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COMPANY AND PRIVATE VEHICLE

Good technical condition

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**VISION
ZERO** RISKS
ACCIDENTS
DEATHS



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

Purchasing suitable vehicles



Company cars, official cars and service cars, these are terms used to describe company vehicles that are registered in the name of a legal entity (usually the company). In Luxembourg, they account for some 25% of all vehicles on the road. To these must be added light commercial vehicles, such as vans, dump trucks or flatbed vans, as well as lorries and buses, to name but a few.

The vehicle which is used to transport teams, loads and equipment or to travel to meetings, is part of work equipment for the company. As with all work equipment, the vehicle must be suitable for its intended use and meet a number of requirements, including safety requirements.

Here are some criteria for purchasing a company vehicle:

- The size of the vehicle and its load capacity to ensure it is suitable for its intended use
- The number of seats;
- The type of fuel and engine (electric, hybrid, diesel, petrol, LPG/manual or automatic transmission);
- The expected maintenance costs and resale value;
- The vehicle's unladen weight and payload
[the maximum authorised weight also determines the category of driving licence required to drive the vehicle];
- The access height and headroom of the vehicle
[to facilitate loading and unloading and to allow standing room if necessary];
- The rear opening system (tailgate or doors);
- Suitable interior fittings.



Purchasing suitable vehicles



Besides basic equipment, such as seatbelts, ABS and airbags, which are fitted to virtually all vehicles, additional equipment is available to improve safety and working conditions, as listed in following examples.

For safety:

- Intelligent speed adaptation;
- Reversing radar and other manoeuvring assistance;
- Overload warning light;
- Tyre pressure monitoring systems;
- Lane departure warning systems and automatic braking;
- Technologies to reduce potential blind spots;
- Warning devices to prevent collisions with pedestrians and cyclists;
- Load restraint systems [e.g. partition between the load compartment and the passenger compartment, lashing points, etc.].

For working conditions and comfort:

- Navigation assistance;
- Automatic gearbox;
- Adjustable seats and steering wheel;
- Air conditioning and heated seats.



Securing



When loading any vehicle, it is essential to ensure that loads are properly distributed and secured.

This requirement of the Highway Code applies to all vehicles. Take, for example, a laptop weighing 3 kg:

In a head-on collision at 50 km/h, the impact force of a 3-kg laptop will be equivalent to 80 kg!

So make sure you remove all items from the interior of your car and store them in the boot.

For heavier and bulkier loads, measures must be taken to secure, lock or lash down the load properly. This is essential not only to maintain integrity of the load, but also to guarantee the the safety of the driver and other road users.



AAA has produced several **publications** on this subject, including a lashing calculation ruler and **brochures entitled “Matériel d’arrimage”** [Lashing equipment] and **“Le vrac sur camion benne”** [Bulk on tipper trucks].

PPE and other equipment



The Luxembourg Highway Code stipulates that users of motorcycles, mopeds or similar vehicles must wear approved protective helmets. The use of protective gear, such as trousers, boots, jackets, gloves, etc., although not mandatory, is strongly recommended.

For certain types of vehicles, the company needs to provide employees with personal protective equipment (PPE). This is particularly the case for work involving travel by **bicycle** or other **mechanically propelled two-wheeled vehicles**. The risk assessment will determine the need to provide protective helmets, in accordance with the provisions of the amended regulation of 4 November 1994 on minimum safety and health requirements for workers' use of personal protective equipment at work (règlement grand-ducal modifié du 4 novembre 1994 concernant les prescriptions minimales de sécurité et de santé pour l'utilisation par les travailleurs au travail d'équipements de protection individuelle). The use of PPE to visually signal workers' presence will also be analysed.

PPE must also be taken into account for activities related to loading, unloading and securing. The risk assessment will determine, for example, whether gloves and/or protective footwear must be worn during these activities.

Other safety equipment is mandatory in all vehicles travelling in the Grand Duchy of Luxembourg:

- Warning triangle [mandatory];
- Safety vests [mandatory];
- First aid kit [depends on risk analysis];
- Icescraper, brush and other scrapers [the driver must have good visibility on the road];
- Fire extinguisher [on a case-by-case basis, in order to comply with the obligations of the Labour Code art. L. 312-4 and, where applicable, with the agreement on international transportation of dangerous goods by road].

