

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-176-14
Relating to Exemptions Under Section 27156
of the Vehicle Code

DINAN ENGINEERING
High Flow Air Intake System

Pursuant to the authority vested in the Air Resources Board by Section 27156 of the Vehicle Code; and

Pursuant to the authority vested in the undersigned by Section 39515 and Section 39516 of the Health and Safety Code and Executive Order G-45-9;

IT IS ORDERED AND RESOLVED: That the installation of the High Flow Air Intake System, manufactured and marketed by Dinan Engineering, Inc., 150 S. Whisman, Mountain View, California 94041 has been found not to reduce the effectiveness of the applicable vehicle pollution control system and, therefore, is exempt from the prohibitions of Section 27156 of the Vehicle Code for those applicable 1992 to 2000 BMW vehicles listed in Exhibit A.

The High Flow Cold Air Intake System includes the following main components: K&N cone shaped open element filter, 3.5" tubing, and mounting hardware.

This Executive Order is valid provided that the installation instructions for the High Flow Air Intake System will not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

This Executive Order shall not apply to any Dinan Engineering, Inc. High Flow Air Intake System advertised, offered for sale, or sold with or installed on, a motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

Changes made to the design or operating conditions of the High Flow Air Intake System, as exempt by the Air Resources Board, which adversely affect the performance of the vehicle's pollution control system shall invalidate this Executive Order.

Marketing of the High Flow Air Intake System using any identification other than that shown in this Executive Order or marketing of the High Flow Air Intake System for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board.

This Executive Order does not constitute any opinion as to the effect the use of the High Flow Air Intake System may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on an engineering evaluation which determined that the High Flow Air Intake System will have no adverse impact on evaporative or tailpipe emissions if tested in accordance with the Cold-Start CVS-75 Federal Test Procedure. Furthermore, Dinan Engineering, Inc. demonstrated, using a 1999 BMW 740i, that the High Flow Air Intake System did not affect the ability of the vehicle's OBD II system to monitor various emission related functions. However, the ARB finds that reasonable grounds exist to believe that use of the High Flow Air Intake System may adversely affect emissions of motor vehicles when operating under conditions outside the parameters

of the previously prescribed test procedures. Accordingly, the ARB reserves the right to conduct additional emission tests, in the future, as such tests are developed, that will more adequately measure emissions from all cycle phases. If such test results demonstrate that the High Flow Air Intake System adversely affect emissions during off-cycle conditions (defined as those conditions which are beyond the parameters of the Cold-Start CVS-75 Federal Test Procedure), this Executive Order shall be effectively rescinded as of the date the test results are validated. Further, if such test results or other evidence provides the ARB with reason to suspect that the High Flow Cold Air Intake System will affect the durability of the emission control system, Dinan Engineering, Inc. shall be required to submit durability data to show that the durability of the vehicle emission control system is not, in fact, affected and/or that the add-on or modified part demonstrates adequate durability.

In addition to the foregoing, the ARB reserves the right in the future to review this Executive Order and the exemption provided herein to assure that the exempted add-on or modified part continues to meet the standards and procedures of Title 13, California Code of Regulations, Section 2222, et seq.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF DINAN ENGINEERING'S HIGH FLOW AIR INTAKE SYSTEM.

No claim of any kind, such as "Approved by the Air Resources Board", may be made with respect to the action taken herein in any advertising or other oral or written communication.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a ten-day written notice of intention to revoke the order, in which period the holder of the order may request in writing a hearing to contest the proposed revocation. If a hearing is requested, it shall be held within ten days of receipt of the request and the order may not be revoked until a determination after hearing that grounds for revocation exist.

Executive Order D-176-11, dated June 1997, is superseded and of no further force and effect.

Executed at El Monte, California, this 29th day of December 1999.


R. B. Summerfield, Chief
Mobile Source Operations Division

Exhibit A

Dinan "High Flow Cold Air Intake System" Vehicle Application

<u>BMW Model</u>	<u>Model Years</u>	<u>Engine Size</u>	<u>Dinan Part#</u>
318i, is, iC, ti	1996-12/96	1.9L	D760-0193
318i, is, iC, ti	1/97-99	1.9L	D760-0194
323is, iC coupe	1998-99	2.5L	D760-0321
323i sedan*	1999-2000	2.5L	D760-0400
323Ci coupe*	2000	2.5L	D760-0400
325i, is	1992	2.5L	D760-0320
325i, is, iC	1993-95	2.5L	D760-0320
328is, iC coupe	1996-99	2.8L	D760-0321
328i sedan	1996-98	2.8L	D760-0321
328i sedan*	1999-2000	2.8L	D760-0400
328Ci coupe*	2000	2.8L	D760-0400
M3	1995	3.0L	D760-0320
M3	1996-99	3.2L	D760-0321
Z3 1.9	1996-12/96	1.9L	D760-0190
Z3 1.9	1/97-98	1.9L	D760-0191
Z3 2.3*	1999-2000	2.5L	D760-0326
Z3 2.8	1996-98	2.8L	D760-0322
Z3 2.8*	1999-2000	2.8L	D760-0326
Z3 2.8 Coupe*	1999-2000	2.8L	D760-0326
M Roadster	1998-2000	3.2L	D760-0323
M Coupe	1998-2000	3.2L	D760-0323
540i	1996-98	4.4L	D760-0600, -0601
540i*	1999-2000	4.4L	D760-0620, -0621
740i, iL	1996-12/96	4.4L	D760-0650, -0651
740i, iL	1/97-1998	4.4L	D760-0655, -0656
740i, iL*	1999-2000	4.4L	D760-0660, -0661

NOTE:

1. On applications with multiple part numbers, Dinan offers a choice of either an aluminum or carbon fiber intake tube.
2. Applications identified with an asterisk contain engines certified to the LEV emission standard.