

# Tractors and Trailers (Cases 2-1 and 2-2)

Settlement of claims in accidents caused by an articulated vehicle in your country

CODE	CASE 2.1: Tractor unit identified and insured, trailer identified and insured. Who settles the claim?	Case 2.2: Tractor identified and insured, normally based in the country of the accident, trailer identified, not insured and normally based in an MGA country other than that of the tractor unit. Who settles the claim?
The insurer of the tractor unit alone?	<p data-bbox="327 391 600 443">If "no", is the insurer of the trailer involved?</p> <p data-bbox="327 456 600 480">Alone?      In addition?</p>	If the insurer of the trailer is involved in addition, what is the system for settlement or compensation between the two insurers?
Tractor unit insurer alone?	<p data-bbox="1297 386 1381 410">if "no",</p> <p data-bbox="1161 415 1318 503">the bureau of the country where the trailer is normally based</p> <p data-bbox="1339 415 1520 503">the guarantee fund of the country where the trailer is normally based</p>	Other system? Describe:

<b>*A</b>	Yes	Yes
<b>*B</b>	Yes	Yes
<b>*CY</b>	Yes (uncertain)	Yes
<b>*CZ</b>		Yes
<b>*D</b>	Yes	Yes

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Tractor unit insurer alone?

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the guarantee fund of the country where the trailer is normally based

Other system? Describe:

**\*DK**

Yes

Yes

**\*E**

No

Yes

70% from the insurer of the tractor - 30% from the insurer of the trailer.

No

Yes

No

70% from the insurer of the tractor. 30% from the Bureau of MA country in which the trailer is normally based.

**\*EST**

Yes

When the trailer is not attached the insurer of the trailer alone involved.

Yes

**\*F**

No

No

No answer

The insurer of the tractor intervenes first but he has a recourse against the insurer of the trailer

Yes

The insurer of the tractor can have a recourse against its insured if the latter ought to have declared the adjunction of the trailer

**\*FIN**

Yes

The insurer of the tractor unit settles the claim.

Yes

No

If the accident has been caused due to the insufficient condition of the trailer the insurer of the tractor unit presents the reimbursement to the Finnish Bureau/Guarantee Fund.

**\*GB**

Yes

Yes

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Other system? Describe:

**\*GR**

Yes

If the damage originates from the operation

No

**\*H**

No

Yes

a) If the driver of the tractor is responsible for the damage the claim is settled by the MTPL insurer of the tractor alone, b) If the user of the trailer is responsible for the damage the claim is settled by the insurer of the trailer involved.

a) If the driver of the tractor is responsible for the damage the claim is settled exclusively by the TPL insurer of the tractor. b) If the user of the trailer is responsible for the damage the claim is settled by the Motor Insurance Bureau of the country where the trailer is normally based.

**\*I**

Yes

Yes

**\*IRL**

Yes

N/A

N/A

Yes

N/A

N/A

**\*L**

Yes

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Other system? Describe:

**\*LT**

Yes

Yes

**\*LV**

Yes

Yes

**\*M**

The current market practice is that unspecified trailers

**\*NL**

Yes

Yes

**\*P**

Yes

Yes

**\*PL**

Yes

Yes

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Other system? Describe:

**\*S** Yes

Yes

**\*SK** If the damage originates from the operation of the

See 1.7

The insurer of the trailer, if he is a separate

**\*SLO** Yes      No      No

Yes      No      No

**AL** No      No      Yes

For the damages caused by the tractor unit the insurer of tractor unit is responsible for settlement of the claim.  
 For the damages caused by the trailer, the responsible for the settlement of the claim is the insurer of the trailer.

No      No      No

If the damage is caused by the tractor unit the insurer of it is responsible for the settlement of the claim.  
 If the damage is caused by the trailer the Guarantee Fund will compensate the third party.

**AND** No answer supplied for Part 2

No answer supplied for Part 2

**BG** Yes

Yes

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Other system? Describe:

**BIH**      No      Yes      Tractor units is responsible for the claim caused by trailer but only when a trailer is connected and in functional dependence with tractor units

**BY**      Yes      No      Yes

**CH**      Yes      Yes

**HR**      Yes      Yes

**IL**

**IR**      Yes

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Other system? Describe:

**IS**      Yes

Yes

**MA**      Yes

Yes

**MD**      Yes      No      No

N/A

**MK**      Yes      No      No      It is paid on the base of the insurance of the tractor

Yes

**N**      Yes

Yes

**RO**      Yes

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Other system? Describe:

**SCG**

**TN**

Yes

Recourse against the trailer insurer

**TR**

Yes

Yes

**UA**

Yes