Note that other equipment may be required when driving abroad.

In Germany, for example, a first aid kit is mandatory.

If your vehicle breaks down on a traffic lane, immediately turn on your hazard lights. Then, all passengers must put on a safety vest before exiting the vehicle to move to a safe place. Place the warning triangle at a distance of at least 30 metres from the broken-down vehicle. On the motorway, the warning triangle is not compulsory if the hazard warning lights are on, it is preferable to quickly reach a safe spot behind the safety barrier.



Company vehicle, shared or individual



Let's give a brief definition to understand the difference between a company car and a service car:

A **company car** is a vehicle that can be used for both business and private purposes.

A **service vehicle** is strictly reserved for business use.

Company vehicles are generally assigned to individual employees. They are often leased vehicles, which the employee will keep until the lease contract expires. A company car can be used to travel to and from work, carry out professional assignments and move privately.

When it comes to safety, it is important to identify who is responsible for the vehicle's insurance costs, roadworthiness inspection, maintenance, etc., and above all, who is liable to have the vehicle serviced, maintained and inspected within given deadlines. In practice, the company will usually cover the costs but is the beneficiary employee who is responsible for having the necessary maintenance and inspections carried out to keep the vehicle in good working order.

Unlike company cars, **service vehicles** are exclusively reserved for business purposes. The vehicle may be assigned to a single employee or to a shared fleet. A service vehicle is generally parked in the company car park outside working hours but may be used for journeys between home and work with the employer's consent. It must not be used for private purposes.

When it comes to safety, the employer is responsible for the technical condition of the vehicle and must cover the costs. Employers are free to put in place appropriate arrangements to meet this obligation. For example, they may entrust vehicle maintenance to certain employees or to a "fleet manager". In this case, it is advisable to put down in writing the precise tasks incumbent to employees with regard to vehicle maintenance.



Maintenance, servicing, roadworthiness inspection and tyres



Vehicles must be maintained to prevent breakdowns and ensure their safety. Vehicle maintenance can predictably be divided into three main categories: routine maintenance, periodic maintenance and roadworthiness inspection.

Routine maintenance refers to frequent, minor maintenance tasks such as adding windscreen washer fluid or keeping the vehicle clean.

Periodic maintenance is carried out by a professional according to the maintenance schedule provided by the manufacturer. The vehicle's maintenance log usually indicates the frequency (e.g. yearly) and/or mileage (e.g. every 20,000 km) due for maintenance.

Roadworthiness inspection (MOT) is carried out by an approved roadworthiness inspection body for the vehicles concerned. During the inspection, the body checks that the vehicle is in good condition and does not compromise road safety when in use.

Besides scheduled maintenance and inspections, additional repairs must be considered in the event of a breakdown or vehicle failure.



Maintenance, servicing, roadworthiness inspection and tyres



Routine vehicle maintenance includes minor checks and repairs that must be carried out frequently, for example:

- Check tyre wear and pressure.
[Most petrol stations are equipped with “AIR” terminals where you can check the pressure of your tyres and inflate them.]
- Monitor the levels of engine oil, power steering fluid, coolant and windscreen washer fluid. In most cases, vehicles are equipped with warning lights that indicate when levels are low.
- Check and replace windscreen wiper blades.
- Make sure that the vehicle is clean. Cleanliness is not just a matter of comfort. A vehicle with clean headlights, windows and windscreen, both inside and outside, ensure good visibility, which is essential for safety. Both number plates (front and rear) must also be clean to ensure that they are clearly legible at all times.

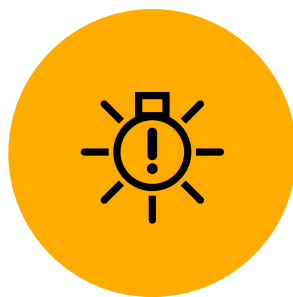
In most cases, vehicles are equipped with warning lights to signal problems.

If an orange light comes on, consult the car manual for instructions and safety precautions.

