

## INTERNAL POLICY

<b>MOHOKARE LOCAL MUNICIPALITY</b>	
<b>SUBJECT:</b> USE OF MUNICIPAL EQUIPMENT AND VEHICLES	<b>POLICY NO:</b>
<b>DIRECTORATE:</b> CORPORATE SERVICES	<b>COUNCIL ITEM:</b>
<b>DATE APPROVED:</b>	
<b>EFFECTIVE DATE:</b>	

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## **1. PURPOSE**

- 1.1 To regulate the use of official Municipal vehicles and to ensure that they are used in a safe and efficient manner in order to minimise accidents and abuse of vehicles; and
- 1.2 To provide a procedure for accidents and modus operandi for conducting an inquiry into vehicle accidents involving Municipal vehicles.

### **Part 1: Municipal vehicles**

## **2. OBJECTIVES**

- 2.1 The objectives of this policy are-

- (a) to regulate the use of municipal vehicles;
- (b) to ensure that municipal vehicles are used in a safe and efficient manner in order to minimise abuse, loss and damage and decrease expenditure; and
- (c) to provide procedures for reporting and investigating abuse and loss of and damage to vehicles

## **3. DRIVER'S LICENCES**

Every employee who is required to drive a municipal vehicle from time to time must furnish the Municipality with a certified copy of his/her driver's licence and every renewal thereof. Only the credit card type driver's licence is acceptable.

## **4. USE OF VEHICLES AND AUTHORITY TO USE VEHICLES**

- 4.1 No employee may use a vehicle of the Municipality without the express prior approval of her/his immediate supervisor, departmental head or the Municipal Manager.
- 4.2 Approval of a person to use a vehicle must be signified in writing in the logbook of the vehicle concerned.
- 4.3 Nobody may-
  - (a) authorise or permit an employee who does not have a valid driver's license to drive a vehicle of the Municipality;
  - (b) authorise or permit an employee who is apparently under the influence of a stupefying or intoxicating substance, including alcohol, to drive a vehicle or operate a machine of the Municipality;
  - (c) drive a vehicle or operate a machine of the Municipality whilst under the

influence of an intoxicating or stupefying substance, including alcohol, or any drug that induces drowsiness;

- (d) use, or allow a municipal vehicle to be used for any purpose other than undertaking an authorised trip;
- (e) use, or allow a municipal vehicle to be used by any person that is not an employee or councillor of the Municipality without the express prior approval of the manager responsible for managing the Municipality's fleet;
- (f) use, or allow a municipal vehicle to be used to transport persons other than employees or councillors of the Municipality without the express prior approval of the manager responsible for managing the Municipality's fleet and without an indemnity form being completed before the trip;
- (g) use, or allow a municipal vehicle to be used if that vehicle is not roadworthy or properly licensed and insured;
- (h) use, or allow a municipal vehicle to be used for any purpose other than the purpose for which it was designed;
- (i) use, or allow a municipal vehicle to be used to carry a heavier load than the load that it may safely carry according to the manufacturer's specifications;
- (j) use, or allow a municipal vehicle to be used when that vehicle has some or other mechanical or electrical fault that may affect the safety of its users or that of other road users or pedestrians; and
- (k) use, or allow a municipal vehicle to be used to transport employees of the Municipality from their residences/work to work/residences except with the express prior written approval of the departmental head concerned and which approval will only be granted in extraordinary and exceptional cases.

#### 4.4 The authorised user of a vehicle or machine-

- (a) is responsible and accountable for the proper and safe use of the vehicle or machine she/he uses;
- (b) must at all times comply with the prescribed traffic rules, including any speed limits that may be imposed;
- (c) must before her/his journey or work commences, ensure-
  - (i) that the engine oil and water levels, including the water level of the window washer and battery is correct;
  - (ii) that the tyres, including the emergency/spare wheel, are correctly inflated;
  - (iii) that the tread on the tyres, including the spare/emergency wheel, is within

legal limits;

- (iv) that its windshield is clean and free of cracks and its wipers working properly;
- (v) its exhaust pipe does not have holes in it and is complete;
- (vi) that the brakes are fully functional;
- (vii) that the jack and tools necessary for jacking the vehicle up and to loosen and tighten its wheel nuts are in the vehicle;
- (viii) that it has a valid and legible license;
- (ix) that it has enough fuel for the journey to be undertaken; and
- (x) to check the body of the vehicle for dents, scrapes and other defects.

(d) may use such vehicle or machine only in accordance with the manufacturer's specifications and the conditions of any warranty, if any;

(e) may not authorise, permit or instruct any other employee, a councillor or member of the public to use a vehicle or machine assigned to her/him;

(f) whilst he/she is using a vehicle or machine undertake any other journey not stipulated in the trip authorisation except with the express prior approval of her/his immediate supervisor;

(g) transport any person who is not a councillor or an employee or any property that is not the Municipality's property or that of the user of the vehicle or machine or her/his passengers, if any;

(h) diligently complete the logbook of the vehicle or machine after finishing the journey;

(i) must switch off any lights and other electronic equipment, ensure that all windows and doors are properly closed and properly lock the vehicle or machine and when she/he leaves it; and

(j) immediately upon her/his return report any damage or mechanical and electronic problems experienced with the vehicle or machine during the journey.

