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Answer given by Ms Bieńkowska
on behalf of the European Commission
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Member States are allowed to prescribe rules for the use and registration of motor vehicles circulating on their territory. However, such rules must comply with the fundamental principle of free movement of goods, services, workers and persons as guaranteed by the Treaty on the Functioning of the European Union. Any restriction to the exercise of the fundamental freedoms mentioned above must be justified, necessary and proportionate.

A national rule requiring the registration of a motor vehicle already registered in another Member State could be justified, for instance if the vehicle is intended to be used essentially in the Member State on a permanent basis or if it was in fact used in that manner.

In the absence of EU legislation each Member State regulates the procedural rules governing actions for the protection of the rights which individuals derive from EU law. Member States have the responsibility for ensuring that those rights are effectively protected in each case and, in particular, for ensuring compliance with the right to an effective remedy and to a fair hearing.