If a red light comes on, stop immediately and call for roadside assistance.



Fuel reserve reached



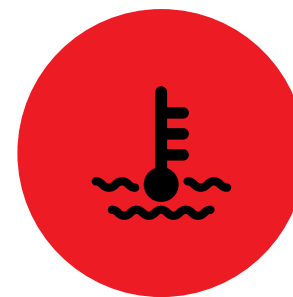
Faulty bulb



Engine oil level too low



Windscreen washer fluid too low



Engine overheating (coolant)



Brake problem



Maintenance, servicing, roadworthiness inspection and tyres



Periodic maintenance, also known as vehicle servicing, must be carried out by a professional in accordance with the manufacturer's maintenance schedule. Most importantly, the maintenance schedule must be followed, which requires good organisation. A regularly maintained vehicle is less likely to break down and stands a better chance to pass a roadworthiness test (MOT), thus avoiding additional inspections.

All motor vehicles, trailers and articulated lorries subject to registration and driven in Luxembourg must pass periodic **roadworthiness inspections**, which are carried out by approved roadworthiness inspection bodies in Luxembourg.

The deadlines for roadworthiness inspections of motor vehicles (including driving school vehicles with a maximum authorised weight not exceeding 3,500 kg), **motorcycles** and **trailers** (maximum authorised weight between 750 kg and 3,500 kg) are as follows:

- **First periodic inspection: 4 years after the vehicle was first put on the road;**
- **Second periodic inspection: 6 years after the vehicle was first put on the road;**
- And **every year** thereafter.

The following are subject to **annual** roadworthiness inspections:

- Heavy goods vehicles and trailers weighing more than 3,500 kg
- Vans
- Vehicles intended for the transport of persons, with no more than 9 seats including the driver's seat, registered as taxis, rental cars or ambulances

Some categories of vehicles registered in Luxembourg are not subject to periodic roadworthiness inspections, but to travel on public roads, they must have a valid conformity sticker issued by the Société Nationale de Circulation Automobile - SNCA (National Society for Automotive Traffic).

In addition to periodic roadworthiness inspections, inspections are also mandatory e.g. for vehicles that have undergone modifications which alter their technical characteristics, major repairs following an accident, a transformation or repair of the chassis, or upon special notice.



Maintenance, servicing, roadworthiness inspection and tyres



Following papers must be presented at a roadworthiness inspection (MOT):

- Proof of a valid insurance
- The registration certificate (only part 1, which is grey, is required as a document to be kept in the vehicle)
- A valid tax disc
- The certificate of conformity (for vehicles first registered on or after 1 February 2016)
- The previous roadworthiness certificate (if available)

The roadworthiness inspection body is entitled to **refuse to conduct the inspection** if the required **vehicle documents fail to be presented**.

If the inspected vehicle fails for one or more non-compliances with the Luxembourg Highway Code, the owner is required to carry out repairs or bring the vehicle into compliance. In that case, an inspection certificate is issued that is valid for **4 weeks**. The vehicle owner will be required to remedy the deficiencies and submit the vehicle to a follow-up roadworthiness inspection test within 4 weeks.

During this four-week period, this certificate will cover the vehicle in Luxembourg for travel:

- Between the inspection centre and the location where the vehicle will be immobilised, repaired, brought into compliance or destroyed
- Between the inspection centre and the vehicle owner's or holder's registered office or residence
- Between the vehicle owner's or holder's registered office or residence and the location where the vehicle will be immobilised, repaired, brought into compliance or destroyed

After the defects are repaired or the non-compliance is corrected, a new roadworthiness inspection certificate is issued by the approved body.

The **roadworthiness inspection certificate** will be issued to the person who brought the vehicle for inspection, provided that no major problems are detected.

There is a procedure on www.Guichet.lu for submitting a vehicle to the periodic roadworthiness inspection.



Maintenance, servicing, roadworthiness inspection and tyres



Tyres

Tyres are the contact point between the vehicle and the road: they transmit speeding up, slowing down and changing directions. Since the contact surface with the ground is very small, the quality of the tyre is crucial for road holding and therefore for safety.

