



Use of Company Vehicles

CAGC INFORMATION ALERT

First Published 2004

Canadian Association of Geophysical Contractors

1045, 1015 - 4th Street SW

Calgary, Alberta

T2R 1J4

Phone: 403 265 0045

Fax: 403 265 0025

E-mail: info@cagc.ca

Information Alert

13-04

Disclaimer: Every effort has been made to supply accurate and up to date information in this Information Alert, however, the CAGC assumes no responsibility for the accuracy, adequacy, or completeness of any information presented within and is not responsible for any errors, omissions or outcomes obtained from the use of such information. In the event of any conflict, discrepancy, error, or omission between the information presented in this alert and the applicable current provincial and/or federal legislation, the provisions in the provincial and/or federal legislation will prevail.

The following information is not a definitive guide to government legislation and does not release users of this document from their responsibilities under applicable legislation.

This alert concerns company's which allow company employee's to use company vehicle(s) for non work related use which is outside of the stipulated conditions of use.

By virtue of the old Highway Traffic Act and the new Traffic Safety Act, an employer is vicariously liable for any use of a vehicle that it allows an employee to drive. The fact that an employee agrees in writing to accept strict limits on the use of the vehicle does not exclude the employer from liability. Click on the link listed below to take you to the summary of the case:

http://www.millerthomson.ca/pdf/AB_Case_Mugford.pdf

Note: Use of company vehicles outside of work hours is not uncommon. If a company does not have a policy concerning the use of company vehicle(s) which stipulates the conditions of use and who is responsible for what, it is recommended that the said company develops a policy concerning this area, communicates the said policy to the employee's and have the policy signed off on by the management and employee(s) using the vehicles. In addition, it is recommended that employee's who use company vehicles in non work related activities; receive periodically, a third party defensive driving course (i.e. AAA half day seminar, Mission Possible, etc.), as a condition of use of the said company vehicle(s).