


# Procedure file

Basic information		
INL - Legislative initiative procedure	<a href="#">1995/2078(INL)</a>	Procedure completed
Regulation of claims resulting from traffic accidents occurring in another Member State		
Subject 2.50.05 Insurance, pension funds		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Legal Affairs, Citizens' Rights		27/06/1995
		PSE <a href="#">ROTHLEY Willi</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Transport and Tourism		

Key events			
12/06/1995	Committee referral announced in Parliament		
05/09/1995	Vote in committee		Summary
05/09/1995	Committee report tabled for plenary	<a href="#">A4-0201/1995</a>	
23/10/1995	Debate in Parliament		
26/10/1995	Decision by Parliament	T4-0508/1995	Summary
26/10/1995	End of procedure in Parliament		
20/11/1995	Final act published in Official Journal		

Technical information	
Procedure reference	1995/2078(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Request for legislative proposal
Legal basis	Rules of Procedure EP 47
Stage reached in procedure	Procedure completed
Committee dossier	JURI/4/06639

Documentation gateway					
Committee report tabled for plenary, single reading		<a href="#">A4-0201/1995</a> <a href="#">OJ C 287 30.10.1995, p. 0004</a>	05/09/1995	EP	
Text adopted by Parliament, single reading		T4-0508/1995 <a href="#">OJ C 308 20.11.1995, p. 0097-0108</a>	26/10/1995	EP	Summary

## Regulation of claims resulting from traffic accidents occurring in another Member State

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The committee unanimously adopted the proposal for a resolution calling for the Commission to present a draft directive to help the victim of a road traffic accident enforce a claim in other Member State against a resident of that state and against an insurer established in that state (right of direct action). The rapporteur did not favour harmonization of traffic liability arrangements and therefore proposed a system under which a claim for damages could be quickly and efficiently enforced in another Member State through an agent authorized to settle claims caused by vehicles insured by an insurer in a Member State other than the state of origin of the victim and an information agency which could give the victim of the accident the name of the agent in question. ?

## Regulation of claims resulting from traffic accidents occurring in another Member State

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Adopting the report by Mr Willy ROTHLEY (PSE, D) on the regulation of claims resulting from traffic accidents occurring in another Member State, the European Parliament called on the Commission to present a directive introducing regulations in all the Member States of the European Union which allowed the victim of a road traffic accident to make a claim directly against the civil liability insurer of the other party and, if necessary, to institute proceedings against it (right of direct action). This directive would require Member States to ensure that: - insurers trading on their territory appoint an agent in each of the other Member States. These agents would be chosen and appointed at the discretion of the insurer (own agency, subsidiary, office issuing green cards, seconded insurer, claim settlement office, independent claim settlement agency). The agent would be authorized to settle claims caused by a vehicle in a Member State other than the state of origin of the victim, in the victim's language; - insurers trading in a Member State provide an information agency which can give victims a list of agents in the other Member States at any given moment; - insurers trading on their territory notify the information agencies in the other Member States of the names of their agents in those states.?