There are three main types of tyres: summer, winter and all-season. There are also more specialised tyres such as “run-flat” tyres, special tyres for 4x4s and studded tyres.

All tyres fitted to a car or van must be of the same type and have the same structure, either radial or diagonal. Tyres fitted to twin wheels must also have the same external diameter. However, the Highway Code accepts that tyres may be of different brands.

The **minimum depth** of the main grooves across the entire width of the tread of a tyre must be at least 1.6 mm, except for mopeds and towed vehicles, for which a depth of at least 1.0 mm is required.

Penalties

Drivers who use one or more tyres on a road vehicle that do not have sufficient tread depth risk a fine of €145 and the loss of 2 points on their driving licence.



Maintenance, servicing, roadworthiness inspection and tyres



Winter tyres are a safety asset as soon as the temperature drops below 7 °C. Thanks to their low-temperature rubber compound and strongly grooved tread pattern, these tyres perform better on ice and snow.

In the Grand Duchy of Luxembourg, driving a motor vehicle in winter conditions is only allowed with winter tyres that comply with regulations and are fitted on all wheels of the vehicle. Winter conditions are defined as black ice, packed snow, slush, ice or frost on public roads. Winter tyres must bear the letters “M.S.”, “M+S”, “M&S” or the “alpine symbol” .

This provision applies to all drivers, regardless of the country in which the vehicle is registered, and therefore to vehicles in transit and to cross-border employees. For heavy goods vehicles, buses and coaches, it is sufficient to fit winter tyres on the driving axles. The same applies to motorhomes with a maximum authorised weight exceeding 3,500 kg.

Note: when travelling abroad, remember to check regulations in force. In some regions, only tyres bearing the alpine symbol may be authorised as winter tyres. This symbol, also known as 3PMSF [Three Peak Mountain Snow Flake], identifies genuine winter tyres and is not usually found on all-season tyres.

Penalties

Drivers who drive a motor vehicle on public roads without the required tyres risk a fine of €74 and having their vehicle immobilised on the spot.

Tyres with the deepest tread must always be **fitted** to the rear axle, regardless of the vehicle’s drive type (front-wheel, rear-wheel or four-wheel drive). Some tyres have a mandatory direction of rotation. When changing tyres, make sure these are mounted correctly.

Even though the law requires a minimum tread depth of 1.6 mm, it is not recommended to use winter tyres with a tread depth of less than 4 mm or summer tyres with a tread depth of less than 3 mm. Below this limit, the tyre loses its effectiveness. A new winter tyre usually has a tread depth of 8 mm.



Maintenance, servicing, roadworthiness inspection and tyres



The age of the tyre can be determined by the DOT code on its sidewall. In the example below, the reference “0825” gives the date of manufacturing, i.e. the 8th week of 2025. This piece of information is important because the tyre rubber hardens with time, which affects the tyre’s grip on the road. Tyres that are more than 6 years old should therefore never be used.

The quality of a tyre deteriorates even when it is not used. Monitoring the state of a tyre is therefore key to ensure its optimum lifespan. If it has a tear or a bulge on its sidewall, it must be replaced immediately.

Run flat: term used to describe tyres that can continue driving after a puncture.

Name of manufacturer

Tyre width in mm.

The height-to-width ratio of the tyre as a percentage. Here, the height of the sidewall corresponds to 55% of 205 mm.

Tyre type: R means radial tyre.

Rim diameter in inches [1 inch = 25.4 mm].

Maximum speed rating of the tyre. For example, V means 240 km/h.

Marked M+S [mud+snow].

Load capacity index per tyre, e.g. 91 = 615 kg.

ECE mark for European standard.

The “alpine symbol” indicates that the tyre is suitable for winter use.

Tubeless = without inner tube [Tube type = with an inner tube].

Manufacturing date.

