

02

DRIVING CONDITION

Sober driving

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**VISION
ZERO** RISKS
ACCIDENTS
DEATHS



LE GOUVERNEMENT
DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de la Mobilité
et des Travaux publics

Alcohol



The risks associated with alcohol consumption at work are occupational risks in their own right. Occupational health and safety obligations for employers and employees therefore also apply in this area. A third of fatal traffic accidents are alcohol-related, so action must be taken!

The Highway Code provides for severe penalties:

For a blood alcohol level (‰ = grams of alcohol per litre of blood) of	
greater than or equal to 0.5 ‰ and below 0.8 ‰	serious offence, fine of €145 issued by the police and removal of 2 points from the driving licence
greater than or equal to 0.8 ‰ and below 1.2 ‰	serious offence, court record, fine of up to €500 and removal of 4 points from the driving licence
greater than or equal to 1.2 ‰	criminal offence, court record, fine of €500 to €10,000, immediate withdrawal of the driving licence as well as removal of 6 points, prison sentence of 8 days to 3 years



Note that, in some cases, the legal blood alcohol limit is 0.2 ‰. This applies specifically to driving licence applicants, drivers under the age of 18, drivers on probation, accompanying drivers during accompanied driving and professional drivers.

The owner, keeper or caretaker of a vehicle, who has allowed a person to drive while intoxicated, is liable to the same sanctions as the driver. Therefore, if the employer is the owner of the vehicle, they are potentially liable to the same sanctions.



Legal and illegal drugs



The use of certain drugs poses a danger to driving, as their effects directly impact the driver's behaviour and reflexes and can last for more than 24 hours..

Consuming these substances can impair the abilities needed for safe driving, particularly due to their therapeutic effect or other undesirable effects such as:

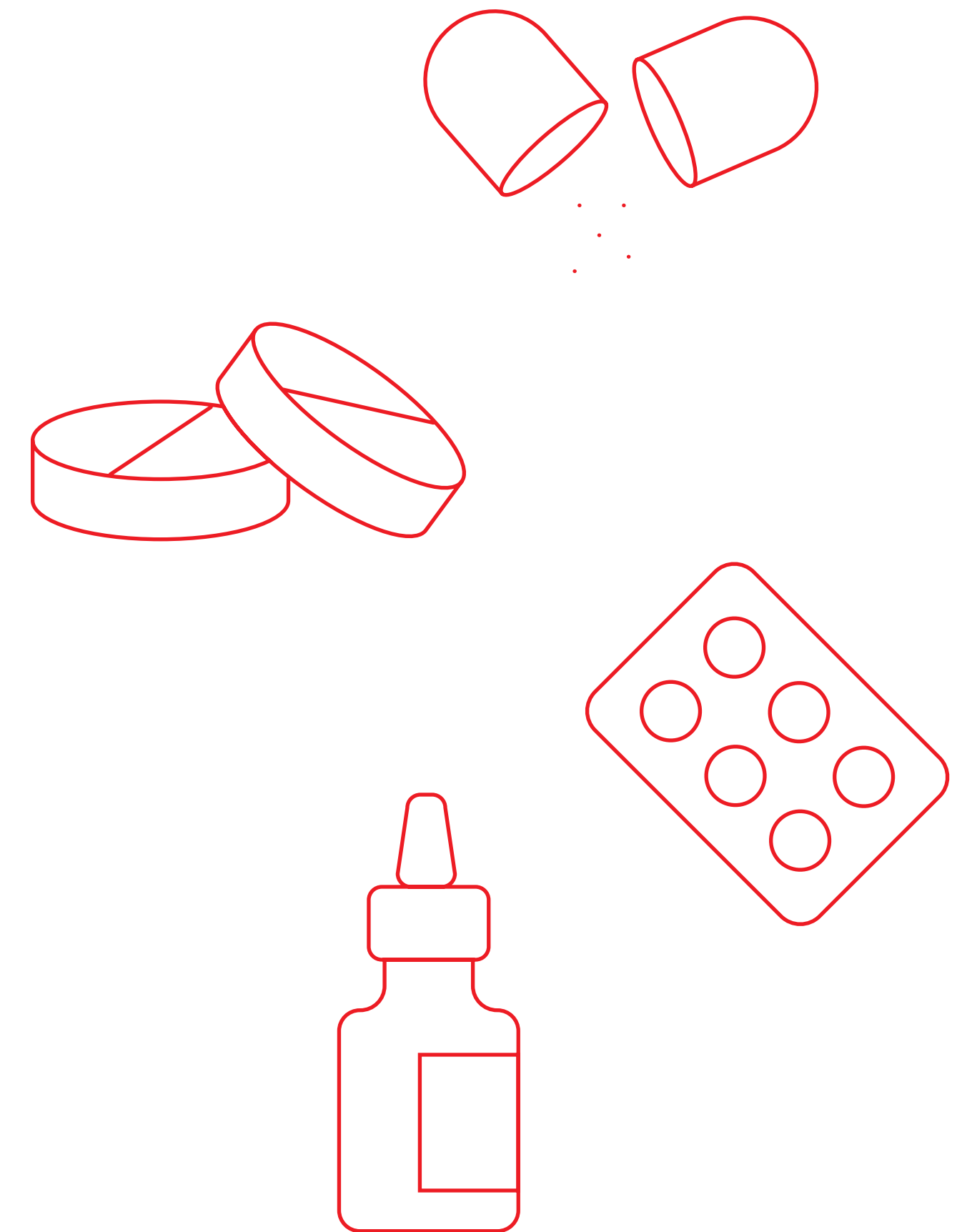
- Sedative effect (reduced alertness, decreased reflexes);
- Behavioural disorders (loss of sense of danger, aggressiveness);
- Perceptual disorders (vision and hearing impairment);
- Coordination disorders (tremors, involuntary movements);
- Awareness disorders (loss of consciousness, hallucinations).

