(English version)

Question for written answer E-003479/26
to the Commission
Kosma Złotowski (ECR)
(3 September 2026)

Subject: Enforcement of outstanding traffic fines from users of leased vehicles in the Czech Republic

For several years now, legislation has been in force in the Czech Republic which allows the vehicle owner to be held liable for a traffic offence where the actual driver cannot be identified. This measure is intended to facilitate the enforcement of fines for offences recorded by automated traffic enforcement systems.

However, this leads to a problem in the case of leased vehicles. In such cases, if the actual driver cannot be identified, the fine may be charged to the lessor's account. If a leasing company has a large number of vehicles and many unpaid fines, this can result in a significant debt.

During a roadside check, the Czech police may demand payment not only of the driver's outstanding fines, but also of any arrears attributed to the account of the operator of the vehicle being checked (the lessor). If the arrears are not settled on the spot, the authorities may impound the number plates.

In light of the above:

1. Is the Commission aware of this mechanism, and does it feel that it could restrict EU rights and freedoms, in particular the free movement of persons and services?

2. Is the procedure whereby an EU citizen, using a leased car and subject to a roadside check in the Czech Republic, may be required to pay outstanding fines for traffic offences which they did not commit — on the grounds that these fines have been attributed to the lessor's account — compatible with the principles of proportionality and individual liability?

3. Do provisions involving the enforcement of outstanding debts against the user of a vehicle on account of liabilities attributed to the lessor fall within the scope of Directive 2015/413?

Submitted: 3.9.2026

Answer given by Mr Tzitzikostas on behalf of the European Commission
(29 October 2026)

There is no EU legislation which lays down rules on the application of specific legal liability regimes in the case of road-safety-related traffic offences, or for the settlement of road traffic fines related to these offences. The decision to set such rules lies within the competence of the Member States concerned.

The Commission would further note that that directive (EU) 2015/413 facilitating the cross-border exchange of information and mutual assistance on road-safety-related traffic offences ([1]) does not cover provisions concerning the enforcement of outstanding debts against the user of a rented vehicle on account of liabilities attributed to the lessor.

To the extent that such national rules could impact services other than transport, they may constitute obstacles to the fundamental freedoms of establishment and service provision, if they are liable of hindering, either directly or indirectly, actually or potentially, the access to or the provision of services within the Single Market.

However, Member States may enact such restrictive measures provided that they are non-discriminatory, justified by public interest objective and proportionate.

Based on the information provided by the Honourable Member, the Commission has no sufficient elements to conclude that there is a manifest breach of the EU law.

([1]) OJ L 68, 13.3.2015, p. 9.