

**ORGANISATION EUROPÉENNE POUR LA RECHERCHE NUCLÉAIRE
EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH**

Laboratoire Européen pour la Physique des Particules
European Laboratory for Particle Physics

**OPERATIONAL CIRCULAR N° 4
Issued by Human Resources Division**

This operational circular was examined by the Standing Concertation Committee at its meeting of 24 April 2002. Subsequently, it was adopted by means of a written procedure which was concluded on 2 October 2002.

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| <i>Applicable to:</i> | Members of the Personnel and other persons concerned |
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| <i>Person responsible for the matter concerned:</i> | Director-General |
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| <i>Date</i> | : April 2003 |
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Previous text cancelled and replaced by this Operational Circular: "Rules governing the use of vehicles belonging to or rented by CERN" – July 1991.

In the interests of readability, this circular has been drafted using the masculine gender only. However, use of masculine gender should be understood to refer to both sexes. The provisions of the circular therefore apply to both men and women except where it is clear from the context that they concern one sex or the other exclusively.

**CONDITIONS FOR USE BY MEMBERS OF THE
CERN PERSONNEL OF VEHICLES
BELONGING TO OR RENTED BY CERN**

The regulation "Conditions governing the use of vehicles belonging to or rented by CERN by the personnel of CERN contractors" of April 1996 (DSU-OF/DO/RF/6833) applies to the staff of CERN contractors.

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I— Field of application and definitions

Scope of application

1. This operational circular applies to :
 - a) members of the personnel, as defined under Article I 2.02 of the Staff Rules ¹;
 - b) motor vehicles belonging to or rented by CERN ², except for large utility vehicles (trucks) and passenger transport vehicles (buses, coaches) ³.
- It applies both on and off the CERN site ⁴.

Definitions

2. For the purposes of this operational circular, the following definitions shall apply :
 - *the CERN site*, all the land made available to CERN by the Republic and Canton of Geneva, the Swiss Confederation and the French Republic, i.e. the Meyrin, Prévessin, SPS and LEP/LHC sites;
 - *fenced parts of the CERN site*, the fenced parts of the CERN sites, including the underground installations;
 - *CERN vehicle*, any vehicle to which this circular applies (cf. § 1 above).

The term *Division Leader* also covers any representative specifically delegated by a Division Leader. The latter shall communicate to the Services concerned the names and specimens of signatures of his delegated representatives.

II— General conditions of use

Provision of CERN vehicles

3. CERN vehicles are provided to members of the personnel within the framework of their work for CERN and solely for official use. Use of such vehicles for personal reasons is strictly forbidden.
4. Any use of a CERN vehicle shall be authorized by the Leader of the Division to which the vehicle is allocated.

¹ Members of the personnel shall be divided into the following categories: staff members and assimilated members of the personnel (staff members and fellows), associated members of the personnel (paid associates, unpaid associates, students, users, project associates) and apprentices.

² All these vehicles visibly bear the CERN name and/or logo, except in the case of vehicles made available to associated members of the personnel.

³ Conditions governing the use of a vehicle excluded from the scope of application of this circular are defined, inter alia, by the Leader of the Division to which the vehicle is allocated.

⁴ Information concerning use of CERN vehicles outside the local area and/or territory of the Host States may be obtained from the Relations with the Host States Service (URL: <<http://www.cern.ch/relations/>>).

5. This authorization shall be granted on the condition that the user abides by the applicable rules in law, in particular the national highway laws and codes.

Transport of passengers and goods

6. The transport of passengers and/or goods in CERN vehicles is forbidden, except as part of the official activities of the Organization and provided that the passengers and/or goods comply with CERN regulations and the Host States' laws (identity cards, residence permits, visas, documents accompanying goods, etc.).

Precautions to be taken and maintenance

7. Members of the personnel shall take all necessary precautions to avoid damage, theft and other incidents that might occur to CERN vehicles. The latter shall only be used for the purposes for which they were technically designed. The Technical Note given in Annex I shall be scrupulously adhered to.

Damage, theft or any other incident occurring to CERN vehicles shall be reported immediately to the Leader of the Division to which the vehicle is allocated.

III— Driving

CERN driving authorization

8. All drivers of CERN vehicles shall hold a driving authorization issued by CERN. This obligation also applies within the framework of stand-by duty.
9. To obtain this authorization the person concerned shall certify he has taken note of this operational circular. To that end he shall complete the form in Annex II (or the equivalent electronic form) and submit it to his Division Leader, together with a photocopy of his valid national driving licence.

If the Division Leader concerned considers that the driving authorization meets a true service need, he shall indicate his agreement by signing the above-mentioned form.

