State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-265-28

Relating to Exemptions under
Section 27156 of the Vehicle Code

Chrysler LLC
Mopar Performance
Cold Air Intake Kits

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 Sections 39515 and 39516 of the Health and Safety Code and Executive Order G-02-003;

IT IS ORDERED AND RESOLVED: That installation of the Cold Air Intake Kits, manufactured for Chrysler LLC Mopar Performance (26311 Lawrence Avenue, Center Line, Michigan 48015-9760) by AEM Induction Systems (1455 Citrus Street, Riverside, California 92502), has been found not to reduce the effectiveness of the applicable vehicle pollution control systems, and therefore, the Cold Air Intake Kits are exempt from the prohibitions in Section 27156 of the Vehicle Code for installation on the following vehicles:

Kit Part Number	Vehicle Model-Year	Vehicle Model & Engine
77070029	2009-2010	Dodge Challenger 5.7 & 6.1L
77070023	2009-2010	Dodge Ram Trucks 5.7L

The Cold Air Intake Kits include an open-element air filter, aluminum inlet tube(s), and various mounting hardware and connecting hoses, including the positive crankcase ventilation breather hose and intake air temperature extension harness.

This Executive Order is based on emission testing and On-Board Diagnostic II System checks conducted by AEM Induction Systems and Chrysler LLC Mopar Performance.

If evidence provides the Air Resources Board with reasons to suspect that the Cold Air Intake Kits will affect the durability of the emission control system, Chrysler LLC Mopar Performance 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 parts demonstrate adequate durability.

This Executive Order is valid provided that installation instructions for the Cold Air Intake Kits do not recommend tuning the vehicles to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the Cold Air Intake Kits, as exempt by the Air Resources Board, which adversely affect the performance of the vehicles' emission control system, shall invalidate this Executive Order.

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

Exemption of the Cold Air Intake Kits shall not be construed as exemption to sell, offer for sale, or advertise any component of the systems as an individual device.

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

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

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.

In addition to the foregoing, 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 California Code of Regulations, Title 13, 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 CHRYSLER LLC MOPAR PERFORMANCE'S COLD AIR INTAKE KITS.

Violation of any of the above conditions shall be grounds for revocation of this Executive Order. The Executive Order may be revoked only after a ten-day written notice of intention to revoke the Executive Order, in which period the holder of the Executive 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 Executive Order may not be revoked until a determination is made after the hearing that grounds for revocation exist.

Executed at El Monte, California, this 11 day of March 2010.

Annette Hebert, Chief
Mobile Source Operations Division