

**THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN**

**BY-LAW 2024-05**

**BEING A BY-LAW TO IMPLEMENT A COMPANY VEHICLE POLICY FOR STAFF**

**WHEREAS** the Municipal Act, S.O. 2001, Chapter 25, Section 11(2) as amended, authorizes a municipality to pass by-laws for a governance structure of the municipality and its local boards; and


**WHEREAS** the Corporation of the Township of Matachewan is desirous of updating the policies related to their employees;


**NOW THEREFORE** the Council of The Corporation of the Township of Matachewan **HEREBY ENACTS AS FOLLOWS:**

1. **THAT** the Company Vehicle Policy attached hereto as Schedule "A" be adopted.
2. **THAT** this By-law shall come into force and take effect upon the final passing thereof.

**READ A FIRST AND SECOND TIME** this 7<sup>th</sup> day of February, 2024.

**READ A THIRD TIME AND FINALLY PASSED** this 7<sup>th</sup> day of February, 2024.

  
Mike Young  
Deputy Mayor

  
Cheryl Swanson  
CAO/Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW 2024-05

SCHEDULE 'A'

# Company Vehicle Policy



## SUMMARY

**The Corporation of the Township of Matachewan** (the "Business") is committed to ensuring the safety of its employees who operate a company vehicle. The Company Vehicle Policy (the "Policy") sets out requirements to ensure that employees operate their company vehicle in a safe and responsible manner.

## SCOPE

**This Policy applies to all employees of the Business who have been provided with a company vehicle.**

## POLICY STATEMENT

### RESPONSIBILITY FOR SAFETY AND SEATBELTS

While operating a company vehicle, you are responsible for your own safety as well as the safety of others who may be affected by your actions. You are required to operate the company vehicle in a manner that is safe and responsible at all times.

Drivers and all occupants must wear seatbelts at all times when travelling in a vehicle; it is the driver's responsibility to ensure all passengers adhere to this rule.

### DRIVER'S LICENSE

Employees must be in possession of a current valid driver's licence and must have authorization from the Business to drive a company vehicle.

Employees may be required to submit their driver's licence information to a nominated third-party online licence check supplier. It is the employee's responsibility to ensure their license details remain up to date. The driver's licence must also be produced for inspection at any time as requested by an employee's manager or the Business.

If, at any time, an employee receives demerit points on their license, the employee is disqualified from driving, or their license becomes invalid for any reason, the Business must be informed immediately. If the employee is required to drive as part of their job and the Business is unable to find alternative employment, the employee's employment may be terminated.

It is the employee's responsibility to ensure that the vehicle is not used by anyone other than the employee. Special written permission must be obtained from the employee's manager for the vehicle to be used by any other person.

## **FITNESS TO DRIVE**

The employee should inform their manager immediately of any change in their health that may affect their fitness to drive. For example, changes in their eyesight may require the use of glasses or contact lenses; muscular problems may affect the use of pedals or the ability to turn one's neck to check for traffic.

Driving while tired or sleepy is dangerous, and employees should, where possible, take a break every two hours in a safe place.

Driving under the influence of alcohol or recreational drugs is prohibited. Employees who are required to take prescription drugs for a medical reason should advise their manager and ensure their ability to drive is not impacted (e.g. drowsiness). If in doubt, the employee should consult their medical practitioner.

If an employee had surgery and received medical advice to refrain from driving for a certain period of time, such advice must be followed, as failure to do so may invalidate the insurance. The employee should also notify their manager.

## **PERMITTED USE**

The Township vehicle/s are to be left inside the Public Works Garage after hours, unless overtime is needed to complete other unexpected tasks.

Subject to the restrictions set out in this Policy, the company vehicle may only be used for the following purposes: business. The vehicle may not be used for the carriage of passengers for hire or reward or for any type of motoring sport, including racing, rallying or pace making, whether on the public highway or on private land.

## **WINTER DRIVING**

During winter, additional driving hazards must be considered, including poor visibility, adverse weather, snow, and ice. The following are recommendations for safe driving during winter weather:

- Check the route in advance
- Allow extra time for the trip
- Reduce speed
- Use dipped headlights when appropriate

## **FIXTURES AND MODIFICATIONS**

Employees may not attach any fixtures, including but not limited to aerials, roof racks, towing apparatuses, or stickers, to a company vehicle without prior written permission. When returning the vehicle to the Business, such

attachments must remain unless adequate rectification work is carried out professionally to restore the vehicle to its former condition.

No changes or alterations may be made to the manufacturer's mechanical or structural specification of the vehicle.

#### **CLEANING, SERVICING, AND REPAIR WORK**

An employee's manager may carry out a vehicle spot check on a random basis. The employee must keep the inside and outside of the vehicle in a clean and tidy condition.

In addition, the employee must ensure that the vehicle is regularly serviced in accordance with the requirements set out by the manufacturer and as specified in the vehicle's maintenance manual. The employee must check tire pressure and tire tread levels, oil and water levels, battery, brake and washer fluid levels on a regular basis.