The form, signed by the Division Leader, is sent to the Relations with the Host States Service which validates it and either forwards it to the Registration Service or, when the authorization concerns a User from EP Division, to the Users' Office. These services are responsible for entering the CERN driving authorization in the data base provided for that purpose.

10. The CERN driving authorization is valid for five years but under no circumstances can its period of validity exceed the expiry date on the national driving licence.

The authorization may be renewed according to the procedure set out in § 9 above.

If a national driving licence is withdrawn, the CERN driving authorization automatically becomes invalid. The person concerned shall immediately inform the Relations with the Host States Service of this withdrawal and will be strictly forbidden to drive a CERN vehicle.

Travel between place of residence and place of work

11. Without prejudice to other provisions, notably those contained in § 3 above, members of the personnel are authorized to use a CERN vehicle for the journey between their place of residence and their place of work only in the case of :
- a) stand-by duty as defined in the Staff Regulations;
 - b) special authorization that may be granted by a Division Leader for members of the personnel in a category where the aforementioned Regulations do not provide for stand-by duty.

The special authorization mentioned in point b) above only covers CERN vehicles that are not registered in a series reserved for the Organization and do not visibly bear the CERN name and/or logo.

If the place of residence is in France, this special authorization shall only take effect once the Division Leaders concerned has provided the French customs authorities, via the Relations with the Host States Service, with the surname, first name, town of residence and home institute of the driver, together with the registration numbers of the vehicles used.

Job Order

12. A member of the personnel driving a CERN vehicle outside the permitted driving area limits (cf. map in Annex III) must be in possession of a job order ⁵. This requirement does not apply to surveyors, members of the CERN Fire Brigade and staff of the radiation and chemicals protection services, who are subject to special regulations.
13. There are two different types of job order :
- *individual job orders*, valid only for the duration of the job, are issued :
 - during normal working hours by the Division Leader of the member of the personnel concerned;
 - outside normal working hours, in an emergency, by the Fire and Rescue Service (Meyrin Site, Building 65);
 - *annual job orders*, valid for one calendar year (from 1 January to 31 December), are issued by the Division Leader of the member of the personnel concerned only in exceptional circumstances and exclusively for frequent journeys in the cantons of Geneva and/or Vaud and/or in the Ain and Haute-Savoie departments.
14. Job orders may only be issued to holders of valid CERN driving authorizations. Applications shall be made to the relevant Division Leader or competent Service (cf. § 13 above) on the form contained in Annex IV. If the job order is issued, the original form, duly validated, is given to the driver who shall keep it in his possession. A copy of the form is for the Division Leader of the person concerned.

⁵ All other formalities, relating in particular to travel by the driver himself and by any passengers accompanying him, must be completed in accordance with the applicable administrative procedure.

Other documents required

15. Anyone driving a CERN vehicle must be able to present the following documents (see also table in Annex V) at any time :
- a) his CERN card ⁶;
 - b) his valid national driving licence;
 - c) the vehicle documents (registration document, insurance “green card”, etc.);
 - d) valid travel documents (national passport or other travel document recognized in Switzerland and France) with the necessary visas, where required;
 - e) his legitimation documents issued by the Swiss Federal Department of Foreign Affairs and the French Ministry of Foreign Affairs, or his CERN Attestation issued by the Users' Office or the Human Resources Division.

In addition, the vehicle must carry a *European Road Accident Report* form.

IV— Accidents ⁷ and insurance

Accident within the fenced parts of the CERN site

16. In the event of an accident within the fenced parts of the CERN site, the driver of the vehicle shall take the following steps :
- a) alert the Fire and Rescue Service (Tel. 74444);
 - b) complete and sign a *European Road Accident Report*, following the instructions on the back of the form;
 - c) forward pages 1 and 4 of the aforementioned report to :
 - the Legal Service (Building 60, Office 4-007, tel. 72717 and 73398), for vehicles belonging to CERN;
 - the Division concerned, for vehicles rented by CERN;
 - d) forward a photocopy of the aforementioned report to the ST/HM Group, responsible for vehicle repair (Meyrin Site, Bldg. 130, Office R-013, tel. 72228);
 - e) take any other steps required by the circumstances.

In the event of serious injuries and/or major material damage, the relevant police force will be called to the scene by CERN (Relations with the Host States Service or Fire and Rescue Service) following the prescribed procedure ⁸.

⁶ Cf. § 17 of Operational Circular No 2 on conditions of access to the fenced parts of the CERN site.

⁷ Cf. also Administrative Circular No 14, laying down that a member of the personnel who is the victim of an accident causing physical injury must complete or have filled out an official accident declaration form (HS 50), and Safety Code A2 Rev. on reporting of accidents occurring on the CERN site in the course of duty or travel to or from work.

