

SAMPLE POLICY ON THE USE OF COMPANY VEHICLES

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<i>Edition No:</i>
<i>Issued by:</i>
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<i>Effective From:</i>

1. **Purpose:**
To set out policy of *The Company* with regard to the use of company vehicles.
2. **Scope:**
All drivers of Company vehicles.
3. **Policy:**
 - 3.1 Employees operating or driving company vehicles must have the appropriate driving licence for the company vehicle being driven. This licence must be held by the employee at all times on their person while driving the company vehicle ready for presentation on request by the authorities under the Road Traffic Acts.
 - 3.2 *The Company* will not cover the cost of road traffic offences including fines received under the penalty points system. These costs will be borne by the employee regardless of whether the vehicle was being used for private or business use at the time the offences occurred.
 - 3.3 An employee who has been disqualified from driving for any reason may be subject to disciplinary action up to and including dismissal. In addition any breach of this policy could result in disciplinary action up to and including dismissal.
 - 3.4 In extenuating circumstances, subject to operational requirements and at the discretion of *the Company*, in the event of disqualification, *the Company* may allow the employee concerned to make alternative arrangements for the driving of the vehicle at their own cost.
 - 3.5 *The Company* reserves the right to reconsider the allocation of a company vehicle where a breach of this policy occurs or where employees are disqualified from driving for any reason, and/or there is a significant increase in insurance premia.
 - 3.6 With regard to the above, *the Company* reserves the right to insist on the immediate return of a company vehicle if such an offence occurs.

- 3.7 All employees considering appealing an imposition of the penalty points should inform management before any appeal is lodged with the relevant authorities/Court.
- 3.8 It is the responsibility of employees assigned company vehicles to maintain necessary records in order to identify other drivers of their vehicle who may have been responsible for a road traffic offence affecting them or their vehicle.
- 3.9 Employees must request permission from management in advance if he/she wishes to take the vehicle abroad.
- 3.10 Management must be notified immediately if an employee requires a device to be fitted in their company vehicle (e.g. hands free kit) in order to comply with the Road Traffic Acts.
- 3.11 All new and existing employees supplied with a company vehicle must present their driving licence to their manager.
- 3.12 It is the employee's duty to inform their manager immediately of any incidents which occur including any penalty points endorsed on their driving licence. An employer has a duty under their contract of insurance to inform the insurers of any matters related to the insurance. Failure to do so may result in the insurance policy being invalid.
- 3.13 Any driver who loses their driving licence or receives an endorsement must immediately advise their manager as this may have to be disclosed to the insurance company.

4. **Recommended safe driving "best practice":**

- 4.1 Employees must exercise reasonable care when driving. Company vehicles should be maintained in a clean and roadworthy condition and in good operating order. Any defects in the vehicle should be notified immediately to the relevant manager and anything in urgent need of repair has to be taken care of immediately, especially where safety could be compromised.

5. **The Law:**

- 5.1 It will be incumbent on the employee in their use of company vehicles to ensure that all motoring regulations and conditions are strictly adhered to.
- 5.2 All regulations covered under the Road Traffic Acts 2002, and the subsequent expansion of penalty point offences introduced subsequently, should be strictly adhered to

- 5.3 Offences under this Act include: failure to produce a driving licence, failure to be in possession of motor insurance, driving when unfit, driving without wearing a seatbelt, driving while using a mobile phone, breaking the speed limit/speed restrictions, failure to obey traffic lights and driving while disqualified. A list of the offences that incur penalty points has been attached. **It must be noted that this list is by no means exhaustive.**
- 5.4 It is the responsibility of all employees using company vehicles to ensure they are familiar with the penalty points system and Road Traffic Acts.
- 5.5 The company vehicle remains the property of the Company at all times. The company reserves the right to change the vehicle without notice. The company reserves the right to commandeer the vehicle in exceptional circumstances as deemed necessary by the Manager.

6. **Accidents:**

- 6.1 All accidents, no matter how seemingly inconsequential, must be reported to your manager.
- 6.2 If anyone is hurt, call for medical assistance.
- 6.3 Immediately following an accident, stop and investigate what damage might have occurred to the vehicle.
- 6.4 Get the names and addresses of the owner(s) and driver(s) involved, licence number and registration number of the car(s) involved and the names and addresses of any passengers in the vehicles connected with the accident.
- 6.5 Get the name of the other party's insurance company and insurance policy number.
- 6.6 Get the names and addresses of witnesses, if any.
- 6.7. If members of the Garda are present at the scene, note their names and station. If no Garda are present, try to have one called to the scene of the accident.
- 6.8 Express no opinion as to who was at fault. Give no information except as required by Garda.
- 6.9 Sign no statements for anyone except an identified representative of the insurance company covering the company vehicle
- 6.10 Contact your manager within the first 24 hours after the accident so an accident report may be taken.

