

# **PIXLEY ka SEME DISTRICT MUNICIPALITY**



## **POLICY ON VEHICLE USE AND VEHICLE ACCIDENTS**

## **1. PREAMBLE**

The Management of the Pixley ka Seme District Municipality has a Legal, Moral and Financial obligation to protect municipal assets against abuse, which could result in a loss to the Municipality.

These assets include vehicles and are extended to include those vehicles, which are used by the Municipality on an agency basis such as Roads, etc.

The policy excludes those vehicles, which are used subject to specific agreements, such as vehicles used by Councilors, and vehicles subject to specific conditions of employment. It is therefore accepted that where an official or Councilor has access to a vehicle subject to such an agreement an official or Councilor will not have the automatic right to use an official council vehicle. A decision to allow such an official or Councilor to use an official vehicle can only be granted by the Municipal Manager (MM) or Senior Manager (SM).

## **2. AIM OF THE POLICY**

- 2.1 To regulate the use of official Municipal vehicles and to ensure that vehicles are used in a safe and efficient manner in order to minimize accidents and abuse of Municipal vehicles.
- 2.2 To provide a procedure for accidents and modus operandi for conducting an enquiry into vehicle accidents involving municipal vehicles.
- 2.3 To provide a framework for remedial actions to be instituted by management.

## **3. APPLICATION OF POLICY**

This policy will apply to all users of Municipal vehicles, where an official / employee of Council is expected or required to drive during the course of his/ her duties.

This applies to casual, contract as well as full time drivers working for Council.



#### **4. REGULATIONS**

##### **4.1 DRIVERS LICENSES**

Every employee required to drive, will furnish the municipality with a certified copy of his/her driver's license. Only the new credit card type driver's license will be acceptable.

It is the employee's responsibility to renew his/her Drivers License or Public Drivers Permit on the indicated expiry date.

Departmental Managers will ensure that new employees are competent before handing over a vehicle to new employees.

Copies of driver's licenses will be kept on the driver's personal file.

The employee should inform his/her supervisor of any endorsement or restrictions, if any, placed on the driver's license.

If it is discovered that the driver's license was acquired fraudulently, disciplinary proceedings will be instituted.

##### **4.2 USE OF MUNICIPAL VEHICLES**

Municipal vehicles will only be used on for authorized and essential trips on Council business.

Employees' driving municipal vehicles will ensure that the Logbook provided for the vehicle, is properly completed after every trip. Logbooks will be returned to the Departmental Manager or his /her designate after each trip.

Departmental Managers will ensure that a Trip Authorization form is completed for every trip.

Council vehicles are not to be taken home except with the written authority of the Departmental Manager. In that case an employee must ensure that the vehicle is kept in a lock up garage. Where such facility is not available, the vehicle will be parked at a police station or workshops where security is available.

Only Municipal employees on official duty and work related can be carried as passengers in Council vehicles. In instances where private passengers are transported the necessary Indemnity Forms must be completed.

Employees are expected to look after Municipal vehicles and to keep these vehicles in a clean, safe and roadworthy state at all times.

Departmental Managers must inspect vehicles which are in their care on a monthly basis.

All vehicles will be driven in due care at all times.

No intoxicating liquor must be consumed whilst in charge of a Municipal vehicle.

#### 4.3 VEHICLE ACCIDENTS

*A Municipality owned vehicle is involved in an accident, no matter how trivial, and irrespective of whether any person or animal or property, other than the council vehicle is involved. The following procedure will be followed in the event.*

4.3.1 Call police or a traffic officer and if requested to do so supply name and address of the driver of the vehicle to any person having reasonable grounds for requiring this information.

4.3.2 If police or traffic officer is not available, report the accident to the nearest police station as practically possible after the accident.

4.3.3 Under no circumstances should liability be admitted or unguarded statements made to any person or payment offered to a third party.

4.3.4 Should any third party involved admit liability, endeavors should be made to obtain a statement in writing from him/her to this effect.

4.3.5 Should a vehicle driver be suspected of being under the influence of intoxicating substance or narcotic drugs, this fact must be brought to the attention of the Police or Traffic Officer present in the scene of the accident, with the least possible delay and every assistance should be rendered to such police or traffic officer in ensuring that the suspected person is examined by a doctor as soon as possible or be subjected to a permissible alcohol test.

