



PRRA Motor Vehicle Policy

Date of Issue	Review Date
01/05/2018	31/12/2018
01/07/2018	31/12/2018
22/05/2019	01/12/2020

Purpose

The Pike River Recovery Agency ('the Agency') based in Greymouth provides and maintains a small 4WD commercial vehicle fleet of owned and leased vehicles appropriate for the needs of the Agency's operations. Such vehicles form the Agency's vehicle pool and are available for use by authorised personnel for travel associated with the conduct of the Agency's business / activities only.

As the mine operator of Pike River Mine located within the Paparoa National Park, the Agency provides:

- high specification commercial 4WD vehicles with towing capability for transporting equipment, goods and workers up potentially dangerous and restricted roads, into dense terrain, and around the mine site itself at Atarau
- a passenger van for transporting workers to and from the mine site, and
- for office-based workers two commercial 4WD vehicles available for the purpose of business-only related travel as and when required in their role with the Agency.

The governing legislation places significant obligations on the mine operator as a 'person conducting a business or undertaking'. The Agency has a primary duty of care for people's health and safety at work. As part of the Agency's safe systems of work for travel the Agency provides commercially branded 4WD vehicles and a passenger van with fitted GPS.

Employees or contractors working at the Pike River Mine site or who hold statutory positions are at times required to take an assigned Agency vehicle home in the evenings to ensure they are available to respond at the shortest possible notice in the event of a call out. The vehicle is also available for essential Agency work to maintain a safe and legally compliant mine operation¹, or other emergency work at the mine site at Atarau including responding with urgency to a notification from WorkSafe NZ of unscheduled site inspection(s). These employees are on call 24 hours a day 7 days a week and are required to attend the mine site whenever required as per their individual employment agreements.

Agency vehicles are **not available for personal use**, however staff are permitted to use the assigned vehicle for travel between home and work (for those employees on call) and travel related to business. No Agency vehicle is available to any staff member for their personal use.

¹ Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016.



The purpose of this policy is to ensure all Agency employees, contractors and secondees understand their responsibilities when operating Agency motor vehicles.

To achieve this:

1. For the sake of clarity, Agency vehicles are **not available for personal use**.
2. Drivers of Agency vehicles must be authorised to do so and must hold a current driver's licence with no relevant restrictions.
3. Drivers are fully responsible for the vehicle while it is in their charge.
4. Traffic regulations and bylaws must be observed at all times.
5. All traffic and parking violations and penalties are the responsibility of the authorised driver of the vehicle.
6. Agency vehicles must be driven at safe speeds according to the road conditions and within relevant speed limits at all times.
7. Every courtesy must be shown to other road users and pedestrians.
8. The no smoking policy extends to all Agency motor vehicles.
9. For safety reasons, Agency vehicles should be reverse-parked into designated parking spaces at the mine site and the office in Greymouth so they can be driven straight out. At the mine site, keys should be left in vehicles so they can be moved quickly if required.
10. Agency vehicles are serviced at the manufacturer's recommended intervals and maintained in a roadworthy condition. However, drivers are required to check for obvious defects and report these immediately to their Manager, Chief of Staff or the Mine Underviewer/Health and Safety Manager.
11. Drivers are required to regularly check fuel, tyre pressure and windscreen washer supply.
12. Drivers are required to ensure that vehicle log books are filled in and each entry is signed or initialed.
13. Unattended vehicles must be securely locked.
14. Fitted GPS must not be tampered with in any way.
15. Agency vehicles are clearly sign-written/branded and as such the drivers are representing the Agency when using its vehicles. The expectation is to drive within the road rules and with courtesy at all times.
16. Seat belts must be worn at all times.

Other Expectations

Drivers should refuel their vehicles if showing half full or less.

Drivers travelling on their own for long distances should notify their line manager of their travel plans, estimated arrival time, and actual arrival.



Scope

This policy applies to all employees of the Agency including people seconded to the Agency from other organisations and contractors fulfilling statutory functions working at the mine site (for example: Mine Surveyor and Ventilation Officer).

Help

Staff requiring help or information should contact the Chief of Staff or Chief Operating Officer.

