



Policy Statement

This Policy establishes guidelines on the use and stewardship of all motor vehicles, including heavy machinery procured by the Cook Islands Government for the delivery of public goods and services.

Scope

This Policy applies to all motor vehicles owned or registered as property of the Cook Islands Government, or obtained for the purposes of producing public goods and services. Drivers of all Government vehicles must comply with this Policy.

Motor vehicles are defined as sedans, hatchbacks, single and double cab trucks, SUV's, motorbikes, boats (size/style dependent) and boat motors (refer to the CIGOV Fleet Management Policy).

Heavy machinery includes: excavators, heavy duty trucks, tractors, 'bob cats', loaders (front end and backhoe), trailers, rollers and graders.

Principles

All employers and employees or contractors have a responsibility to ensure the use of Government vehicles are authorised and appropriate.

The Public Service Act 2009 identifies the following values for public servants to adhere to:

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| Honesty | acting honestly, being truthful, and abiding by the laws of the Cook Islands |
| Impartiality | providing impartial advice, acting without fear or favour, and making decisions on their merits |
| Service | serving the people well through faithful service to the Government of the Cook Islands |
| Respect | treating the people, the Government of the Cook Islands, and colleagues with courtesy and respect |
| Transparency | taking actions and making decisions in an open and transparent way |
| Accountability | being able to explain the reason for actions taken, and taking responsibility for those actions |
| Efficiency and Effectiveness | achieving good results for the Cook Islands in an economical way |

The duty to act as a good employer requires employers to develop and implement personnel policies which ensures the fair and proper treatment of employees during employment, including the impartial recruitment of employees, employee capability development opportunities and good and safe working conditions.

Legislation and Regulations

Drivers of Government vehicles must comply with the Public Service Act 2009 and all legislation and regulations applicable to motor vehicle ownership and use in the Cook Islands, or the country of operation - in the case of overseas missions.

Definitions

Agency means any public service department, instrument, or agent of the Government and includes a body corporate or organisation that is wholly owned or controlled by the Crown

Employee is any person who is an employee of the Public Service

Employer means the Public Service Commissioner, Head of Public Service Departments, Crown Agencies, Island Governments, Ministerial Support Offices - or their delegated authority

Vehicles include Sedans, hatchbacks, single and double cab trucks, SUV's, motorbikes, boats (size/style dependent), boat motors and heavy machinery

Public Service Commissioner means the Public Service Commissioner appointed under Article 73 of the Constitution and Section 5 of the Public Service Act 2009

Valid Driver's License must be current with the appropriate class for the vehicle type used, and legitimate in the Cook Islands

Procedures

Employers are responsible for administering this Policy. The employer is responsible for ensuring all policies are easily accessible to employees however, the onus lies with the employee to read, understand and comply with this Policy and other relevant Government policies. Any person who breaches this Policy may have committed an act of misconduct and may be subject to disciplinary action and/or dismissal.

Authorised Use

Employers must approve the use of Government vehicles.

Employers, employees, contractors or approved users are permitted to use a Government motor vehicle or heavy machinery to produce public goods and services. Employers and employees can only use Government vehicles for private purposes, where this is provided for in an employment agreement or contract.

Family members or associates of authorised users are not permitted to drive Government vehicles.

Any breach of this Policy must be justified in a report to the employer and retained for audit purposes.

Conditions of Use

- Government vehicles and heavy machinery must be used for Government business only, unless specified otherwise in agreement.
- The use of Government vehicles and/or heavy machinery for private, commercial or political purposes is prohibited. Any exception **MUST** be approved by the Head of Agency.
- Employers or employees provided with a Government vehicle in their employment agreement must ensure the vehicle is available for use by the Agency when they are not on island. Private use of the vehicle by other employees is prohibited during this time, unless approved by the employer.
- All drivers or users of Government vehicles and machinery must hold a valid and current drivers' licence.
- Smoking and the consumption of alcoholic beverages in a Government vehicle or on heavy machinery is prohibited.
- Driving a Government vehicle or heavy machinery after consuming alcohol beverages is prohibited.

All vehicles and machinery must be:

- Kept secure at all times and cleaned regularly by the approved user.
- Registered, serviced every six months and kept road worthy (Warrant of Fitness) by the Agency.

The operator or supervisor of any plant or machinery is required to conduct a pre-start check at least once daily prior to starting the machine or plant item. A Pre-Start Check book is to be kept in each machine or plant item detailing the date and time, and the components checked e.g. fuel, radiator, oil and any general observations. Supervisors are responsible for confirming this check has been done and the book entries are completed.

Fuel

Employers must ensure that there are procedures in place to control the purchase and use of fuel for government vehicles and heavy machineries. Clear instructions on how to comply with these procedures should be given to all relevant employees.

As a general rule, employers must not authorise the purchase of fuel for personal use, unless this is authorised as a reimbursement for the use of personal vehicles to undertake government business.

Unless authorised by the employer, fuel must only be purchased for government vehicles and heavy machinery.

Fuel must be purchased at an approved fuel depot. When charging fuel to agency fuel accounts each transaction must be recorded in the Depot's register and approved by authorised personnel. Details must include:

- Vehicle registration or identification number
- Litres purchased
- Cost per litre
- Total cost of fuel purchased
- A fuel account statement verified monthly by authorised Agency employees to ensure all fuel purchases are valid, authorised and approved by the employer.