Any maintenance or repair work, or replacement of parts, including tires, must be reported to the Business so that the repair can be arranged.

#### **SMOKING POLICY**

The Business maintains a smoke-free workplace. Smoking (including the use of electronic cigarettes) is also prohibited in the company vehicle.

#### **DISTRACTED DRIVING**

Under no circumstances should an employee be distracted while driving. This includes eating, drinking, and reading or typing a destination into a GPS device. Wearing headphones, looking at smartwatches, checking maps, and reading documents are also distracting activities that prohibit the safe usage of motorized vehicles.

Distracted driving also includes using a cell phone while driving. It is illegal to use a cell phone while driving, including such activities as making and receiving calls, texting, playing music, and using apps. You should only use the cell phone via a hands-free device such as wireless or Bluetooth. The Business strongly discourages any use of a cell phone while driving. If cell phone use is required, the employee should pull over to the side of the road in an appropriate place.

#### **FINES/TICKETS/OTHER CHARGES**

The Business does not accept responsibility for parking tickets, speeding tickets, or other fines/tickets/charges incurred by the employee while using a company vehicle. The employee is required to pay all fines/tickets/charges without delay.

#### **ACCIDENT OR INJURY**

If an employee is involved in an accident while driving the company vehicle and it causes damage to the vehicle, property, or another vehicle, or injury to any person or animal, the employee is required to provide the following information to any person with reasonable grounds for requiring such information: their name and address, the name and address of the vehicle owner, the registration number of the vehicle, and the name of the insurance company. No further information should be provided. If, for some reason, it is not possible to provide this information at the time of the accident, the matter must be reported to the police as soon as possible and within 24 hours of the occurrence.

In addition, if the incident involves injury to another person or an animal, the employee is responsible for notifying the police and must produce their insurance to a police officer attending the accident or any other person with reasonable grounds for requiring such information. In addition, the accident must be reported to a police station or to a police officer within 24 hours. If the employee is not then able to produce the document, they must produce it to the police station in person within 24 hours of the accident.

A certificate of insurance is provided with each vehicle and renewed annually. It must be in the vehicle at all times.

#### **ACCIDENT PROCEDURE**

The insurers must be notified of all accidents, even if apparently of no consequence. Accordingly, an employee must, as soon as possible after an accident, obtain an accident report form from the Business, which must be fully completed and returned to the Business within 24 hours. All the information required on the form must be completed.

At the scene of the accident, the employee must try to obtain as much information as possible, including the following:

- The name and address of the other driver and the name and address of his/her insurers;
- The names and addresses of all passengers in both the company vehicle and the third party's vehicle;
- The names and addresses of all witnesses. It will be of considerable assistance if statements can be obtained from all witnesses at the time of the accident;
- Particulars of the police attending (i.e. name, ID number, etc.); and
- Photographic evidence (where appropriate)

Under no circumstances may repairs on the company vehicle begin until the insurance company has given its authorization.

An employee should not, under any circumstances, express any opinion on the degree of responsibility for the accident.

The Business monitors the frequency, cause, and types of accidents. This may result in the use of a company vehicle being withdrawn from an employee and/or disciplinary action being taken against the employee.

#### **LOSS OR DAMAGE**

If an employee's company vehicle is stolen, the police and the Business must be informed immediately. Full details of the contents of the vehicle must also be given.

The Business only insures company property; the employee should ensure they make their own arrangements to cover personal effects.

The vehicle should be kept locked when not in use and valuable contents should be stored out of sight, preferably in the trunk.

If the company vehicle is damaged in any way, the Business should be advised as soon as possible.

Repeated instances of loss or damage to the vehicle may result in the use of the vehicle being withdrawn and disciplinary action being taken.

### **VEHICLE BREAKDOWN**

If an employee's company vehicle breaks down, they should contact the company vehicle provider to advise of the vehicle issue and their location. The employee should try to move the vehicle to a safe place while awaiting assistance. The employee should then notify their manager.

### **LICENSE PLATE AND VEHICLE PERMIT**

The licence plate sticker and vehicle permit for the company vehicle will be renewed automatically when due.

### **PRIORITY USE**

The Business has the right to recall a company vehicle at any time should the business have a need for it.

### **PERSONAL LIABILITY FOR DAMAGE TO VEHICLES**

Where any damage to a company vehicle is due to an employee's negligence or lack of care, the Business reserves the right to insist on the employee rectifying the damage at their own expense or paying the excess part of any claim on the insurers.

Repeated instances may result in the use of the vehicle being withdrawn and disciplinary action being taken.

### **COLLECTING AND RETURNING COMPANY VEHICLES**

Upon commencement or termination of employment with the Business, drivers are required to collect or return their allocated company vehicle at the Business's (Public Works Garage). The employee should inspect the vehicle for any damage before taking or returning the vehicle.

### **CONTRAVENTIONS OF THE POLICY**

Contraventions of the Policy may lead to disciplinary action up to and including termination of employment.

### **REVIEW OF THE POLICY**

This Policy will be reviewed and may be amended from time to time based on the needs and experiences of the Business.