4.5 The manager responsible for managing the Municipality's vehicle fleet must ensure that a logbook is supplied and maintained in respect of every municipal vehicle. Any employee who drives a municipal vehicle must properly complete the logbook before and at the end of each trip.

- 4.6 The manager responsible for managing the Municipality's fleet must ensure that an adequate supply of trip authorisation forms is available and that every departmental head has a supply of such forms. Departmental managers must ensure that a trip authorisation form is completed for every trip.

## **5. VEHICLE ACCIDENTS AND DAMAGE TO VEHICLES LEFT UNATTENDED**

- 5.1 The driver of a municipal vehicle that was in an accident must, immediately after the accident took place, call a police or traffic officer or request somebody else to make such call. If a police or traffic officer is not available, the driver must as soon as possible report the accident at the nearest police station and obtain the case (MR) number.
- 5.2 The driver of a vehicle may supply her/his particulars and that of her/his immediate supervisor to any person to whom she/he reports an accident and to any other person who may reasonably require such information.
- 5.3 Neither the driver of, nor any passenger in or on, a municipal vehicle that was involved in an accident may admit liability for that accident, neither may she/he make or receive any payment or offer of payment at any accident.
- 5.4 The driver of a municipal vehicle that was involved in an accident or that was damaged whilst left unattended must-
- (a) obtain the names and contact details (including the work and residential addresses and telephone and mobile phone numbers) of any person who was a witness to the incident (if any);
  - (b) obtain the names and contact details (including the work and residential addresses and telephone and mobile phone numbers) of any person who was involved in the incident and who is not an employee (if any);
  - (c) obtain the vehicle registration numbers of every vehicle involved in the incident (if any);
  - (d) as soon as possible after the incident, make a drawing of the scene where the incident took place, paying special attention to the landscape, type of road, incident related obstructive objects on or around the road, road make-up including any fencing and weather conditions at the time of the incident;
  - (e) as soon as she/he arrives at her/his ordinary place of work, report the incident to her/his immediate supervisor and thereafter prepare and submit a written report explaining full details of the incident, including statements of any witnesses (if any) and passengers (if any);
  - (f) within twenty-four hours after the incident, ensure that the employee responsible for insurance claims completes the incident report form and

- submit it to the Municipality's insurer;
- (g) any statements of witnesses and other relevant documents to her/him (if any);
- (h) upon receipt of any summons, subpoena or notice to appear in a court in relation to the incident inform the employee responsible for insurance claims of that fact; and
- (i) submit any notice or claim received from a third party or insurance company in relation to the incident immediately to the employee responsible for insurance claims.

5.5 The person responsible for insurance claims must, as soon as she/he completed the incident report form-

- (a) make arrangements to and obtain a report on the mechanical condition of the vehicle;
- (b) make arrangements to and obtain at least two quotations from different repairing agencies for the repair of the vehicle;
- (c) make arrangements to and obtain the sales and trade-in values of the vehicle; and
- (d) promptly submit an insurance claim.

5.6 The health and safety representative appointed by the relevant departmental head or the manager responsible for managing the Municipality's fleet-

- (a) must investigate any accident involving a municipal vehicle and any damage sustained by a municipal vehicle left unattended and gather such documentary, photographic and other evidence as may be relevant;
- (b) may conduct an inspection of the scene where the incident happened;
- (c) may interview the driver, assessor, third party or any other person with information relevant to the incident;
- (d) may request witnesses to make written statements regarding the incident;
- (e) must establish whether, on the face of it, the driver was on official business when the incident occurred; and
- (f) must submit her/his written report and recommendations to the relevant departmental head or the manager responsible for managing the Municipality's fleet.

5.7 The departmental head or manager responsible for managing the Municipality's fleet must, upon receipt of the health and safety representative's report decide whether, on the basis of the report, disciplinary or any other appropriate action must be taken against the driver.

## **6. ADMISSION OR PROOF OF LIABILITY**

6.1 The Municipality may deduct the amount of damage to a municipal vehicle which was sustained whilst an employee was in control of that vehicle from that employee's salary, if the employee-

(a) agrees in writing to the deduction; or

(b) the damage occurred in the course of the employee's employment and was due to the fault of the employee;

(c) the Municipality has followed a fair procedure and has given the employee a reasonable opportunity to show why the deduction must not be made; and

(d) the total amount of the deduction does not exceed the total amount of the damage.

6.2 The total amount of any deduction in terms of paragraph 18.6.1 may not exceed one-quarter of the employee's pay.

## **Part 2: Use of office machinery and equipment**

### **7. COMPUTER EQUIPMENT**

7.1 The Municipality provides electronic mail facilities to personnel in order –

(a) to improve the Municipality's efficiency;

(b) to enhance the effectiveness of communication; and

(c) to expedite the administration of the Municipality's affairs.

