

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-176-34

Relating to Exemptions Under Section 27156  
of the California Vehicle Code

Dinan Engineering, Inc.  
High Flow Cold 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-02-003;

IT IS ORDERED AND RESOLVED: That the installation of the High Flow Cold Air Intake System, produced and marketed by Dinan Engineering, Inc. of 865 Jarvis Drive, Morgan Hill, California 95037, has been found not to reduce the effectiveness of the applicable vehicle pollution control systems and, therefore, is exempt from the prohibitions of Section 27156 of the Vehicle Code for the following 2006 to 2008 model year BMW M5 and M6 vehicles.

| <u>Part No.</u> | <u>Engine Displacement</u> | <u>Model Year</u> | <u>Model</u>          |
|-----------------|----------------------------|-------------------|-----------------------|
| D760-0020       | 5.0L                       | 2006 to 2008      | M5                    |
| D760-0021       | 5.0L                       | 2006 to 2008      | M6 and M6 Convertible |

The High Flow Cold Air Intake System is a modification made to the stock air filter housing bottom (dirty air side). A hole is cut and tubing is attached to capture cold air from the bottom of the vehicle. No changes are made to the stock air flow meter or housing lid.

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

Changes made to the design or operating conditions of the High Flow Cold 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.

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

Marketing of the High Flow Cold Air Intake System using any identification other than that shown in this Executive Order or marketing of the High Flow Cold 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 Cold Air Intake System units may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on a prior Executive Order for Dinan Engineering, Inc. (D-176-32) which exempted the High Flow Cold Air Intake System on BMW vehicles certified to the Low Emission Vehicle II Ultra Low Emission Vehicle (LEV II ULEV) emission standards.

Similar effect on vehicle emissions is expected with the installation of the High Flow Cold Air Intake on vehicles listed in this Executive Order.

The Air Resources Board 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, INC.'S HIGH FLOW COLD 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 is made after the hearing that grounds for revocation exist.

Executed at El Monte, California, this 8 day of July 2008.



Annette Hebert, Chief  
Mobile Source Operations Division