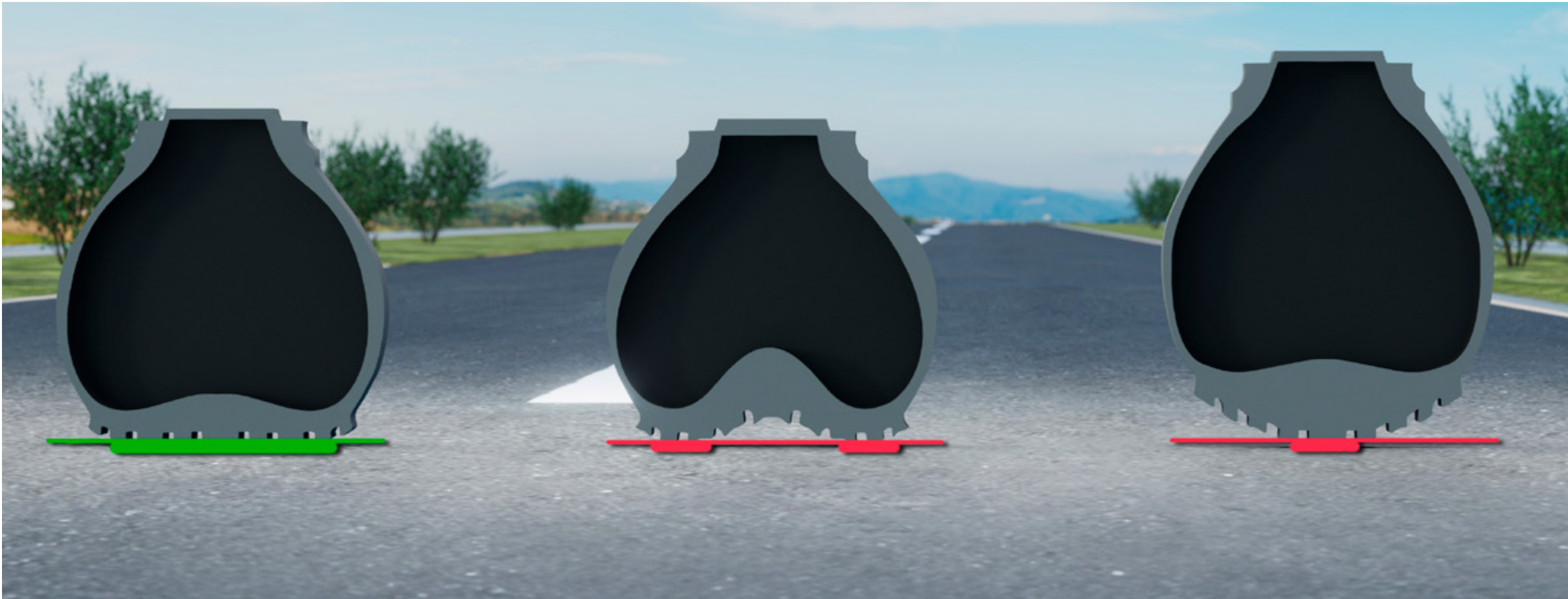
Maintenance, servicing, roadworthiness inspection and tyres



Tyre pressure should be checked regularly when the tyres are cold [at least once a month and before long journeys]. Follow the recommendations of the vehicle manufacturer. After each pressure check, ensure that the valve caps are in good condition and place them back properly. Don't forget to also check the pressure of the spare wheel.

	1 bar kg/cm ²	psi	1 bar kg/cm ²	psi	1 bar kg/cm ²	psi	1 bar kg/cm ²	psi
205/55 R16 91 V	2,0	29	2,3	33	2,4	35	2,7	39
225/45 R17 91 V	2,0	29	2,3	33	2,4	35	2,7	39
225/40 R18 91 W	2,3	33	2,6	38	2,6	38	2,9	42
1 bar = 100 kPa								

