules of use guideline offers direction, and information to assist employees in fulfilling the stipulations outlined in the VCAA travel and expenses policy (referred to as the 'Policy'). This guideline is applicable to all employees using authorised private motor vehicles and/or hire vehicles.

* 1. Private motor vehicle usage

Employees who intend to use their own private motor vehicles for work purposes must first obtain approval from the VCAA. This involves completing and signing the [VCAA Application to use Private Vehicle](https://www.vcaa.vic.edu.au/Documents/workwithus/HR/VCAAPrivateVehicleonOfficialDuty.pdf) form before starting any duties. This form ensures accurate recording of all necessary information regarding the employee’s use of a private motor vehicle during employment, in compliance with the Policy.

Timely submission of this form streamlines the process for work-related travel, ensuring necessary arrangements are made and employees meet criteria for claiming allowances. Additionally, employees signify their agreement with the Policy by consenting to their employment conditions, including adherence to travel and expenses for their designated role.

* 1. Use of private motor vehicle

To request the use of a private motor vehicle for VCAA work-related duties the following conditions must be met:

* the employee must hold a current driver’s license
* the private motor vehicle must be registered in the employee’s name
* the private motor vehicle should have full comprehensive insurance, which includes liability where allowance is sought for the use of a private vehicle
* liability at law for damages and an endorsed indemnity to the employer.
	1. Driver’s license

All employees conducting VCAA work-related duties involving travel must hold a current driver’s license. Employees must notify their manager or authorised delegate, as well as VCAA Human Resources immediately of any changes to their driver’s license status (i.e. the suspension, cancellation, or loss of license).

Under the *Road Safety Act 1986*, drivers may be guilty of an offence if they do not inform their manager or authorised delegate and VCAA Human Resources that they do not hold a valid driver’s license that authorises them to drive a motor vehicle.

* 1. Insurance of private motor vehicle

Where there is an approval for the use of a private motor vehicle (in the employee’s name as the owner), the vehicle must have full comprehensive insurance including liability at law for damages and an endorsed indemnity to the employer. Insurance details must be completed on the VCAA Application and Approval to use Private Vehicle form.

Employees who intend to seek approval to use their private motor vehicle must ensure that the vehicle has a current and full comprehensive motor vehicle policy that:

* specifically includes cover for third party liability
* has an endorsed indemnity to their employer (e.g. the VCAA).

An employee will not receive an allowance for use of their private motor vehicle without full comprehensive insurance cover.

* 1. Shared driving

In the instance where multiple employees share the driving of a private vehicle for VCAA work purposes, all employees are required to complete the VCAA Application and Approval to use Private Vehicle form. This ensures that each driver is authorised and approved to use the private vehicle for work-related travel, and it helps maintain a record of employees permitted to use the vehicle for official VCAA work-related purposes.

* 1. Safe motor vehicle use

Employees using private motor vehicles must take reasonable care for their own health and safety and that of their passengers and other road users.

Drivers must comply with the applicable provisions of the:

* Victorian Government Standard Motor Vehicle Policy
* Victorian Public Service Code of Conduct
* Occupational Health and Safety Act 2004
* Road Safety Act 1986
* Road Transport (Dangerous Goods) Act 1995.
	1. Traffic laws

Employees using private motor vehicles are required to observe all traffic laws, including regulations and legislation relating to all aspects of motor vehicle operation and all provisions under the *Road Safety Act 1986* or other relevant legislation.

* 1. Mobile phones and hand-held devices

Using a mobile phone while driving is prohibited, except where:

* it is secured in a commercially designed holder fixed to the vehicle
* the driver can operate it without touching any part of the phone
* it is not resting on any part of the driver's body.

Using a phone as a navigational device or GPS while driving is prohibited unless it is secured in a commercially designed holder fixed to the vehicle. The vehicle must be safely parked before operating:

* a hand-held mobile phone
* a two-way radio
* a satellite navigation system
* other equipment, other than where exempt under the Road Safety (Road Rules) Regulations.
	1. Vehicle-related incidents and hazardous situations

All vehicle-related incidents and hazardous situations that have an impact on the Occupational Health and Safety (OH&S) of the driver, passenger or public must be reported to the employee’s manager or authorised delegate. Incidents include but are not limited to personal injury and near misses.

* 1. Accident procedures

When a person is injured or property is damaged as a result of a road accident, the driver of the motor vehicle should provide the required assistance and report to the nearest accessible police station. If there are no personal injuries and the owner of the damaged property is present on site, then reporting the incident to Victoria Police is optional. Employees can refer to the Victorian Government Standard Motor Vehicle Policy for further information.

Employees involved in an accident must report the full details of the accident, hazardous situations, injury, vehicle damage and other property damage, to their manager or authorised delegate.

* 1. Driver conduct

Behaviours constituting criminal offences may result in penalties, including suspension or cancellation of the driver’s license, a fine or imprisonment. Victoria Police is responsible for prosecuting criminal offences.

In all instances of identified non-compliance, VCAA Human Resources will liaise with the employee’s manager or authorised delegate to identify and substantiate non-compliant practices. Each case is dealt with individually. Serious breaches of this policy may result in disciplinary action depending on the severity and frequency of misconduct.

The VCAA strongly encourages employees to disclose reportable conduct. If employees have any known or suspected concerns about the appropriateness of someone’s behaviour regarding vehicles, they are urged to make a report to their manager, authorised delegate or VCAA Human Resources.

* 1. Further assistance

For any inquiries or assistance regarding the VCAA vehicle rules of use guideline, please contact: vcaa.hr@education.vic.gov.au

* 1. Definitions

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| Term | Definition |
| **Driver** | Refers to any person authorised to drive a private motor vehicle in the performance of VCAA duties. |
| VCAA Application and Approval to use Private Vehicle  | A form used to request and authorise the use of a private motor vehicle for government business, subject to certain criteria. |
| **Driver’s license** | A valid and current license to drive a motor vehicle issued by the appropriate authority in the jurisdiction in which the holder will drive and appropriate to the type of vehicle to be driven. |
| **Infringement notice** | An infringement notice is a ticket issued to the driver or the vehicle for offences such as speeding and illegal car parking. Infringement notices can be issued ‘on the spot’, attached to a vehicle or sent in the mail. Red light and speed camera tickets are always sent in the mail to the vehicle registration address. A range of organisations can issue infringement notices. If drivers receive an infringement notice, they should not throw it away. The infringement notice contains important information about the alleged offence, fine and the driver’s options. |
| **Vehicle hire** | Refers to any vehicle hired by the VCAA. |
| **Accident claim form** | The form for recording accident incidence and vehicle details. |
| **Odometer** | An instrument for measuring the distance travelled by a wheeled vehicle. |
| **Standard Motor Vehicle Policy (SMVP)** | Whole-of-Government Standard Motor Vehicle Policy. |

1. Managing this guideline

2.1. Authorisation

This guideline is issued under the authority of the Chief Executive Officer.

* 1. Accountability for the guideline

The owner for this guideline is VCAA Human Resources. The owner reports to the Chief Executive Officer on the management of this guideline.

The owner is responsible for:

* development and regular review of this guideline
* development of protocols, processes and guidelines to support implementation
* monitoring compliance of applicable employees, organisational units, and/or locations.
	1. Important dates

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| Date of adoption: | July 2024 |
| Date of last amendment: | July 2024 |
| Date of next review: | July 2026 |

1. Related documents
* Victorian Government Standard Motor Vehicle Policy.
* Victorian Public Service Code of Conduct.
* Occupational Health and Safety Act 2004.
* Road Safety Act 1986.
* Road Transport (Dangerous Goods) Act 1995.