

03

COMMUNICATING WHILE DRIVING

The bare minimum

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**VISION
ZERO** RISKS
ACCIDENTS
DEATHS



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

Need for communicating



Using a mobile phone while driving is a major challenge in accident prevention. Telephoning while driving triples the risk of an accident. Texting, using apps or social media even multiplies the risk by 23, as the driver takes their eyes off the road for several seconds. Phone use accounts for 10% of road traffic accidents causing injury.

Penalties

Road users who do not comply with the Highway Code risk

A fine of €74

In case the driver does not comply with the prohibition on using devices that impair traffic noise perception (such as headphones and other earphones, wired or wireless. However, the use of a single earpiece is allowed.)

A fine of €250 and the withdrawal of 4 points from the driving licence

- If the telephone equipment is not securely fixed in the vehicle or embedded in the protective helmet.
- If the vehicle is in motion, i.e. not parked nor in a parking area, the driver holds or operates a mobile electronic device with a screen (mobile phone, smartphone, tablet, etc.).
- If the vehicle is in motion, i.e. not parked nor in a parking area, the driver uses the permitted functions of a mobile electronic device with a screen other than by the vehicle's integrated hands-free system.
- If the vehicle is in motion, i.e. not parked nor in a parking area, the driver uses the driving or navigation assistance functions of a mobile electronic device with a screen that is not fixed in a holder specifically designed for that purpose.

For more information, please check the campaign
“Kuckt op d'Strooss” which gives information on mobile phone
use while driving

[www.transports.public.lu/en/plus/campagnes/2024/
kuckt-op-d-strooss](http://www.transports.public.lu/en/plus/campagnes/2024/kuckt-op-d-strooss)

and the FAQ: Keep your eyes on the road.

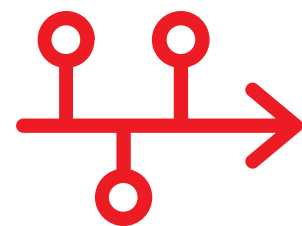
www.transports.public.lu/en/plus/faq/handy-um-steier

Need for communicating



A company’s need for communicating while its employees are travelling on its behalf is not necessarily immediate. All communication can and indeed should wait while the employee is driving. There are, however, some tips on how to combine concentrated driving and meeting the company’s need for communicating.

Here are some examples:



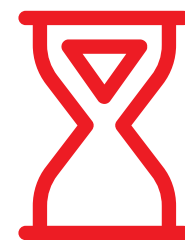
Organisation

Organise the tasks before setting off to reduce the need for communication.



Focus

Let your voicemail answer for you so you don’t miss a call. Activate the “car mode” or “driving mode” functions on your mobile phone or tablet.



Planning

Schedule breaks to check your messages and make any necessary callbacks.



Safety

Listen to messages when you have stopped in a suitable place (car park, parking space, rest area, etc). On the motorway, stop at designated areas and never on the hard shoulder. Even if you witness an accident, use your mobile phone only when you have stopped and are in a safe place.



Need for communicating



Nowadays almost every employee has a mobile phone. It is a great communication tool that can also be used for work-related communication.

Employers must henceforth provide answers to the following questions:

- Are employees provided with business mobile phones?
- Are company vehicles equipped with integrated communication devices?
- Is there a real need for the company to communicate with employees during their assignments or for employees to communicate with the company?
- Does the need for employees to be called while travelling to and from the company have to be contemplated?
[E.g. a call before arriving at the office, while employees are still on their way, to clarify some details of a meeting scheduled for the start of the day.]

If the answer to any of these questions is "yes", then the employer has communication needs and should, in consultation with their employees, establish rules for managing mobile communication devices as well as draft a protocol for communicating safely.

The **communication protocol** should set out certain rules for using mobile phones in accordance with the Highway Code.

Example of a communication protocol



Article L. 312-1 of the Labour Code requires employers to ensure the health and safety of employees in all aspects of their working activity.

The head of company must therefore take all necessary preventive measures to make sure employees travel safely for work. They may be held liable, particularly if, at the time of an accident, the employee was on the phone with the company.

As the driver of the vehicle, the **employee** is subject to compliance with the Highway Code and is **criminally liable**.

For this reason

The employer is committed to:

- Regularly raising **awareness** among employees about the dangers of using mobile phones while driving.
- **Clearly displaying the ban on communicating while driving**, whether for professional or private use.
- **Requiring employees to use** the “car mode” or “driving mode” functions on **their mobile phones** to protect themselves from the dangers of using a phone while driving.
- **Requiring the use of mobile phones exclusively when safely parked in a suitable location** [car park, rest area].

Company employees are committed to:

- **Taking part in the employer’s awareness campaign** on the dangers of phoning while driving.
- **Using “car mode” or “driving mode” on their mobile phones** to protect themselves from the danger of using a phone while driving.
- **Scheduling professional and private calls** and check their messages **only when safely parked in a suitable location** [car park, rest area].

In the event of either party failing to comply with one or more of the commitments set out in the communication protocol, a **dialogue and exchange process** will be initiated.

Embedded navigation devices



The sat-nav (satellite navigation) or GPS (Global Positioning System) is only a driver assistance system. You are always responsible for the decisions you make.

In the same way as a phone, the sat-nav can be very useful and assist you while driving. It can even help you avoid stressful situations, provided that you carefully follow a few basic rules.

What the law says

A navigation system (sat-nav, mobile phone or tablet) that is not integrated into the vehicle can restrict the driver's field of vision. It must therefore not exceed 20 cm. It must be securely fixed to the dashboard, to the pillar on the windscreen either on the driver's side or on the inside of the windscreen, so that no part of the device protrudes beyond the permitted area, as shown in the image below. Distances are measured parallel to the windscreen. In case of an inclined windscreen, the distance of 14 cm is measured vertically from the dashboard.

A few tips:

- Always programme your sat-nav before setting off.
- If you need to change your route or find an address, do not double park or stop at red traffic lights, but stop at a suitable location (car park, parking space, rest area, etc.). On the motorway, stop at designated areas and never on emergency lanes or stops.
- Turn down the radio volume so you can hear all the instructions given by the sat-nav.