The effect of medicines on driving may be influenced by other factors, such as individual sensitivity, fatigue or the consumption of other substances.

Medications that present a risk or affect alertness include sleeping pills, tranquillisers, stimulants, antihistamines (allergy treatment) and certain painkillers.

The influence of certain medicines on driving

Safe driving requires all perceptual, motor, cognitive and sensory functions.



Legal and illegal drugs



Each medication comes with a leaflet containing important information, including potential side effects and precautions to be taken. Check the leaflet for any warnings about driving.

Medications packaged in France signal the risk as well as the level of risk by a pictogram on the outer packaging.



Be careful

Do not drive prior to reading the information leaflet.



Be very careful

Do not drive without consulting a healthcare professional.



Caution, danger: do not drive

To resume driving, seek medical advice.

Note that if your medication has been packaged in another country, it may pose a risk to driving without it being mentioned on its outer packaging. The risk associated with driving is specified in all cases:

- In the summary of product characteristics (SPC), under the heading “effects on the ability to drive vehicles or use machinery”.
- In the information leaflet, under the heading “drivers and machine operators”, where it is subject to a special warning.

Discuss safe driving with your medical doctor or pharmacist. Also mention any non-prescriptive medicines you may be taking.

The influence of illegal drugs on driving

Driving under the influence of illegal drugs is a **criminal offence**. Although the use of cannabis is allowed under certain circumstances, it can affect your ability to drive a vehicle or operate machinery.

For this reason, a THC level of 1ng/ml in the blood is an offence according to the Luxembourg Highway Code. Depending on the amount and frequency of cannabis consumption, the body may take more than 24 hours to eliminate THC from the bloodstream after the last dose, before returning to a blood THC level below 1 ng/ml.



The employer's role in dealing with alcohol, legal and illegal drugs



When it comes to business travel, i.e. travel undertaken as part of the insured person's professional activity, the employer is obliged to require their employees to drive soberly and without harmful substances. When it comes to journeys between the workplace and home, it is also in the employer's interest to raise employees' awareness to this issue.

As a reminder, a commuting accident is not covered by AAA if the insured person caused the accident or contributed to it through gross negligence.

In addition, damage caused by a driver who has consumed illegal drugs, narcotics, hallucinogenic substances and/or alcohol above the legal limit is not covered by insurers' general terms and conditions.

Some tips regarding alcohol, legal and illegal drugs:

To prevent the risk:

- Raise **awareness** among all employees about the risks of alcohol, illegal drugs and certain medications, for example through posters or by organising an internal or external information workshop (health and safety service).
- Include a **prohibition clause** in the employment contract.
- Establish and disseminate **internal regulations** (specifying, among other things, the attitude that employees should adopt with regard to psychotropic substances).
- **Train supervisory staff** in managing this risk.

To manage a risky situation:

- **The employer must act** as soon as an employee's behaviour gives the impression that they are clearly unable to perform their work safely for themselves or others. The employee must then be removed from the workplace in accordance with a predefined internal procedure.
- For employees sent home, a **safe journey home** must be arranged.
- Anyone under the influence of alcohol and/or legal or illegal drugs at the workplace **must remain under supervision** at all times to prevent any discomfort.