- 6.11 If any demand, claims or summons is served to an employee involved in an accident asserting liability against the driver, contact your manager immediately.
- 6.12 If the collision involves an unattended vehicle, you must attempt to notify the owner. If that is not directly possible, attach a note to the vehicle asking the owner to contact you. Notify the Garda immediately telling them that you have attempted to make contact with the owner.

Offences incurring Penalty Points and Fixed Charge Notices with effect from 3rd August 2012

OFFENCES INCURRING PENALTY POINTS <i>These are summary descriptions of the offences and not a legal interpretation.</i>	Penalty points on payment	Penalty points on conviction	Fixed Charge €	
			Amount paid in 28 days	Amount paid in next 28 days
Using vehicle (car) without (NCT) test certificate	m*	5	Court Fine	
Driving vehicle before remedying dangerous defect	m*	3	Court Fine	
Driving dangerously defective vehicle	m*	5	Court Fine	
Using vehicle without certificate of roadworthiness	m*	5	Court Fine	
Bridge strikes, etc.	m*	3	Court Fine	
Holding a mobile phone while driving	2	4	60	90
Dangerous overtaking	2	5	80	120
Failure to act in accordance with a Garda signal	1	3	80	120
Failure to stop a vehicle before stop sign/stop line	2	4	80	120
Failure to yield right of way at a yield sign/yield line	2	4	80	120
Crossing continuous white line	2	4	80	120
Entry by driver into hatched marked area of roadway, e.g. Carriageway reduction lane	1	3	80	120
Failure to obey traffic lights	2	5	80	120
Failure to obey traffic rules at railway level crossing	2	5	80	120
Driving a vehicle on a motorway against the flow of traffic	2	4	80	120
Driving on the hard shoulder on a motorway	1	3	80	120
Driving a vehicle (subject to an ordinary speed limit of 90 kms per hour or less) on the outside lane on a motorway	1	3	80	120
Failure to drive on the left hand side of the road	1	3	60	90
Failure to obey requirements at junctions, e.g. Not being in the correct lane when turning onto another road	1	3	60	90
Failure to obey requirements regarding reversing of vehicles, e.g. Reversing from minor road onto main road	1	3	60	90
Driving on a footpath	1	3	60	90
Driving on a cycle track	1	3	60	90
Failure to turn left when entering a roundabout	1	3	60	90
Driving on a median strip, e.g. Boundary between two carriageways	1	3	60	90
Failure to stop for school warden sign	1	4	80	120
Failure to stop when so required by a member of the Garda Síochána	2	5	80	120
Failure to leave appropriate distance between you and the vehicle in front	2	4	80	120
Failure to yield	2	4	80	120
Driving without reasonable consideration	2	4	80	120
Failure to comply with mandatory traffic signs at junctions	1	3	60	90
Failure to comply with prohibitory traffic signs	1	3	60	90
Failure to comply with keep left/keep right signs	1	3	60	90
Failure to comply with traffic lane markings	1	3	60	90
Illegal entry onto a one-way street	1	3	60	90
Driving a vehicle when unfit	m*	3	Court Fine	
Parking a vehicle in a dangerous position	m*	5	Court Fine	
Breach of duties at an accident	m*	5	Court Fine	
Speeding	2	4	80	120
Driving without insurance	m*	5	Court Fine	
Driver of car or goods vehicle not wearing safety belt	2	4	60	90

Driver permitting person under 17 years of age to occupy a seat when not wearing safety belt	2	4	60	90
Driver of car or goods vehicle permitting child under 3 years of age to travel in it without being restrained by appropriate child restraint	2	4	60	90
Driver of car or goods vehicle permitting child over 3 years of age to travel in it without being restrained by appropriate child restraint	2	4	60	90
Driver of car or goods vehicle permitting child to be restrained by rearward facing child restraint fitted to a seat protected by active frontal air-bag	2	4	60	90
Driver of bus not wearing safety belt	2	4	60	90
Using vehicle – (a) whose weight un-laden exceeds maximum permitted weight, (b) whose weight laden exceeds maximum permitted weight, or (c) any part of which transmits to ground greater weight than maximum permitted weight	1	3	200	300
Driver found to be driving carelessly	m*	5	Court Fine	
Drink Driving Offences(In all cases where the BAC is between 50 mg and 80 mg of alcohol per 100 millilitres of blood)	3	n/a	200	
12 Penalty Points = Automatic Disqualification!				
* Mandatory Court Appearance				

This list is for information purposes only and may not be current or up to date. It is each individual driver's responsibility to ensure that he/she complies with all rules that apply and to be knowledgeable on current rules.
Be aware that ignorance of the law is not an acceptable defense.

POLICY ON THE USE OF COMPANY VEHICLES

I acknowledge that I have received a copy of, and understand the contents of (insert company name) policy on the use of company vehicles.

Name: _____

Date: _____