

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-269-12
Relating to Exemptions Under Section 27156
of the Vehicle Code

K&N ENGINEERING, INC.
FILTERCHARGER INJECTION PERFORMANCE KIT

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 Filtercharger Injection Performance Kit, manufactured and marketed by K&N Engineering, Inc., 561 Iowa Avenue, Riverside, California 92502 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 the vehicles listed in Exhibit A.

The Filtercharger Injection Performance Kit includes the following main components: K&N open-element reusable air filter, intake system tubing, assorted brackets, and hardware.

This Executive Order is valid provided that the installation instructions for the Filtercharger Injection Performance Kit 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 Filtercharger Injection Performance Kit 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 Filtercharger Injection Performance Kit using any identification other than that shown in this Executive Order or marketing of the Filtercharger Injection Performance Kit for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of the Filtercharger Injection Performance Kit shall not be construed as exemption to sell, offer for sale, or advertise any component of the kit as an individual device.

This Executive Order does not constitute any opinion as to the effect the use of the Filtercharger Injection Performance Kit may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on examination of the On-Board Diagnostic II (OBD-II) system of the vehicle in the modified configuration, and an engineering evaluation of the emissions impact of the device if measured using the Cold-Start CVS-75 Federal Test Procedure. However, the ARB finds that reasonable grounds exist to believe that use of the K&N Engineering Filtercharger Injection Performance Kit may adversely affect emissions of motor vehicles when operating under conditions outside the parameters of the CVS-75 Federal Test Procedure. 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 K&N Engineering Filtercharger Injection Performance Kit adversely affects 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 Filtercharger Injection Performance Kit will affect the durability of the emission control system, K&N Engineering 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 K&N ENGINEERING'S FILTERCHARGER INJECTION PERFORMANCE KIT.

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.

Executed at El Monte, California, this 23rd day of March 1998.


R. B. Summerfield, Chief
Mobile Source Operations Division

Exhibit "A"

Ford/Lincoln-Mercury/Mazda Applications

<u>Year</u>	<u>Model</u>	<u>Engines</u>	<u>Part #</u>
Ford/Lincoln-Mercury/Mazda Trucks-SUV's			
1997-98	F-Series	V6-4.2L	57-2515**
1997-98	F-Series	V8-4.6L	57-2514**
1997	F-Series	V8-5.4L	57-2514**
1998	F-Series	V8-5.4L exc. LEV models	57-2514**
1997-98	Expedition	V8-4.6L	57-2514**
1997	Expedition	V8-5.4L	57-2514**
1998	Expedition	V8-5.4L exc. LEV models	57-2514**
1998	Navigator	V8-5.4L exc. LEV models	57-2514**
1995-96	F-Series	L6-4.9L	57-2510-1*
1994-96	F-Series	V8-5.0L	57-2510-1*
1994-96	Bronco	V8-5.0L	57-2510-1*
1995-96	Bronco	V8-5.8L	57-2510-1*
1995-97	F-Series	V8-5.8L	57-2510-1*
1996-97	F-Series	V8-7.5L	57-2516**
1993-95	F-Series Lightning	V8-5.8L	57-2517**
1995-97	Ranger	V6-4.0L OHV	57-2513-1*
1995-97	B4000	V6-4.0L OHV	57-2513-1*
1995-98	Explorer	V6-4.0L OHV	57-2513-1*
1996-98	Explorer	V8-5.0L	57-2513-1*
1997-98	Mountaineer	V8-5.0L	57-2513-1*
1997-98	Explorer	V6-4.0L SOHC	57-2518**

* Existing K&N Part # with existing C.A.R.B. E.O. # submitted for update to application with no changes to the kit.

** New kit application.

Exhibit "A"

Ford/Lincoln-Mercury/Mazda Applications (continued)

<u>Year</u>	<u>Model</u>	<u>Engines</u>	<u>Part #</u>
Ford/Lincoln-Mercury/Mazda Cars			
1996-98	Mustang GT, Cobra	V8-4.6L	57-2519**
1993-97	Probe	V6-2.5L	57-2507*
1993-97	MX6	V6-2.5L	57-2507*
1991-97	Thunderbird/Cougar	V6-3.8L	57-2505-1*
1994-97	Thunderbird/Cougar	V8-4.6L	57-2505-1*
1991-93	Thunderbird/Cougar	V8-5.0L	57-2505-1*
1989-95	Thunderbird SC	V6-3.8L Supercharged	57-2512*
1996	Taurus/Sable	V6-3.0L 12V	57-2520**
1996-98	Taurus/Sable	V6-3.0L 24V	57-2521**
1996-98	Taurus SHO	V8-3.4L 32V	57-2522**
1991-96	Escort	L4-1.8L	57-2500-1*

* Existing K&N Part # with existing C.A.R.B. E.O. # submitted for update to application with no changes to the kit.

** New K&N application.