Roles and Responsibilities

Role	Description of responsibility
Chief Executive	Approves this Policy
Chief of Staff	Provides support to Managers and Staff Reviews this Policy annually
Senior Leadership Team/ Managers	<ul style="list-style-type: none">• Are aware of their responsibilities under this Policy and comply• Will take all practicable steps to ensure staff are not required to drive under conditions that are unsafe and or likely to create an unsafe environment, physical or mental distress, or fatigue.• Conduct checks to ensure the vehicle is not used for authorised private use.
Staff including contractors fulfilling statutory role	<ul style="list-style-type: none">• Are aware of their responsibilities under this Policy and comply• Be responsible and accountable for their actions when operating a company vehicle or driving for the purposes of work.• Complete relevant declarations regularly.

Approved drivers

The driver of an Agency vehicle must be an employee of the Agency (secondee or contractor fulfilling a statutory role at the Pike River mine site) and must be fully licensed to drive the classification of the vehicle. Any people who are not employees / secondees or who are unlicensed or who have a learner's licence are not permitted to drive any Agency vehicle.

A colour photocopy of each driver's current licence is to be provided. This will be kept as a record in the employee's / secondee's file. Employees / secondees/contractors shall notify the Chief of Staff or Chief Operating Officer immediately of any change to the status or validity of the licence.

If a driver is unfit or unable to drive because of ill health, suspensions or cancellation of licence, the driver must advise their immediate Manager. The Agency may consider appropriate action in the circumstances if any employee loses his or her driver's licence, where the job required the use of a vehicle and no other arrangements are available. If an employment investigation and disciplinary action are appropriate, this may result in dismissal.



Vehicles

All vehicles have the required safety features fitted and are designated for use to and from the Pike River Mine site and other destinations to conduct the Agency's business/activities. All vehicles are commercial by nature, with most fitted with fire extinguishers. First Aid Kits, seat belt cutters and window breakers are available in all vehicles.

The vehicle designated for 'pool use' to conduct Agency business or activities is booked through Outlook – '[CAR PR GMN TAINUI LJP897 OFFICE <CARPRGMNTAINUILJP897OFFICE@mbie.govt.nz](mailto:CARPRGMNTAINUILJP897OFFICE@mbie.govt.nz)' and has high specifications suitable for use to and from the Pike River Mine site. This vehicle is parked in one of the Agency's designated car parks during the day and after hours as there is no covered secured parking available in Greymouth. The Agency's site is patrolled nightly. All other vehicles are parked off street at employees' residences. A register is maintained of the vehicle details and description including the fuel cards assigned.

Fuel Charge Cards

BP Fuel charge cards should be used for the purchase of fuel, oil purchases, general maintenance and car washes (if required) for Agency vehicles only. Miscellaneous purchases (e.g. milk) are not permitted on these cards unless the designated card is pre-approved by the Chief Executive or Chief of Staff to include this use prior to the card being ordered. This exemption applies only to the mine site due to the remote location and applies to one designated vehicle and assigned fuel card only.

Mobile Phones

It is a traffic offence to initiate or receive calls, texts or emails without the use of approved Mobile Phone Cradles while driving. Drivers must comply with this law at all times.

Odometer Readings

In order to keep accurate records of our motor vehicle fleet, and for audit purposes, it is important that all drivers update the log books to provide up-to-date mileage information at the end of each week.

Inspections

Drivers are responsible for the condition and safe operation of the vehicles. The Agency requires drivers to check the vehicles for obvious defects and report them.

The employee responsible for the small vehicle fleet for the Mine site will inspect the vehicles weekly using the safety check list provided. The Chief Operating Officer/Site Senior Executive inspects the 'pool use vehicle' weekly also using the check list. All completed forms are sent to the Mechanical Superintendent and filed by the Engineering Assistant. More frequent inspections and reports may be required based on heavy use.

Traffic Offences and Accidents

Any traffic violations, infringements or offences of any sort committed by an employee / secondee / contractor, and penalties imposed for these, will remain the sole responsibility of that individual. The Agency will not be liable for any fines or other penalties as a result of vehicle use by its employees / secondee / contractor at any time. The driver of any vehicle who has knowledge of a formal notice of an offence or infringement must notify the Agency immediately.

The employee / secondee / contractor responsible for any vehicle that is involved or suspected of being involved in any accident is to report the accident to their immediate Manager and Chief of Staff in writing as soon as possible. Note: Where the employee is negligent, the employee will be



responsible for payment of the insurance excess, which may necessitate the deduction of monies from wages.

Alcohol, drugs and the like

An Agency vehicle must not be used by any driver who is affected by drugs, prescribed or social, or alcohol. No employee / secondee / contractor can drive an Agency vehicle with a blood alcohol level above the prescribed limit (insurance becomes void), or be under the influence of medication and/or social drugs which may impair performance.

