

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-338-49  
Relating to Exemptions Under Section 27156  
of the Vehicle Code

Harley-Davidson Motor Company  
Screamin' Eagle Stage 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 Section 39515 and Section 39516 of the Health and Safety Code and Executive Order G-02-003; imagine

IT IS ORDERED AND RESOLVED: That the installation of the Screamin' Eagle Stage Kits, marketed and manufactured by the Harley-Davidson Motor Company, 3700 W. Juneau Avenue, Milwaukee, Wisconsin 53208 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 2001 through 2005 model-year Harley-Davidson Touring and Softail motorcycles originally equipped with the 1450cc fuel injected engine and 2005 model-year Harley-Davidson VRSCA motorcycles originally equipped with the 1130cc throttle body fuel injected engine:

|                  | <u>Model-Year</u>  | <u>Part No.</u> | <u>Calibration/<br/>Cartridge P/N</u> | <u>Models</u>                 |
|------------------|--------------------|-----------------|---------------------------------------|-------------------------------|
| <b>Stage Kit</b> | 2003               | 29842-03        | 32936-03C / no cartridge              | Touring (All)                 |
|                  |                    | 29855-03        | 32936-03C/ no cartridge               | Touring (All)                 |
|                  | 2004               | 29842-04        | 32936-03C / no cartridge              | Touring (All)                 |
|                  |                    | 29855-04        | 32936-03C/ no cartridge               | Touring (All)                 |
|                  | 2005               | 29842-04        | 32876-05C / no cartridge              | Touring (All)                 |
|                  |                    | 29855-04        | 32876-03C/ no cartridge               | Touring (All)                 |
|                  |                    | 29856-05        | 32467-05B/ no cartridge               | Softail<br>(FLSTF&FXSTD only) |
|                  |                    | 29857-05        | 32467-05B / no cartridge              | Softail<br>(FLSTF&FXSTD only) |
|                  |                    | 29863-04        | 32203-05B / no cartridge              | VRSCA                         |
|                  | <b>Stage I Kit</b> | 2001-2004       | 29773-02B                             | 32725-04A / 32957-04A         |
| 2005             |                    | 29773-02B       | 33269-05B / 32957-04A                 | Softail (except FLSTSCi)      |
| 2001-2003        |                    | 29773-02B       | 32733-04A / 32959-04B                 | Softail (FLSTSi only)         |
| 2005             |                    | 29773-02B       | 33273-05B / 32959-04B                 | Softail (FLSTSCi only)        |
| 2002-2003        |                    | 29773-02B       | 32848-02 / no cartridge               | Touring (All)                 |
| 2004             |                    | 29773-02B       | 32733-04A / 32959-04B                 | Touring (All)                 |
| 2005             |                    | 29773-02B       | 33273-05B / 32959-04B                 | Touring (All)                 |
| 2001-2004        |                    | 29774-02B       | 32728-04A / 32958-04A                 | Softail (except FLSTSi)       |
| 2005             |                    | 29774-02B       | 33270-05B / 32958-04A                 | Softail (except FLSTSCi)      |
| 2001-2003        |                    | 29774-02B       | 32796-04A / 32983-04B                 | Softail (FLSTSi only)         |
| 2005             |                    | 29774-02B       | 33274-05B / 32983-04B                 | Softail (FLSTSCi only)        |
| 2002-2003        |                    | 29774-02B       | 32847-02 / no cartridge               | Touring (All)                 |

|                     |           |           |                         |                          |
|---------------------|-----------|-----------|-------------------------|--------------------------|
| <b>Stage I Kit</b>  | 2005      | 29774-02B | 33274-05B / 32983-04B   | Touring (All)            |
|                     | 2004      | 29774-02B | 32796-04A / 32983-04B   | Touring (All)            |
|                     | 2001-2004 | 29860-04A | 32728-04A / 32958-04A   | Softail (except FLSTSi)  |
|                     | 2005      | 29860-04A | 33270-05B / 32958-04A   | Softail (except FLSTSCi) |
|                     | 2001-2003 | 29860-04A | 32796-04A / 32983-04B   | Softail (FLSTSi only)    |
|                     | 2005      | 29860-04A | 33274-05B / 32983-04B   | Softail (FLSTSCi only)   |
|                     | 2002-2003 | 29860-04A | 32847-02 / no cartridge | Touring (All)            |
|                     | 2004      | 29860-04A | 32796-04A / 32983-04B   | Touring (All)            |
|                     | 2005      | 29860-04A | 33274-05B / 32983-04B   | Touring (All)            |
| <b>Stage II Kit</b> | 2004      | 29850-04A | 32951-04A / 32952-04A   | Softail (All)            |
|                     | 2004      | 29858-04A | 32951-04A / 32952-04A   | Softail (All)            |
|                     | 2005      | 29850-04A | 33262-05B / 32952-04A   | Softail (except FLSTSCi) |
|                     | 2005      | 29858-04A | 33262-05B / 32952-04A   | Softail (except FLSTSCi) |

