



C/2024/4846

12.8.2024

**Request for a preliminary ruling from the Tribunale ordinario di Lodi (Italy) lodged on 23 May 2024 –
AT v CT**

(Case C-370/24, Nastolo) ⁽¹⁾

(C/2024/4846)

Language of the case: Italian

Referring court

Tribunale ordinario di Lodi

Parties to the main proceedings

Applicant: AT

Defendant: CT

Questions referred

1. Is Article 13 of Directive 2009/103/EC ⁽²⁾ to be interpreted as meaning that, in the case of a road traffic accident involving a passenger travelling in a stolen vehicle, it is for the body responsible for providing compensation within the meaning of Article 10 of Directive 2009/103/EC to prove that the injured party knew that the vehicle had been stolen?
2. If so, does that provision, as thus interpreted, preclude legislation, such as the Italian legislation, interpreted and applied as meaning that the burden of proof is on the injured passenger?

⁽¹⁾ The name of the present case is fictitious. It does not correspond to the real name of any of the parties to the proceedings.

⁽²⁾ Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability (OJ 2009 L 263, p. 11).