An employee who is found to have driven under the influence of drugs or alcohol will be the subject of the Agency's Disciplinary Procedure which may result in dismissal.

Vehicle speed and GPS monitoring

The speed of all Agency vehicles is monitored and recorded by the fitted GPS units in the vehicles. Reports on the results of this monitoring are made available to managers, the Health and Safety Committee and members of the Management Team. These reports include information for each vehicle about any time at which posted speed limits have been exceeded, by how much, and over what distance.

All cases where speeding is recorded as having occurred for more than 500 metres will be followed up by the line manager concerned with the driver of the vehicle at the time. This will be done as soon as possible, ideally within 24 hours of the information becoming available to the manager.

If speeds less than 10% above the limit have been detected and reported the circumstances may be reviewed in a formal coaching session with the driver concerned (and a record kept of this). Higher detected and reported speeds than this may lead to a formal safety conversation and further action in appropriate cases. In particular, a case or cases of speeding may amount to misconduct or serious misconduct and be dealt with as a disciplinary matter.

As a guideline, the following table sets out thresholds beyond which a single instance of driving above the legal speed limit may be regarded as misconduct.

Legal Speed limit (km/hour)	Speed (at or above)	Percentage over limit	Sustained period (in metres)
50	60	20%	500
60	70	16%	500
70	80	14%	500
80	90	12.5%	500
90	100	11%	500
100	110	10%	500

No smoking

Smoking is not permitted in any vehicle owned or operated by the Agency.



Vehicle use restrictions

Vehicle users must not allow any third party to drive an Agency vehicle (except in an emergency situation).

Misdemeanour

Any employee who does not abide by this policy may receive a written warning on the first occasion. Immediate dismissal could result if an employee is found to be in control of an Agency vehicle whilst under the influence of alcohol or drugs. Subject to disciplinary procedure, dismissal could also result if an employee steals from the Agency or uses an Agency fuel purchase card for private purchases.

If an employee / secondee / contractor causes damage to a vehicle through his or her own negligence, then that employee / secondee / contractor may be required to pay for the repair of the damage. Failure to comply with the above policies may result in the removal of vehicle usage or disciplinary action including termination of employment in serious circumstances.

Reimbursements

Staff (including secondees) using their own personal vehicles to conduct Agency business can seek reimbursement via the Agency's expense claim process.

Vehicle registrations and maintenance

Registration of vehicles is the responsibility of Chief of Staff who will coordinate and arrange payment for scheduled and other maintenance required to ensure the vehicles are roadworthy. The costs of registration, branding of the vehicles, servicing, GPS installation and reporting, warrant of fitness, road user charges and insurance arrangements will be borne by the Agency and is the responsibility of the Chief of Staff.

The Engineering Assistant/Task Manager manages the small fleet on a day-to-day basis and is the first point of contact regarding vehicle maintenance.

Accident management and insurance

In the event of a motor vehicle accident, the driver (if able to do so), is required to:

- Notify the Police if anyone is injured, as soon as possible and no later than 24 hours after the incident
- Obtain the driver name/s, vehicle registration, colour and make of any other vehicle involved regardless of fault
- Not admit liability
- Record details of what occurred (e.g. with a smartphone camera) including a plan of the accident site and
- Report the accident to the Agency as soon as possible including all information relating to the incident for insurance claims and incident reporting reasons
- All arrangements for the vehicle to be removed, if necessary, will be made by the Agency
- Failure to stop or remain at the scene following a motor vehicle accident, may void the Agency's insurance cover covering motor vehicles. In the event a driver leaves an accident without following this policy, and where the Agency's Insurer declines to provide cover as a result of obligations not met by the driver, costs may be recovered from the driver.



Driver education

The Agency provides employees access to 4WD training courses to improve their knowledge and skills in safely operating a four wheel drive vehicle in a variety of hazardous conditions and all weather situations. Please see your manager for more information.

Fringe benefit tax

Fringe benefit tax (FBT) is a tax levied on non-cash benefits provided to employees. For an employee who has a vehicle with personal use allowed as part of their remuneration package (as an example) then the Agency must pay FBT. The Agency does not make available any of its vehicles or the Agency passenger van for private use. To qualify for the work related exemption from FBT, see <https://www.ird.govt.nz/resources/f/a/fab9c941-c8b0-47c7-b7ee-40f4c25035b5/ir409.pdf> for more information.

