State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-461-1
Relating to Exemptions Under Section 27156
of the Vehicle Code

INDEPENDENT MOBILITY SYSTEMS, INC.
"FUEL SYSTEM, LWB 10" HDPE", PART NO. N-24004
20-GALLON HIGH DENSITY POLYETHYLENE
REPLACEMENT FUEL TANK ASSEMBLY

Pursuant to the authority vested in the Air Resources Board (ARB) 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-45-9;

IT IS ORDERED AND RESOLVED: That installation of the "FUEL SYSTEM, LWB 10" HDPE" replacement fuel tank assembly, part no. N-24004, manufactured by Independent Mobility Systems, Inc. (IMS) of 4100 W. Piedras Street, Farmington, New Mexico 87401, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, the replacement fuel tank assembly is exempt from the prohibitions of Section 27156 of the California Vehicle Code for installation on 1999 model-year 3.0/3.3/3.8 liter Chrysler Corporation minivans, originally equipped with 20-gallon high density polyethylene fuel tanks.

This exemption is based on fuel tank temperature profile and on-board diagnostic system testing conducted by IMS on a 1998 model-year 3.8 liter Chrysler Town & Country minivan.

Through engineering evaluation of the fuel tank temperature data, it was concluded that IMS's replacement fuel tank assembly will not adversely affect the evaporative emissions of the Chrysler minivans listed above. In addition, IMS showed that the replacement fuel tank assembly does not affect the operation of the vehicle's on-board diagnostic leak detection system. The same results are expected when the replacement fuel tank assembly is installed on the 1999 model-year minivans.

Exemption of the replacement fuel tank assembly shall not be construed as an exemption to sell, offer for sale, or advertise any components of the replacement fuel tank assembly as individual devices.

This Executive Order is valid provided that installation instructions for the replacement fuel tank assembly not recommend tuning the vehicles to specifications different from those submitted by the vehicle manufacturer.

Changes made to the design or operating conditions of the replacement fuel tank assembly, as exempted by the ARB, which may adversely affect the performance of a vehicle's pollution control system, shall invalidate this Executive Order.

Marketing of the replacement fuel tank assembly using an 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 ARB.

This Executive Order does not constitute any opinion as to the effect the use of the replacement fuel tank assembly 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.

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 INDEPENDENT MOBILITY SYSTEMS, INC.'S "FUEL SYSTEM, LWB 10" HDPE" REPLACEMENT FUEL TANK ASSEMBLY.

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 after the hearing that grounds for revocation exist.

Executed at El Monte, California, this 11th day of August 1998.

R. B. Summerfield, Chief
Mobile Source Operations Division