**The Screamin' Eagle Stage Kit, P/Ns 29842-03 and 29855-03**, includes the following main components: Screamin' Eagle high flow air cleaner, larger bore cylinders to change bore from 3.75 to 3.875, larger bore pistons to accommodate cylinders, cylinder heads, camshaft (profile # CVO-253), flywheel (profile # CVO-103), piston rings, gaskets, and a new ECM calibration. The new ECM calibration is a dealer downloaded file that requires the use of a scan tool for installation. Kit increases engine displacement from 1450 to 1688cc. **The Screamin' Eagle Stage Kit, P/N 29842-04, 29855-04, 29856-05, and 29857-05** includes all components of P/Ns 29842-03 and 29855-03 and a pair of Harley-Davidson catalyst mufflers.

**The Screamin' Eagle Stage Kit, P/N 29863-04**, includes the following main components: Large bore cylinders and pistons, cylinder heads, camshaft (profile # 17431-05K), piston rings, gaskets, and a new ECM calibration. The new ECM calibration is a dealer downloaded file that requires the use of a scan tool for installation. Kit increases engine displacement from 1130 to 1247cc.

**The Screamin' Eagle Stage I Kit, P/N 29773-02B**, includes the following main components: Screamin' Eagle high flow air cleaner and a new ECM calibration. The new ECM calibration is either a cartridge or a dealer downloaded file that requires the use of a scan tool for installation.

**The Screamin' Eagle Stage I Kit, P/Ns 29774-02B and 29860-04A**, includes the following main components: Screamin' Eagle high flow air cleaner, larger bore cylinders to change bore from 3.75 to 3.875, larger bore pistons to accommodate cylinders, piston rings, gaskets, and a new ECM calibration. The new ECM calibration is either a cartridge or a dealer downloaded file that requires the use of a scan tool for installation. Kit increases engine displacement from 1450 to 1550cc.

**The Screamin' Eagle Stage II Kit, P/Ns 29850-04A and 29858-04A**, includes the following main components: Screamin' Eagle high flow air cleaner, larger bore cylinders to change bore from 3.75 to 3.875, larger bore pistons to accommodate cylinders, camshaft (profile # SE-203), piston rings, gaskets, and a new ECM calibration. The new ECM calibration is either a cartridge or a dealer downloaded file that requires the use of a scan tool for installation. Kit increases engine displacement from 1450 to 1550cc.

This Executive Order is valid provided that the installation instructions for the Screamin' Eagle Stage Kits will not recommend tuning the motorcycle to specifications different from those of the Harley-Davidson Motor Company.

This Executive Order shall not apply to any Harley-Davidson Motor Company Screamin' Eagle Stage Kits advertised, offered for sale, sold with, or installed on a motorcycle prior to or concurrent with transfer to an ultimate purchaser.

Changes made to the design or operating conditions of the Screamin' Eagle Stage Kits, as exempt by the Air Resources Board, which adversely affect the performance of the motorcycle's pollution control system shall invalidate this Executive Order.

This Executive Order is granted based on prior evaluation which determined that Harley-Davidson Motor Company's Screamin' Eagle Stage Kits does not cause an adverse effect on emissions of selected motorcycles (D-338-48). The same effect on emissions is expected on the motorcycles listed in this Executive Order.

Marketing of the Screamin' Eagle Stage Kits using any identification other than that shown in this Executive Order or marketing of the Screamin' Eagle Stage Kits 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 Screamin' Eagle Stage Kits 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 Screamin' Eagle Stage Kits may have on any warranty either expressed or implied by the Harley-Davidson Motor Company.

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 HARLEY-DAVIDSON MOTOR COMPANY'S SCREAMIN' EAGLE STAGE KITS.**

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 15<sup>th</sup> day of December 2004.

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Allen Lyons, Chief  
Mobile Source Operations Division