

(English version)

**Priority question for written answer P-004393/25
to the Commission
Asger Christensen (Renew)
(6 November 2025)**

Subject: Clarification and correction of Annex XIII to Regulation (EU) 2021/535 following the Commission's interpretation (P-9-2023-000829-ASW)

The Danish manufacturer V-Spoilers ApS, has received written confirmation from Commissioner Thierry Breton that non-foldable aerodynamic devices extending no more than 25 mm per side beyond the legal vehicle width are permitted under Regulation (EU) 2021/535, Annex XIII ⁽¹⁾.

However, national authorities such as Kraftfahrt-Bundesamt (Germany) and Technischer Überwachungsverein currently refuse type-approval, claiming the regulation does not specify the allowed placement of such devices on the vehicle leading to significant negative economic and climate-related consequences.

The Solvit network has acknowledged this as a wording error in the regulation itself.

1. Will the Commission issue an interpretative communication to Member States clarifying that devices like V-Spoilers are lawfully covered under the existing framework based on *inter alia* the written confirmation from former Commissioner Thierry Breton?
2. Does the Commission have any concrete plans to correct the textual inaccuracy in Annex XIII to avoid further barriers for approved aerodynamic solutions?
3. How will the Commission ensure that similar issues regarding drafting and legislative interpretation do not delay the uptake of sustainable and energy-saving vehicle technologies in the future?

Submitted: 6.11.2025

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(5 January 2026)**

As the EU law currently stands, there are no harmonised technical rules for the approval of V-spoilers. Commission Implementing Regulation (EU) 2021/535 ⁽¹⁾ lays down rules for the approval of aerodynamic devices fitted at the front or the rear of the vehicle. In case such devices are fitted to the side of the vehicle, the harmonised maximum vehicle width of 2,60 m must still be respected under all conditions, as confirmed in the reply to Parliamentary Question P-829/2023 ⁽²⁾.

The Commission is not aware of any textual inaccuracy in Annex XIII to Implementing Regulation (EU) 2021/535 nor plans any corrections in this respect. The Commission would like also to note that devices such as the V-spoilers are usually to be sold in the aftermarket and for this purpose they would not need an approval under the EU type-approval legislation.

¹ https://www.europarl.europa.eu/doceo/document/P-9-2023-000829-ASW_EN.html.

⁽¹⁾ Commission Implementing Regulation (EU) 2021/535 of 31 March 2021 laying down rules for the application of Regulation (EU) 2019/2144 of the European Parliament and of the Council as regards uniform procedures and technical specifications for the type-approval of vehicles, and of systems, components and separate technical units intended for such vehicles, as regards their general construction characteristics and safety (OJ L117, 6.4.2021, ELI: http://data.europa.eu/eli/reg_impl/2021/535/oj).

⁽²⁾ https://www.europarl.europa.eu/doceo/document/P-9-2023-000829-ASW_EN.html.