⁸ Cf. also Annex 4 referred to in SAPOCO 42 document of February 2003 as Safety Code A11.

***Accident outside the fenced parts of the CERN site
involving physical injuries and/or major material damage***

17. In the event of an accident outside the fenced part of the CERN site involving physical injuries and/or major material damage, the driver of the vehicle shall take the following steps :
- a) alert the nearest competent *gendarmerie* or police force;
 - b) if he is in a position to do so, complete and sign a *European Road Accident Report*, following the instructions on the back of the form;
 - c) forward pages 1 and 4 of the aforementioned report to :
 - the Legal Service (Building 60, Office 4-007, tel. 72717 and 73398), for vehicles belonging to CERN;
 - the Division concerned, for vehicles rented by CERN;
 - d) forward a photocopy of the aforementioned report to the ST/HM Group, responsible for vehicle repair (Meyrin Site, Bldg. 130, Office R-013, tel. 72228);
 - e) take any other steps required by the circumstances and/or by the legislation of the State where the accident occurred.

***Accident outside the fenced parts of the CERN site
not involving physical injuries or major material damage***

18. In the event of an accident outside the fenced part of the CERN site involving neither physical injuries nor major material damage, the driver of the vehicle shall take the following steps :
- a) complete and sign a *European Road Accident Report*, following the instructions on the back of the form;
 - b) forward pages 1 and 4 of the aforementioned report to :
 - the Legal Service (Building 60, Office 4-007, tel. 72717 and 73398), for vehicles belonging to CERN;
 - the Division concerned, for vehicles rented by CERN;
 - c) forward a photocopy of the aforementioned report to the ST/HM Group, responsible for vehicle repair (Meyrin Site, Bldg. 130, Office R-013, tel. 72228);
 - d) take any other steps required by the circumstances and/or by the legislation of the state where the accident occurred.

Insurance for CERN vehicles

19. A member of the personnel driving a CERN vehicle must have taken note of the following information on insurance concerning CERN vehicles :
- a) Vehicles belonging to CERN are covered for third-party liability ⁹. As a general rule they do not have comprehensive insurance cover ("casco").
 - b) Vehicles rented by CERN carry both third-party and comprehensive insurance cover ("casco"), in accordance with the conditions laid down by the rental firm.

⁹ Vehicles belonging to CERN are at present insured with "LA SUISSE" insurance company.

- c) The address of the insurance firm and the policy number are both contained on the vehicle's *International Car Insurance Form* (“green card”).
- d) Goods transported in CERN vehicles are not insured unless insurance cover has been requested ¹⁰.

Settlement of claims

20. A member of the personnel driving a CERN vehicle must have taken note of the following information relating to the settlement of claims :
 - a) The settlement of claims is handled by :
 - the Legal Service (Building 60, Office 4-007, tel. 72717 and 73398), for vehicles belonging to CERN;
 - the Division concerned, for vehicles rented by CERN.
 - b) If the driver is found guilty of gross negligence, he must bear the consequences of any action taken by the insurer against him.
21. The Legal Service or the Division responsible for handling the claim forwards a copy of the *European Road Accident Report* to the Division Leader of the member of the personnel involved and to the Human Resources Division Leader.

V— Penalties

Failure to observe the present operational circular

22. Failure by a member of the personnel to abide by the terms of this Operational Circular may result in disciplinary action as defined in Chapter II, Section 5 of the Staff Rules and Regulations. In addition, the Division Leader may, in conjunction with the Relations with the Host States Service, decide to withdraw the offender's CERN driving authorization temporarily or permanently.

Failure to observe national laws and regulations

23. In the event of failure to observe national laws and regulations, in particular those pertaining to the highway code, the member of the personnel concerned shall bear any consequences that may arise. Such behaviour may also lead to penalties of the type referred to in § 22 above.

If legal proceedings are instituted by a state authority, the Legal Service shall inform the offender and, depending on the circumstances, his Division Leader and the Relations with the Host States Service.

¹⁰ It should be noted that insurance companies do not insure telecommunication systems (mobile phones, etc.)

VI— Final provisions

Information

24. All CERN vehicles must carry a copy of this operational circular.

The Relations with the Host States Service provides information on the interpretation and application of this circular.

Identification of the drivers

25. The Leader of the Division to which a CERN vehicle is allocated shall take the necessary measures to ensure that the drivers of that vehicle can be identified. To this end, he shall set up a registration and archive system to log the names of the drivers and the dates on which the vehicle was used.

