

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-427-4

Relating to Exemptions Under Section 27156
of the California Vehicle Code

N.C.D.L. Performance Parts
Hyperspeed Controller

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 Hyperspeed Controller, produced and marketed by N.C.D.L. Performance Parts, Inc., 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 those 2002 model-year passenger cars, light-duty trucks, and medium-duty vehicles certified to the Tier-1 emission standards, and equipped with conventional zirconia oxygen sensors listed in the attached Exhibit A. Excluded vehicles are those vehicles certified to Supplemental Federal Test Procedure standards, and vehicles equipped with titania or linear oxygen sensors.

The Hyperspeed Controller includes the following main components: Hyperspeed Controller unit, coolant temperature switch (activation at 135 degrees Fahrenheit), wiring harness, and an OEM type connector to allow for direct connection to the stock primary oxygen sensor harness.

This Executive Order is valid provided that the installation instructions for the N.C.D.L. Performance Parts Hyperspeed Controller 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 N.C.D.L. Performance Parts Hyperspeed Controller, 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 N.C.D.L. Performance Parts Hyperspeed Controller 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 N.C.D.L. Performance Parts Hyperspeed Controller using any identification other than that shown in this Executive Order or marketing of the N.C.D.L. Performance Parts Hyperspeed Controller 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 N.C.D.L. Performance Parts Hyperspeed Controllers may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on emission results submitted by N.C.D.L. Performance Parts in completion of the requirements for the issuance of Executive Order D-427-2. Testing was performed on four vehicles: 2000 Chrysler Neon, 2000 Ford Expedition, 2000 Toyota Corolla, and 2000 Volkswagen Jetta. This Executive Order provides an update of vehicle model-years for which the Hyperspeed Controller may be installed.

If evidence provides the ARB with reason to suspect that the Hyperspeed Controller will affect the durability of emission control systems, N.C.D.L. Performance Parts shall be required to submit durability data to show that the durability of vehicle emission control systems are not, in fact, affected and/or that the add-on or modified part demonstrates adequate durability.

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 N.C.D.L. PERFORMANCE PARTS' HYPERSPEED CONTROLLER.

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 5TH day of March, 2002.


Allen Lyons, Chief
New Vehicle/Engine Programs Branch

EXHIBIT A

MODEL-YEAR	MFR	DISPLACEMENT (LITERS)	MODEL	STANDARD
2002	Chrysler	8	Dodge Viper coupe	Tier-1
2002	Chrysler	8	Dodge Viper convertible	Tier-1
2002	Chrysler	5.9	Dodge Ram 3500 cab chassis 2wd/4wd	Tier-1
2002	Chrysler	5.9	Dodge Ram 3500 pickup 4wd	Tier-1
2002	Chrysler	5.9	Dodge Ram 3500 pickup 2wd/4wd	Tier-1
2002	Chrysler	5.2	Dodge Ram van 1500/2500/3500 2wd	Tier-1
2002	Chrysler	5.2	Dodge Ram wagon 2500/3500 2wd	Tier-1
2002	Chrysler	5.2	Dodge Ram van 1500 2wd	Tier-1
2002	Chrysler	5.9	Dodge Ram van 1500 2wd	Tier-1
2002	Chrysler	5.2	Dodge Ram van 1500 2wd	Tier-1
2002	Chrysler	5.2	Dodge Ram wagon 1500 2wd	Tier-1
2002	Chrysler	3.9	Dodge Ram van 1500 2wd	Tier-1
2002	Chrysler	3.9	Dodge Ram wagon 1500 2wd	Tier-1
2002	GM	5	Chevrolet G1500-2500 Express 2wd	Tier-1
2002	GM	5	Chevrolet G1500/2500 van 2wd	Tier-1
2002	GM	5	GMC G1500/2500 Savana Cargo 2wd	Tier-1
2002	GM	5	GMC G1500/2500 Savana Passenger 2wd	Tier-1
2002	Jaguar	4	SUPER V8, XJR, XKR, XKR convertible	Tier-1
2002	Lamborghini	6	L-147 Murcielago	Tier-1
2002	Mazda	2.3	Millenia	Tier-1
2002	Mercedes Benz	6	SL600	Tier-1
2002	Bentley	6.75	Arnage	Tier-1
2002	Bentley	6.75	Arnage long wheelbase	Tier-1
2002	Bentley	6.75	Azure	Tier-1
2002	Bentley	6.75	Continental T/R/SC	Tier-1
2002	Rolls Royce	6.75	Corniche	Tier-1
2002	Rolls Royce	5.4	Silver Seraph, Park Ward	Tier-1
2002	Roush	4.6	Stage 3 Mustang Convertible	Tier-1
2002	Toyota	3	Camry Solara 5 spd	Tier-1