Declaration

Staff will be asked to make a signed declaration affirming that the Agency vehicle they used during the past six months was used for work-related business and not used for their personal use. These declarations will be filled in the HR files of the relevant staff member for FBT purposes. This frequency will move to quarterly by early 2019.

Quarterly the Agency will also satisfy themselves that the restriction is followed.

Staff will be reminded periodically via e-mail of their obligations and the Agency's expectations regarding Agency vehicles with an acknowledgement required from the staff member. These e-mails must be kept as records for FBT exemption.

Key related policies and documents

- Individual Employment Agreements
- Purchase Card Procedure
- Delegations Policy
- IRD FBT Motor Vehicle notes
- Hazard management plans

Relevant legislation and regulations

- Employment Relations Act 2000, available [here](#)
- Inland Revenue, available [here](#)
- Health and Safety at Work Act 2015, available [here](#)
- Health and Safety at Work Act 2015 (Quarrying Operations and Mining Operations) Regulations 2016, available [here](#)

Measures of the success of the policy

The policy will be monitored by the Chief of Staff and will be measured by the increase or decrease in:

- the number of crashes involving company vehicles
- the number of at-fault crashes involving company vehicles
- the number of traffic infringements received



- the costs of repairs and maintenance
- other financial costs associated with vehicle use.

Consultation processes in developing or reviewing this policy

This policy has been approved by the Chief Executive and must be reviewed at least annually to ensure any organisational changes are accounted for.

Compliance management

The Chief of Staff will oversee the general compliance with this policy. This will include checking that:

- Drivers have been reminded of their obligations in relation to the use of Agency's motor vehicles
- Declarations have been received from staff who have used an Agency motor vehicle
- Random checking of fuel card statements for fuel purchases
- Driver licence details of Agency employees, secondees and identified contractor(s) are held centrally.

Training and communication

All staff should have access to this Policy either by being referred to a hardcopy held on site or via the intranet or the Agency's document management system - MAKO.

Communications will be issued periodically to remind staff of their obligations under this policy, (for example: at team briefs or tool box meetings, and/or in health and safety updates) in relation to the use of an Agency motor vehicle in their care.

Example 1: An example of a written communication notice for a mine-based worker is as follows:
[requires tailoring]

"As you know Agency vehicles are **not available for personal use**, but you are permitted to use the vehicle **for travel between home and work, and for travel related to business**. You have been provided access to the following work-related vehicles:

- Listing of vehicles by registration nos, make and model nos.

As part your employment we may require you to take the Agency vehicle home with you in the evenings to ensure that you are available to respond at the shortest possible notice in the event of a call out/essential Agency work or other emergency work such as attending the mine site at Atarau.

Our motor vehicle policy already makes these restrictions clear, and the policy is binding on you. By signing both copies of this letter and returning one signed copy to the Chief of Staff, you:

- Confirm your understanding and acceptance of the above conditions of using an Agency vehicle;
- Undertake to comply with the motor vehicle policy, and let us know as soon as possible after any event which breaches (or could be perceived by others to breach) the policy.

We take this opportunity to also remind you that the vehicle is fitted with GPS and is **clearly sign-written**. While driving you are representing the Agency, as such we expect you to drive within the road rules and posted speed limits, and with consideration for other road users at all times.



All staff have access to the Agency's policies and procedures held in the document management system MAKO.

Should you have any queries or concerns regarding the use of the Agency vehicle please let your manager or the Chief of Staff know."

Example 2: An example of a written communication notice for an office-based worker is as follows:
[requires tailoring]

"As you know, the Pike River Recovery Agency has made the following work-related vehicle available to you for the purpose of booking the vehicle for business-only related travel as and when required in your role with the Pike River Recovery Agency.

- Listing of vehicle by registration nos, make and model nos.

This and all other Agency vehicles are for business use only and are not available for private use during the week or the weekend unless you:

- Have been authorised by a manager to have a vehicle at hand for work-related purposes and are travelling between work and home; or
- Have any incidental travel while using the vehicle on Pike River Recovery Agency business.

Our motor vehicle policy already makes these restrictions clear, and the policy is binding on you. By signing both copies of this letter and returning one signed copy to Chief of Staff, you:

- Confirm your understanding and acceptance of the above conditions of using an agency vehicle;
- Undertake to comply with the motor vehicle policy, and let us know as soon as possible after any event which breaches (or could be perceived by others to breach) the policy.

All staff have access to the Agency's policies and procedures held in the document management system MAKO."