

**Question for oral answer O-000046/2018  
to the Commission**

Rule 128

**Pavel Svoboda**

on behalf of the Committee on Legal Affairs

Subject: Motor Insurance Directive

In 2009 the Motor Insurance Directive (2009/103/EC) established that motor insurance policies would be valid throughout the EU, thereby providing cover to EU citizens in case of accident.

The 'Vnuk' case, which provided compensation for an accident on private property, has changed the definition of the vehicles which need to be insured under EU law, which was previously: vehicles which use the road, vehicles in traffic and vehicles operating on public land.

Member States agreed with the 2009 definition of the vehicles that need to be insured and were not consulted on a change in definition. The 'Vnuk' case has widened the scope of the Motor Insurance Directive to the point where Member States now find themselves in breach of EU law by default.

Does the Commission acknowledge that the Motor Insurance Directive has been altered from its original intention, owing to the lack of legislative clarity following the result of the European Court of Justice's 'Vnuk' case in 2014?

Does the Commission acknowledge the major financial implications the current uncertainty may entail for farmers who own machinery that is not for road usage?

Does the Commission acknowledge the further implications the current lack of clarity may have on the motorsport industry and children's vehicles?

Does the Commission acknowledge that insurance is a competency of the Member States, and that the current definition of the vehicles that need to be insured will be impossible to enforce and therefore lead to a greater number of fraudulent claims?

Will the Commission agree that a revision of the Motor Insurance Directive is required in order to provide Member States with legislative clarity?

Tabled: 14.5.2018

Forwarded: 16.5.2018

Deadline for reply: 23.5.2018