Example of a tyre pressure inflation table



Normal pressure

Pressure too low

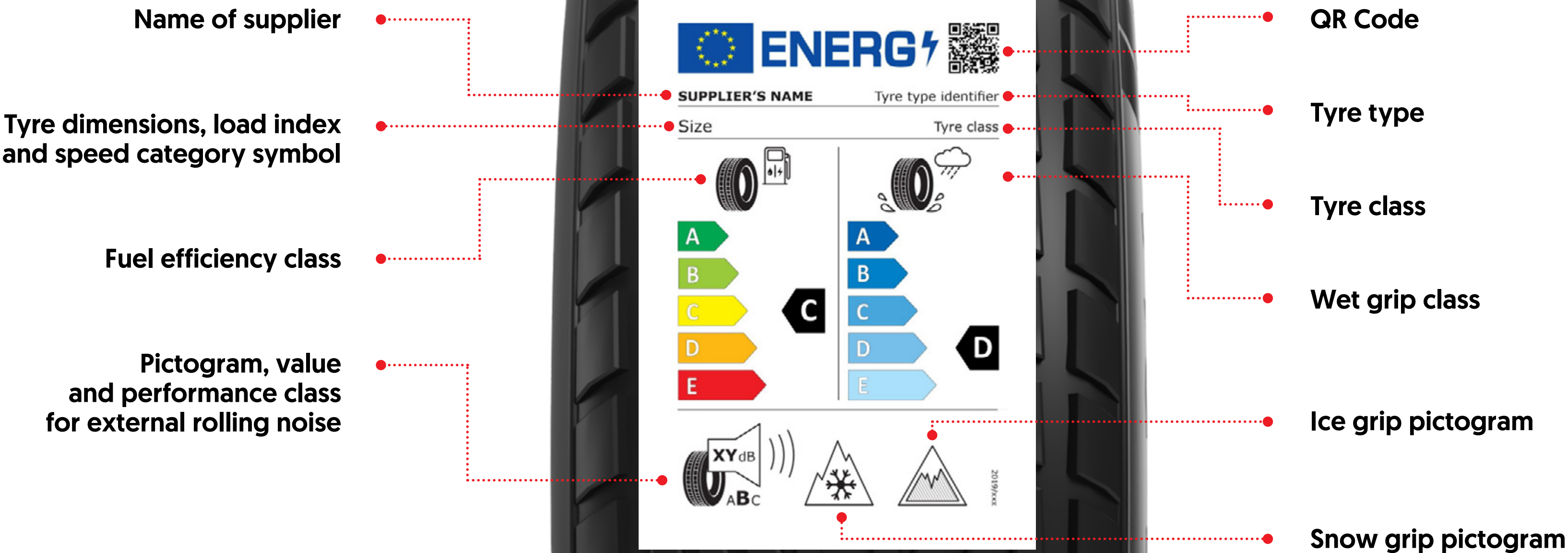
Pressure too high

Maintenance, servicing, roadworthiness inspection and tyres



European Regulation (EU) 2020/740 of 1 May 2021 establishes a framework for the provision of harmonised information on tyre parameters through labelling, to enable end users to make an informed choice when purchasing tyres. Its aim is to increase safety, health protection and the economic and environmental efficiency of road transport.

This labelling introduces, for example, some changes to the wet grip classes and additions such as pictograms, which indicate whether the tyre is intended for use in snowy and/or icy conditions. It is meant to help the end user to identify and purchase tyres specifically designed for winter conditions.



Vehicle paperwork and logbook



Managing vehicle paperwork and other relevant documents is a task in its own right that falls to the company.

The papers that must always be kept on board the vehicle include:

- The driver's licence for the suitable category;
- The certificate of conformity (for vehicles registered for the first time after 01.02.2016);
- The registration certificate (only part 1, which is grey, is required);
- The valid insurance certificate (third-party liability insurance);
- The tax disc;
- The roadworthiness certificate;
- An accident report form (strongly recommended).