Vehicle log

26. A log shall be kept for all journeys outside the permitted driving area limits (cf. plan in Annex III).

This log serves to identify the surnames, first names and CERN identification numbers of the drivers, the journeys undertaken, their dates and the mileage shown on the mileage counter at the beginning and end of the journey.

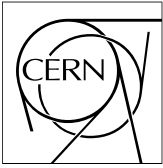
The Leader of the Division to which the CERN vehicle is allocated shall see to it that this obligation is adhered to.

Site guards

27. The task of the site guards ¹¹ is to make sure that within all fenced parts of the CERN site CERN vehicle drivers :
- a) hold valid CERN driving authorizations (cf. §§ 8 to 10 above);
 - b) are in possession of their CERN cards, valid national driving licences and vehicle documents (see § 15 above).

* * *

¹¹ Cf. § 23 of Operational Circular No 2 on the conditions of access to the fenced parts of the CERN site.



**TECHNICAL NOTE
FOR THE ATTENTION OF USERS
OF CERN VEHICLES**

1. Please check :

- the engine oil level,
- the cooling liquid level,
- the condition and pressure of the tyres,
- that lights and brakes are working properly.

In general, make sure that the vehicle is regularly serviced and respond to reminders issued by the CERN Services

**ANY FAULT MUST BE IMMEDIATELY
REPORTED TO THE CERN SERVICE CONCERNED**

1. **Vehicle Reception Office** : Room 130/R-013; telephone 72228
(vehicles with CERN name and/or logo and official CERN vehicles)
Workdays : from 8.00 a.m. to 12 noon and from 1.00 p.m. to 5.00 p.m.
2. **EP-SMI Service Point** : Room 124/R-001; telephone 72070
(vehicles without CERN name and/or logo made available to associated members of the personnel)
Workdays : from 8.30 a.m. to 12 noon and from 1.30 p.m. to 5.30 p.m.

2. Only vehicles with fuel cards may be filled up (with diesel and unleaded petrol) at the CERN service stations :

- Meyrin Site, Building 57,
- Prévessin Site, Building 867.

Workdays from 8.00 a.m. to 12 noon and from 1.00 p.m. to 5.00 p.m.

Annex II

**Demande d'autorisation de conduire un véhicule CERN
valable pour un membre du personnel du CERN
*Request for authorization to drive a CERN vehicle
valid for a member of the CERN personnel***

A compléter par le membre du personnel du CERN devant bénéficier de l'autorisation
To be completed by the member of the personnel of CERN to be given the authorization

| | |
|---|--|
| Je soussigné(e), / I, the undersigned, | |
| Nom et prénom <i>Surname and first name</i> | |
| Numéro d'identification <i>Identification number</i> | |
| Division <i>Division</i> | |
| <p>❶ certifie avoir pris connaissance de la Circulaire opérationnelle n° 4 relative aux conditions d'utilisation des véhicules appartenant au CERN ou pris en location par lui, notamment des dispositions:</p> <ul style="list-style-type: none"> - interdisant l'utilisation à des fins personnelles (cf. § 3), - n'autorisant le transport de passagers et/ou marchandises que dans le cadre des activités officielles de l'Organisation (cf. § 6), - rendant l'autorisation de conduire CERN caduque en cas de retrait du permis de conduire national (cf. § 10); <p><i>certify I have taken note of Operational Circular No. 4 on the conditions of use of vehicles belonging to or rented by CERN, in particular the provisions:</i></p> <ul style="list-style-type: none"> - prohibiting their use for personal needs (cf. § 3), - authorizing transport of passengers and/or goods only as part of the Organization's official activities (cf. § 6), - rendering the CERN driving authorization invalid in case of withdrawal of the national driving licence (cf. § 10); <p>❷ joins une photocopie de mon permis de conduire national en cours de validité.</p> <p><i>attach a photocopy of my valid national driving licence.</i></p> | |
| Date et signature <i>Date and signature</i> | |

Décision du Chef de Division concerné ou de la personne mandatée par lui
Decision of the Division Leader concerned or his delegated representative

| | |
|--|---|
| Nom, prénom et Division <i>Surname, first name and Division</i> | |
| L'autorisation est (cocher) <i>Authorization is (tick appropriate box)</i> | <input type="checkbox"/> accordée / given <input type="checkbox"/> refusée / refused |
| Date et signature <i>Date and signature</i> | |

Validation par le Service des Relations avec les Pays-hôtes
Validation by the Relations with the Host States Service

| | |
|---|--|
| Date, signature et tampon <i>Date, signature and stamp</i> | |
|---|--|

Transmission au Service de l'Enregistrement ou au Bureau des Utilisateurs, copie au Chef de Division concerné.
Forwarded to the Registration Service or Users' Office, with a copy to the Division Leader concerned.