

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-530

Relating to Exemptions under
Section 27156 of the Vehicle Code

Clear Imaging Alternatives, Inc.
Clear Air Plus

WHEREAS, Vehicle Code Section 27156 and Title 13, California Code of Regulations (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, Clear Imaging Alternatives, Inc. has applied to the ARB for exemption from the prohibitions of Vehicle Code Section 27156 for the Clear Air Plus for use on 1993 and older model-year gasoline vehicles and 2002 and older model-year diesel vehicles;

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

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

8. It has not been determined what effect the use of the Clear Air Plus may have on any warranty, either expressed or implied, by the manufacturer of a motor vehicle on which the device is installed.
9. The Clear Air Plus is not a certified motor vehicle pollution control device pursuant to the Health and Safety Code Section 43644.
10. The ARB by granting an exemption to Clear Imaging Alternatives, Inc. for the Clear Air Plus does not recommend or endorse in any way the Clear Air Plus for emission reduction, fuel economy, or any other purpose.

IT IS HEREBY RESOLVED that the Clear Air Plus is exempt from the prohibitions of Vehicle Code Section 27156 for installation on 1993 and older model-year gasoline vehicles and 2002 and older model-year diesel vehicles:

1. This exemption shall not apply to any device, apparatus, or mechanism advertised, offered for sale, sold with, or installed on a 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 Executive Order must be evaluated and approved by the ARB prior to marketing in California.
3. Marketing of this device using an identification other than that shown in this Executive Order or marketing of this device for an application other than those listed in the Executive Order shall be prohibited unless prior approval is obtained from the ARB.
4. Exemption of the device shall not be construed as an exemption to sell, offer for sale, or advertise any components of the device as individual devices.
5. Any oral or written references to this Executive Order or its content by Clear Imaging Alternatives, Inc., 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 emission reduction or fuel economy claims for the Clear Air Plus and is only a finding that the device is exempt from the prohibitions of Vehicle Code Section 27156.
6. 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 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 is made after a hearing that grounds for revocation exist.

Executive Orders D-342, dated November 1993 is superseded and of no further force and effect.

Executed at El Monte, California, this 18th day of December 2001.


R. B. Summerfield, Chief
Mobile Source Operations Division

EVALUATION SUMMARY

Manufacturer Name: Clear Imaging Alternatives, Inc.

Name of Device: Clear Air Plus

Background:

Clear Imaging Alternatives, Inc. of 1266 West Paces Ferry Road, Suite PMB128, Atlanta, Georgia 30327 has requested the transfer of the Econogreen from Econogreen Environmental Systems, Inc., Executive Order D-342, to Clear Imaging Alternatives, Inc. Clear Imaging Alternatives, Inc. has also requested that the name of the product be changed to Clear Air Plus and that the vehicle application list include 2002 and older model-year diesel vehicles.

Recommendation:

Grant an exemption to Clear Imaging Alternatives, Inc. as requested and issue Executive Order D-530.

Device Description:

The Clear Air Plus is an in-line fuel device claimed to improve fuel economy and emissions by aligning the fuel molecules as the fuel passes through the device. The device consists of alloy cones and magnets inside a cylindrical housing. Use of the device does not require any other alterations to the vehicle emission control system.

Discussion/Basis for the Recommendation:

Clear Imaging Alternatives, Inc. has entered an exclusive distributorship agreement with Econogreen Environmental Systems, Inc. to market the Econogreen. As part of this agreement, Clear Imaging Alternatives, Inc. has requested the Air Resources Board (ARB) for a new Executive Order in their name. This new Executive Order will also include a new product name and an updated listing for diesel vehicles.

The ARB has verified that the Clear Air Plus is a renamed Econogreen, and that Clear Imaging Alternatives, Inc., through provided documentation, does have an exclusive distributorship agreement with Econogreen Environmental Systems, Inc. The updated diesel vehicle listing, which is not certified to an enhanced evaporative standard, is based on the products previously granted Executive Order, which had determined that this product has no adverse effect on emissions.

Based on the submitted information, the staff concludes that Clear Imaging Alternatives, Inc. be granted an Executive Order for the Clear Air Plus for 1993 and older model-year gasoline vehicles and 2002 and older model-year diesel vehicles.