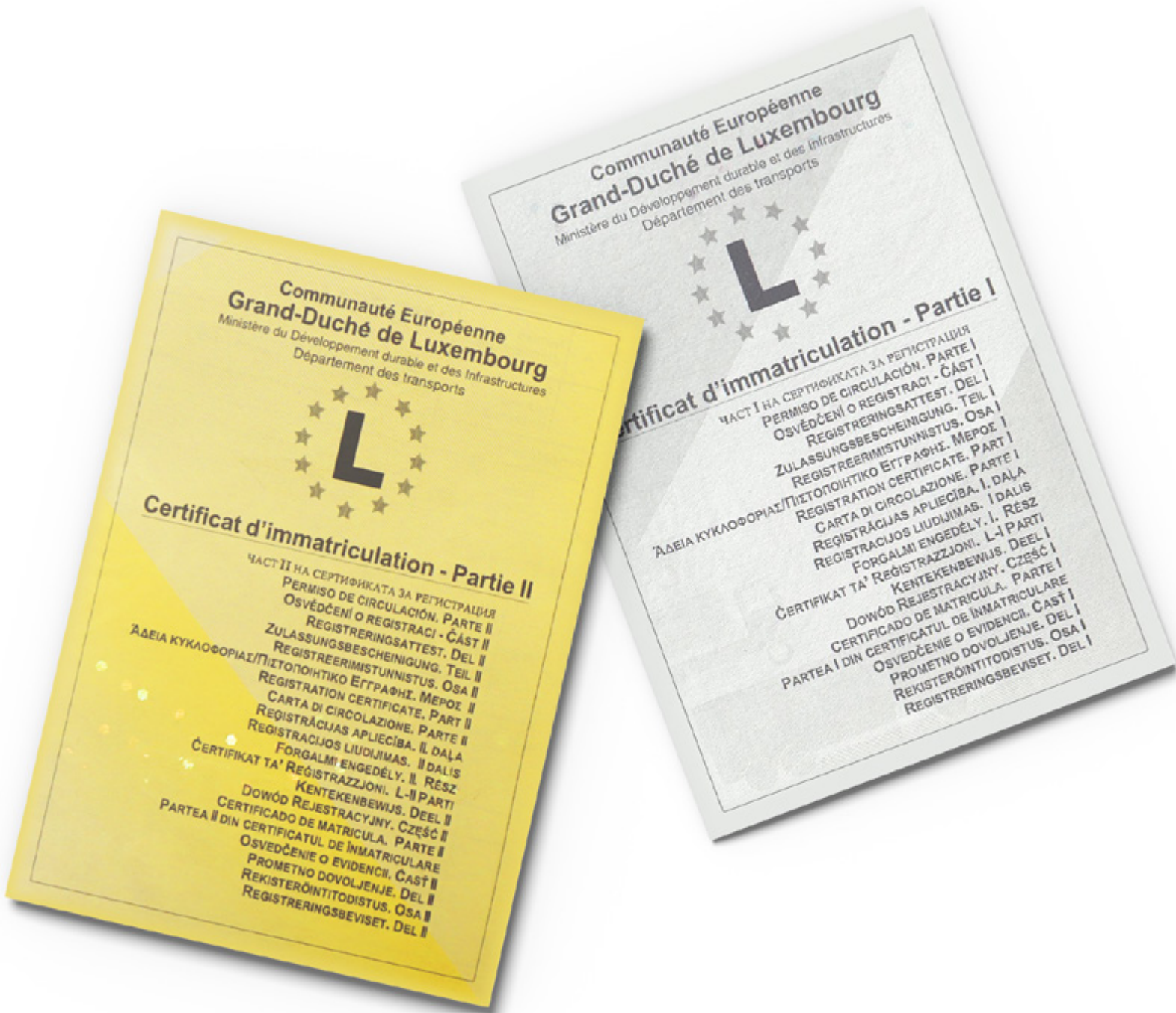
In addition to the papers to be kept in the vehicle, some documents must be kept at the company's premises, These include:

- A copy of the driving licences of all persons who drive company vehicles;
- Maintenance logs and/or other papers related to vehicle maintenance;
- The registration certificate (part 2, yellow);
- A copy of the insurance certificate (RC Auto).

For professional drivers and those working in the road transport sector, additional papers may be required.

Here are some examples:

- Documents related to the transport of goods and special transport;
- Customs documents for import/export;
- Documents and evidence for driving and breaks for resting;
- Specific training documents for professionals (Code 95 and ADR agreement on the international carriage of dangerous goods by road).



Vehicle paperwork and logbook



If company vehicles are used by several employees, tracking journeys is essential. In the event of an offence, e.g. detected by an automatic speed camera, the driver needs as to be identified. This obligation rests with the owner, keeper or holder of the registration certificate for the given road vehicle.

