

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-574U

Relating to Exemptions under  
Sections 38390 and 38391 of the Vehicle Code

Polaris Industries  
Predator Kit-440

Pursuant to the authority vested in the Air Resources Board (ARB) by Part 5, Division 26 of the Health and Safety Code and Sections 38390, 38391, and 38395 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-02-003;

**IT IS ORDERED AND RESOLVED:** That installation of the Predator Kit-440 (p/n 2874728), manufactured by Polaris Industries of 301 5<sup>th</sup> Ave. SW, Roseau, MN 65751, has been found not to reduce the effectiveness of the applicable engine emission control system, and therefore, the Predator Kit-440 is exempt from the prohibitions in Sections 38390 and 38391 of the Vehicle Code for installation on 2003 to 2004 Predator 500 all-terrain vehicles (ATV's).

This exemption is based on emission tests conducted by Polaris Industries with the Predator Kit-440 installed. Test data showed that the Predator Kit-440 has no adverse impact on engine emissions.

Changes made to the design or operating conditions of the Predator Kit-440, as exempted by the ARB, which adversely affect the performance of the engine's pollution control system, shall invalidate this Executive Order.

Marketing of the Predator Kit-440 using 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 shall not apply to any Predator Kit-440 advertised, offered for sale, sold with, or installed on an off-road engine, vehicle, or equipment prior to or concurrent with transfer to an ultimate purchaser.

This Executive Order does not constitute any opinion as to the effect the use of the Predator Kit-440 may have on any warranty either expressed or implied by the engine manufacturer.

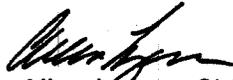
No claim of any kind, such as "Approved by the Air Resources Board," may be made with respect to the action taken herein in any advertising or other oral or written communication.

In addition to the foregoing, 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 California Code of Regulations, Title 13, Section 2474, 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 POLARIS INDUSTRIES' PREDATOR KIT-440 (P/N 2874728).

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.

Executed at El Monte, California, this 3<sup>RD</sup> day of November 2003.



Allen Lyons, Chief  
Mobile Source Operations Division