

CMS Romania | European Commission issues a reasoned opinion to Romania for failure to transpose Motor Insurance Directive



On 14 November 2024, the European Commission (EC) issued a reasoned opinion to Romania (INFR(2024)0124) for failing to notify the EC of transposition into national law of Directive (EU) 2021/2118 amending Directive 2009/103/EC relating to insurance against civil liability in respect of the use of motor vehicles (commonly referred to as the Motor Insurance Directive), and the enforcement of the obligation to insure against such liability.

The main objectives of the Motor Insurance Directive are to ensure:

- an equal minimum protection of parties injured as a result of traffic accidents across the EU;
- their protection in case of insolvency of insurance undertakings; and
- equal treatment of insurer claims-history statements for potential policy holders crossing internal EU borders.

Romania had a 23 December 2023 deadline to transpose the Motor Insurance Directive into national law by adopting and publishing the measures necessary to comply.

On 25 March 2024, the Senate of Romania passed a draft of the law intended to transpose the Motor Insurance Directive. The Chamber of Deputies, however, must adopt the final version.

According to the EC, on 25 January 2024 the Commission issued a letter of formal notice to Romania and other member states for failure to report the transposition.

Romania now has two months to respond to the EC's reasoned letter and fulfil its obligations or the EC can refer the case to the Court of Justice of the EU. Given that the parliamentary elections are scheduled to take place in Romania in December 2024, however, it is unlikely that the draft law will be adopted this year.

For more information on Romania's failure to comply with the Motor Insurance Directive and how this could affect your business, contact your CMS client partner or these CMS experts: [Cristina Popescu](#) and [Florentin Giurgea](#).