7.2 Electronic mail facilities are not provided for the convenience of, or use by, employees for their own private purposes. The Municipality realises that electronic mail messages, including any attachments to such messages, received and sent using an electronic mail facility supplied by the Municipality are "indirect communications" and therefore may be intercepted in terms of section 6 of the Regulation of Interception of Communications and Provision of Communication-related Information Act 2002 (Act No. 70 of 2002).

7.3 The Municipality may monitor computer activity and particularly electronic mail traffic in the Municipality for the purpose of establishing or keeping a record to establish the existence of facts, investigating or detecting the unauthorised use of the Municipality's telecommunications system or in order to secure the effective operation of the Municipality's telecommunications system.

7.4 No employee may –

- (a) play, view, copy, upload or download computer games on or to any computer in any workplace, whether or not the Municipality supplied such computer;
- (b) supply any electronic mail address of the Municipality to receive electronic mail of a private nature, nor may an employee transmit any electronic mail of a private nature using such an address or by means of any electronic mail facility supplied by the Municipality;
- (c) access the Internet from a computer in any workplace, whether or not the Municipality supplied such a computer, unless she/he had been instructed to conduct research on any subject matter or to find and download a specific document by a person who is competent to give such an instruction;
- (d) at any time view, upload, download or access any offensive material, including but not limited to sexually or racially offensive material, on or from the Internet;
- (e) attempt to change or repair any computer hard- or software or any computer system or computer network infrastructure;
- (f) install a modem in any computer or, when a computer has a modem, connect such modem to a telephone line of the Municipality without the express prior permission of the Municipal Manager;
- (g) install, load, delete or change any computer programme installed on any computer in any workplace whether or not the Municipality supplied such a computer or programme;
- (h) use or access any records, files, folders or documents whether of a private or official nature, stored in any computer or network device other than a computer assigned or supplied to her/him without the express prior approval of –
  - (i) the person to whom such other computer has been assigned or supplied; or
  - (ii) the Municipal Manager;
- (i) change the user name, access code or password to any computer or a computer assigned or supplied to another employee without the express prior approval of:-

- (i) the person to whom such other computer has been assigned or supplied; or
  - (ii) the Municipal Manager;
- (j) move, rename or make any changes to a file, folder, record or document stored on any computer storage device, digital memory or a network device used for storing and exchanging files, folders, records and documents unless she/he –
- (i) is the author of such file, folder, record or document;
  - (ii) is the Municipal Manager or a departmental head; or
  - (iii) acts with the permission or under the express instruction of any person in sub-paragraphs (i) or (ii);
- (k) add a private electronic mail address to any electronic mail account or change or remove an electronic mail address supplied by the Municipality to her/him;
- (l) access or attempt to access a document on any computer, computer system or network device to which she/he does not have the required security access; or
- (m) “lock” a document she/he is the sole author of or collaborated on, for editing or printing without the express consent of her/his departmental head or the Municipal Manager.

7.5 An employee who has been assigned a computer to perform her/his work -

- (a) shall choose a user name and password or other access code for that computer and shall in writing, in a sealed envelope, submit particulars thereof to the Municipal Manager;
- (b) shall ensure that her/his user name and password or other access code remains confidential and shall not disclose particulars thereof to any other person unless instructed to do so by the Municipal Manager or her/his departmental head

7.6 Whenever an employee’s user name, access code or password changes, she/he must inform the Municipal Manager of any such change in terms of paragraph 18.7.5.

7.7 Every employee has a duty to ensure that the integrity of information stored in or on a computer or network device is not compromised.

7.8 The Municipal Manager may, after consultation with managers directly accountable to her/him and the Network/System Administrator, determine the security and access levels of different classes of files, folders, records and documents stored in a computer or network device, and may for this purpose design, approve and implement a document classification system.

7.9 Any file, folder, records and documents, including any electronic mail messages on computer hard drive, including a removable hard disk, compact disk, digital video disk or flash memory found in a work place or issued by the Municipality shall be deemed to be the property of the Municipality.

## **8. TELE- AND MOBILE PHONE AND TWO-WAY RADIO FACILITIES**

8.1 No employee may-

- (a) use any tele- or mobile phone or two-way radio supplied by the Municipality for official business of the Municipality for private business; and
- (b) authorise or permit another person, whether it is a councillor, a co-employee or member of the public to use a tele- or mobile phone or two way radio issued to her/him.

8.2 The Municipality may require an employee to pay for any and all telephone calls of a private nature made by her/him from a telephone issued by the Municipality.

## **9. USE OF DUPLICATING AND TELEFACSIMILE TRANSMISSION MACHINES**

9.1 No employee may-

- (a) use any duplicating machine supplied by the Municipality to make copies of a private nature;
- (b) supply any telefacsimile number of the Municipality to receive telefacsimile transmissions of a private nature; or
- (c) transmit any telefacsimile messages of a private nature using a telefacsimile machine supplied by the Municipality.