State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-427-13

Relating to Exemptions Under Section 27156
of the California Vehicle Code

Northern California Diagnostic Laboratories, Inc.
96 Cubic Inch Stage 1 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-02-003;

IT IS ORDERED AND RESOLVED: That the installation of the 96 Cubic Inch Stage 1 Kit, produced and marketed by Northern California Diagnostic Laboratories, Inc. of 2748 Jefferson Street, Napa, California 94558, 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 2008 through 2010 model year Harley-Davidson Touring, Softail, and Dyna motorcycle models equipped with a 96 cubic inch displacement engine.

The 96 Cubic Inch Stage 1 Kit includes a new ECU calibration (p/n 96-1CA) and a high flow air filter housing and element (p/n 29440-990 / 29441-99A). The new ECU calibration is downloaded to the motorcycle's ECU and can only be installed by either a Harley-Davidson dealer, Northern California Diagnostic Laboratories, Inc., or an authorized representative. The new ECU calibration has no dealer or user adjustments.

This Executive Order is valid provided the installation instructions for the 96 Cubic Inch Stage 1 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 96 Cubic Inch Stage 1 Kit, 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 96 Cubic Inch Stage 1 Kit using any identification other than that shown in this Executive Order or marketing of the 96 Cubic Inch Stage 1 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.

This Executive Order does not constitute any opinion as to the effect the use of the 96 Cubic Inch Stage 1 Kit may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on previously submitted emission test data generated on a 2009 model year Harley-Davidson Touring model with engine family 9HDXC1.68AED. Test results showed that emission levels, with the 96 Cubic Inch Stage 1 Kit installed, met the applicable emission standards when tested using the Cold-Start CVS-75 Federal Test Procedure (FTP). Results from emission testing conducted at Northern California Diagnostic Laboratories, Inc., located in Napa, California, are shown below in grams per kilometer, with deterioration factors (df) applied.

	CVS-75 FTP	
	HC+NOx	CO
Standards	0.5	12
Device w/ df	0.2	4.7

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 NORTHERN CALIFORNIA DIAGNOSTIC LABORATORIES, INC.'S 96 CUBIC INCH STAGE 1 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 is made after the hearing that grounds for revocation exist.

Executed at El Monte, California, this 25 day of November 2009.

Annette Hebert

Annette Hebert, Chief
Mobile Source Operations Division