

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-519

Relating to Exemption Under Section 27156
of the Vehicle Code

Parker Fuel Cell Distributors, LLC.
Parker Flux Wave Cell

WHEREAS, Vehicle Code Section 27156 and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(e), authorize the California Air Resources Board (ARB) and its Executive Officer to exempt add-on and modified parts from the prohibitions of Vehicle Code Section 27156.

WHEREAS, Parker Fuel Cell Distributors, LLC. of 15730 N. Pima, Suite D4-332 Scottsdale, Arizona 85260 has applied to the ARB for exemption from the prohibitions of Vehicle Code Section 27156 for the Parker Flux Wave Cell.

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Operations Division by Health and Safety Code Section 39516 and Executive Order G-45-9, the ARB finds that:

1. Parker Flux Wave Cell is an add-on device that is installed on a fuel line of a motor vehicle.
2. The fuel line is part of the required motor vehicle pollution control system.
3. Parker Flux Wave Cell is intended for use with a required pollution control system.
4. Parker Flux Wave Cell by being installed on the fuel line, alters the original design of a motor vehicle pollution control system.
5. Parker Flux Wave Cell is a device subject to the prohibitions of Vehicle Code Section 27156 and an add-on part as defined by Title 13, CCR Section 1900(b)(1).
6. Parker Flux Wave Cell does not reduce the effectiveness of any required motor vehicle pollution control device.
7. The ARB, in exercising technical judgement, is aware of no basis on which Parker Flux Wave Cell will provide either a decrease in emissions or an increase in fuel economy.

8. The ARB has not determined what effect use of Parker Flux Wave Cell may have on any warranty, either expressed or implied, by the manufacturer or a motor vehicle on which the device is installed.
9. Parker Flux Wave Cell is not a certified motor vehicle pollution control device pursuant to Health and Safety Code Section 43644.
10. The ARB by granting an exemption to Parker Fuel Cell Distributors, LLC. for the Parker Flux Wave Cell does not recommend or endorse in any way the Parker Flux Wave Cell for emissions reduction, fuel economy, or any other purpose.

IT IS HEREBY RESOLVED that Parker Flux Wave Cell is exempt from the prohibitions of Vehicle Code Section 27156 for installation on 2001 and older model-year diesel powered vehicles subject to the following conditions:

1. This exemption shall not apply to any device, apparatus, or mechanism advertised, offered for sale, sold with, or installed on a new motor vehicle prior to or concurrent with transfer to an ultimate purchaser.
2. No changes are permitted to the device as described in the application for exemption. Any changes to the device, applicable model year, or other factors addressed in this order must be evaluated and approved by the ARB prior to marketing in California.
3. Marketing of this device without a permanent label showing the Executive Order number or marketing of this device for an application other than the one stated in this Executive Order shall be prohibited unless prior approval is obtained from the ARB. Exemption of this product shall not be construed as an exemption to sell, offer for sale, or advertise any component of the product as an individual device.
4. Any oral or written references to this Executive Order or its content by Parker Fuel Cell Distributors, LLC. Distributors, LLC., its principals, agents, employees, distributors, dealers, or other representatives must include the disclaimer that the Executive Order or the exemption it provides is not an endorsement or approval of any fuel economy or emissions reduction claims for the Parker Flux Wave Cell and is only a finding that the device is exempt from the prohibitions of Vehicle Code Section 27156.
5. No claim of any kind, such as "Approved by the Air Resources Board" may be made with respect to the action taken 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.

The Bureau of Automotive Repair will be notified by copy of this order.

Executed at El Monte, California, this 8th day of August 2001.


R. B. Summerfield, Chief
Mobile Source Operations Division

EVALUATION SUMMARY

Manufacturer Name: Parker Fuel Cell Distributors, LLC.

Name of Device: Parker Flux Wave Cell

Background:

Parker Fuel Cell Distributors, LLC. of 15730 N. Pima, Suite D4-332, Scottsdale, Arizona, 85260, has applied for an exemption from the prohibitions in Section 27156 of the California Vehicle Code (VC) for the Parker Flux Wave Cell designed for 2001 and older model-year diesel powered vehicles.

Recommendation:

Grant exemption to Parker Fuel Cell Distributors, LLC. as requested and issue Executive Order D-519.

Device Description:

Parker Fuel Cell Distributors, LLC.'s Parker Flux Wave Cell is specifically designed for installation on 2001 and older model-year diesel powered vehicles. The installation of the device requires the cutting of the fuel line, after the fuel filters, for installation.

The Parker Flux Wave Cell is intended to increase the vehicle's efficiency and power output by modifying the molecular structure of the diesel fuel prior to combustion.

Discussion/Basis for the Recommendation:

Parker Fuel Cell Distributors LLC. claims that when the Parker Flux Wave Cell is installed, it introduces the fuel to flux wave fields. This allows the hydrocarbon fuel to be attracted to oxygen, allowing the fuel to burn more efficiently. It is the staff's opinion that the technical principles underlying the stated function of the device are not capable of producing any effects on emissions and fuel economy.

The ARB did not perform any emissions or fuel economy tests to substantiate the claims made by the manufacturer. No adjustments such as timing, EGR, fuel metering are included in the installation instructions.

The ARB has exempted similar devices in the past, exemptions were granted based on comparative Cold Start CVS-75 Federal Test Procedures, fuel economy testing, and an engineering evaluation. Because of the previous exemptions issued to similar devices with the same operating principle and the fact that qualifying for an exemption is based on not adversely affecting exhaust emissions, the staff recommends that Parker Fuel Cell Distributors, LLC. be granted an exemption as requested.