If the vehicle is registered in the name of a legal entity [company, civil company, association], the legal representative of that entity is financially liable. When notified by post that they are liable for a fine, employers have a time span to contest that they are the offender and report the employee who was driving the vehicle at the time the offence was committed.

Penalties

Failure to comply with this obligation of reporting is punishable by a fine between €1,000 and €10,000.

It is therefore necessary to implement a logbook, which must be kept up to date by employees who drive company vehicles. Here is an example:

Logbook and travel tracking								
Make:		Model:		Registration number:				
Mileage at start of period:		Km		on 1 January:				
Mileage at the end of period:		Km		on 31 December:				
Driver's name	Date and time	Mileage (in km)		Mileage travelled (in km)	Journey		Purpose of trip	Route
		at departure	at arrival		professional	private		
				Summen:				

Note: implementing a logbook is also required by the Luxembourg Inland Revenue [Administration des contributions directes - ACD] if a company car is made available free of charge or at a reduced cost for the employee's private use.

Internal regulations governing the use of company vehicles



When drawing up or amending internal rules on the use of vehicles, the employer has the obligation to involve the staff delegation, in case there is one within the company. In the same way as the communication protocol, the rules on the use of vehicles may be included as a chapter in the company's internal regulations.

In companies with fewer than 150 employees, the employer must inform and consult with the body representing the staff so that they can give their opinion on the drafting or amendment of the internal regulations relating to the use of vehicles.

In companies with more than 150 employees, the setting up or modification of internal regulations relating to the use of vehicles must be agreed between the employer and staff representatives.

Here are some examples of conditions that should be covered in the internal regulations governing the use of company vehicles.

1. Conditions prior to the allocation of vehicles

- Before vehicles are assigned, it must be verified that the employee is capable of driving the relevant category of vehicle (valid driving licence).
- In the event of total loss of points or suspension of the driving licence, even when this occurs while driving a personal vehicle, the employee must inform the employer as soon as possible. The same applies for health problems (dizziness, epilepsy, etc.) or in case the employee is taking medication that prohibits driving.

2. Conditions for assigning vehicles

- This mainly involves identifying those employees who are authorised to drive the various vehicles as well as organising the management of vehicle keys.
- It must also be determined whether use is strictly limited to professional purposes or extends to private use, and the conditions for such use must be specified.



Internal regulations governing the use of company vehicles



3. Vehicle documents

Each vehicle is equipped with a folder located in the glove compartment containing:

- The certificate of conformity [for vehicles registered for the first time after 01.02.2016];
- The registration certificate [only part 1, which is grey, is required];
- The valid insurance certificate;
- The tax disc;
- The roadworthiness certificate;
- An accident report form [European accident report].

Optional:

- The logbook for travel tracking [it can also remain at the company's premises];
- A fuel card and/or car-wash card.

Each user of a company vehicle must make sure that all documents are available.
In case of loss, the user must immediately notify their manager [fleet manager].

4. Terms and conditions of use

The terms and conditions for borrowing a company vehicle include, for example, provisions relating to:

- Vehicle reservation;
- Picking up and returning the vehicle;
- Checking the vehicle before setting off and when a fault is reported;
- Using the logbook;
- Routine maintenance carried out by the driver;
- Instructions for charging batteries and/or refuelling.



Internal regulations governing the use of company vehicles



5. Compliance with the Highway Code and health and safety rules

Example:

- The provisions of the Highway Code fully apply to employees who use company vehicles. The driver is personally liable for traffic offences committed while driving a company vehicle. They are therefore responsible for paying any fines, including parking fines, and sanctions imposed on them.
- Smoking is prohibited in company vehicles.
- The employee must return the vehicle in a clean and hygienic condition, both inside and outside. [Here, it may be useful to specify whether the employee is allowed to eat and/or drink in the vehicle, and whether a car-wash card or another option is provided by the employer.]

6. Insurance claim

- In the event of an accident involving a company vehicle and multiple parties, the employee must fill in an accident report form. Should the employee be unable to do so, they should call the police [113] for assistance. Should the employee disagree with any of the points made by the other party, they must specify this in the “Comments” section of the accident report form.
- Any employee who suffers an accident at work or while travelling to or from work must immediately notify their employer.