4.3.6 Obtain as soon as possible, preferably at the scene of the accident, at least the following particulars, which are required for completing the accident report form:

4.3.6.1 Registration number, make and type of other vehicle.

4.3.6.2 Name(s) and address of driver(s) of the other vehicles.

4.3.6.3 Name(s) and address (es) of person(s) involved in an accident be it she/he/they/was were passenger/s of the Municipal vehicle's driver or the third party or pedestrian.

4.3.6.4 Name and address of the third party's insurance company.

4.3.6.5 Name, occupation and address, age or estimated age of pedestrian involved in the accident and of any pedestrians killed.

4.3.6.6 Description of animals and fixed objects involved in the accident and the name and address of the owner.

4.3.6.7 Name and address of the witnesses including the occupants of the other vehicles in their capacity as witnesses.

4.3.6.8 Measurements for the preparation of a sketch of the scene of the accident (pace of the distance if there is no scientific tape measure)

4.3.6.9 Note the geographical landscape of the place of accident, type of road, accident-related obstructive substance object on or around the road, road make up including any fencing and weather condition at the time of accident.

#### 4.4 INTERNAL ACCIDENT REPORT

4.4.1 The driver of the municipal vehicle shall, within twenty-four hours after the accident, ensure that the accident report form is completed by the Claims Officer and also ensure that statements by witnesses and other relevant supporting documents e.g. case number are forwarded to the Claims Officer or a Senior Officer in the event of his/her absence.

4.4.2 The Claims Official or her/his superior shall make endeavors to obtain a minimum of two repair quotations from different repairing agencies or write off report, if applicable and trade-off value of the vehicle.

4.4.3 In the event of institution of a legal action by the third party, the driver concern shall upon receipt of summons, subpoena or notice to appear in court pass that information to the Claims Officer or

his/her superior so that the Municipality's insurers may be approached.

4.4.4 Any accident damage or third-party claim received shall immediately be submitted to the Claims Officer.

4.4.5 Any damage made to the Municipal vehicle as a result of an accident involving another vehicle or animal/s or any other object shall be reported to the Claims Officer as soon as possible.

#### 4.5 DUTIES OF THE FLEET MANAGEMENT CLERK

4.5.1 Shall investigate all Vehicle Accidents and gather all documentary, photographic and other evidence relevant to the case.

4.5.2 If feasible the FMC may conduct an inspection of the accident scene.

4.5.3 Shall objectively advise the Head of Department on the circumstances of any vehicle accident and, based on available evidence, whether any further action is recommended in each case.

4.5.4 May interview the driver, assessor, third party or any other person with information relevant to the accident.

4.5.5 Request witnesses to make a verbal/written statement about the accident.

4.5.6 Probe the nature of the trip and granting of authority to the driver.

4.5.7 Shall after completing an investigation on each accident case draw and submit a report to the Head of Department in the following format

4.5.7.1 Introduction

4.5.7.2 Statement case

4.5.7.3 Findings

4.5.7.4 Recommendations

4.5.7.5 Signature

#### 4.6 FRAMEWORK FOR REMEDIAL ACTIONS

4.6.1 All remedial and corrective actions will be subject to and governed by the Municipality's disciplinary procedure.



5. ENFORCEMENT

Municipal Councilors are charged with enforcement of this policy.

Municipal Councilors, Senior Municipal Officials, (level 1-3) Municipal Traffic Officers, Provincial traffic Officers and members of the South African Police Service are authorized to impound or confiscate vehicles driven without the necessary trip authorization.

6. IMPLIMENTATION PROVISIONS

In the event of misconceptions, misinterpretation and misunderstanding of this policy, or any clause contained on this policy, the Municipality reserves the right to give an objective interpretation subject to appeal to Management, which shall give a final judgment of the case.

Any amendment or annulment of this policy shall be done upon submission of a comprehensive motivation by Management to Council which will be entrusted with absolute powers of amending or annulling this policy.

The Municipality shall take proper action that does not deviate from the enshrined order of this policy where this policy falls short, or does not provide a mechanism or a framework for addressing any matter or issue pertaining to the mission of this policy, in order to give effect to the objectives of this policy in particular and to the interests of the Municipality in general.

Notwithstanding the contents of this policy the Municipal Manager shall have the discretionary authority to waive any clause of this policy provided that it is in the best interest of the Municipality to do so.

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**EXECUTIVE MAYOR**

**DATE POLICY APPROVED:**

**16 MAY 2024**

**RESOLUTION:**

**R 2024-05-16 (9.8)**