Parking

All necessary security precautions must be taken when parking government vehicles and heavy machinery at all times. All drivers must ensure that the vehicle is not exposed to obvious risks of being damaged while parked e.g. parked under coconut trees.

The same precautions apply to residential parking of vehicles and machinery by authorised employees, who take vehicles home outside normal work hours.

Vehicles and heavy machinery should be parked in government reserved car parks, where available.

Traffic Rules

Authorised drivers must obey all traffic/road laws and rules when operating a government vehicle and heavy machinery. Under no circumstances will government pay any fines related to traffic violations that occurred while an individual was operating a government vehicle or a heavy machine. These are payable by the individual who committed the offence. However, the agency will be responsible for fines relating to conditions of the vehicle such as no warrant of fitness or annual licence.

Accidents and Incidents

Employers must ensure government vehicles and heavy machinery are insured through the Government insurance policy administered by the Ministry of Finance and Economic Management (MFEM). A report of all vehicles and heavy machines including their current book value must be sent to MFEM annually for insurance purposes.

Drivers are required to report any government vehicle accident or incident (e.g. theft) to their employer and the Police Department. If the event involves a Head of Agency, the Public Service Commissioner or relevant authority must be notified.

For insurance purposes, Driver's involved in an accident are required to complete an Accident Report and provide this to relevant authorities as soon as possible. It is the responsibility of the employer to put forward an insurance claim through to MFEM. Only public servants or those contracted to the Public Service are covered for insurance under this policy.

Use the Motor Vehicle Accident Form associated with this Policy (Annex 1).

In the event of an accident where the driver of a government vehicle or heavy machinery is at fault and under the influence of alcohol or drugs, the driver must be personally held liable for all costs relating to the damage of the vehicle or machine.

For more information on health safety in the work environment refer to the Occupational Safety and Health Policy.

Rental vehicles

The use of rental vehicles to deliver government services should not be the preferred option where suitable alternatives exist. Where the employer considers it necessary to rent a vehicle, a rental vehicle should be procured on a short term basis, at the economy available rates.

Privately owned vehicles

It is the responsibility of employees to provide their own transportation to and from their place of work, unless specified otherwise in an employment agreement.

In circumstances where the use of privately owned vehicles is required to deliver government services, reimbursements for the cost of such use must be authorised by the employer, according to one of the options set out below. Reimbursements do not cover travel to and from the employee's normal place of work.

The reimbursement for expenditure incurred is exempt from income tax.

Reimbursement based on a standard rate

- Apply a standard rate per kilometre irrespective of engine size or whether the vehicle is powered by a petrol or diesel engine
- Travel destination and kilometres must be recorded
- Does not apply to vehicles with faulty or no odometers
- Does not apply to vehicles that do not have a warrant of fitness and valid annual registration

Reimbursement based on a fixed standard rate based on travel zones

- Apply fixed rates irrespective of vehicle type, engine size and fuel
- Fixed rates are based on travel within designated zones with the normal place of work being the point of origin – the rate increase with the further distance from the point of origin

Motor Vehicle Procurement

All Government vehicles and machineries procured should be relevant for the functions of the Agency and comply with the Cook Islands Government Procurement Policy and the Government Fleet Management Policy.

Other provisions

All documentation relating to the assignment and use of Government owned and controlled motor vehicles and heavy machineries must be retained for audit purposes.

All records must be kept for at least seven years and only accessible by the employer and/or authorised employees. After the required period, the Department may destroy documentation in adherence with Government official information management policies.

The Office of the Public Service Commissioner is responsible for reviewing and updating this Policy and associated documents.

Associated Documents

Motor Vehicle Accident Form
Government Fleet Management Policy
Occupational Safety Health Policy

Other information

For Policy queries contact the Office of the Public Service Commissioner on phone (682) 29 421 or email: pscinfo@cookislands.gov.ck

Annex 1 Motor Vehicle Accident Report Form

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| Purpose | | This form is to be completed by drivers of Government motor vehicles involved in an accident. All accidents must be reported to the employer and the Police Department | |
| Driver Details | | | |
| Full name (Mr/Mrs/Ms) | | Date of birth | |
| Name of Agency and position within Agency | | Phone (day time) | |
| Driver's license expiry date | | Driver's license class | |
| Please circle/highlight your response to questions 1-5, where 'Yes' has been circled please provide details: | | | |
| 1. Was the vehicle being driven with the employer's approval? | Yes | No | |
| 2. Did you take any medication in the 24 hours prior to the accident? | Yes | No | |
| 3. Did you consume alcohol and/or drugs in the 24 hours prior to the accident? | Yes | No | |
| 4. Was a breathalyser, or blood test, or other test required? | Yes | No | |
| 5. During the last 5 years have you: | | | |
| (a) Had any insurance cancelled or refused? | Yes | No | |
| (b) Had a driving license suspended or cancelled? | Yes | No | |
| (c) Committed, been charged with or convicted of any criminal or traffic offence? | Yes | No | |
| (d) Been convicted of driving while under the influence of drugs or alcohol? | Yes | No | |
| (e) Had any previous accidents or made a claim on a motor vehicle insurance policy? | Yes | No | |
| Accident details What caused the accident? Who was involved in the accident? Who was at fault? Were there any casualties? | | | |
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| Other relevant details | | | |
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