

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-640

Relating to Exemptions under
Section 27156 of the Vehicle Code

C&L Performance Inc.
Air Induction Systems

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 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 Air Induction Systems, manufactured by C&L Performance Inc. of 207 Green Cove Rd., Huntsville, Alabama 35803, has been found not to reduce the effectiveness of the applicable vehicle pollution control systems, and therefore, the Air Induction Systems are exempt from the prohibitions in Section 27156 of the Vehicle Code for installation on the vehicles listed in Attachment A.

The Air Induction Systems may be sold in four configurations: 1) a modified mass air flow housing, 2) a modified mass air flow housing and an open element air filter, 3) a modified mass air flow housing, open element air filter, and aluminum air inlet tube, and 4) an aluminum air inlet tube. The Air Induction Systems all include assorted mounting brackets and hoses, including the positive crankcase ventilation breather hose in some applications.

This Executive Order is based on Cold-Start CVS-75 Federal Test Procedure tests and On-Board Diagnostic II System tests conducted by C&L Performance Inc. with the Air Induction Systems.

If evidence provides the Air Resources Board with reasons to suspect that the Air Induction Systems will affect the durability of the emission control system, C&L Performance Inc. shall be required to submit durability data to show that the durability of the vehicle emission control system is not, in fact, affected and/or that the add-on or modified parts demonstrate adequate durability.

This Executive Order is valid provided that installation instructions for the Air Induction Systems do not recommend tuning the vehicles to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the Air Induction Systems, as exempt by the Air Resources Board, which adversely affect the performance of the vehicles' emission control system, shall invalidate this Executive Order.

Marketing of the Air Induction Systems 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 Air Resources Board. Exemption of the Air Induction Systems shall not be construed as exemption to sell, offer for sale, or advertise any component of the system as an individual device.

This Executive Order shall not apply to any Air Induction Systems advertised, offered for sale, sold with, or installed on a motor vehicle 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 Air Induction Systems may have on any warranty either expressed or implied by the vehicle manufacturer.

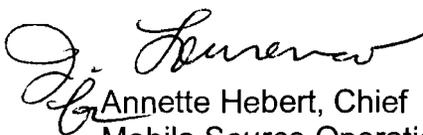
No claim of any kind, such as "Approved by the Air Resources Board," may be made with respect to the action taken herein in any advertising or other oral or written communication.

In addition to the foregoing, the Air Resources Board 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 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 C&L PERFORMANCE INC.'S AIR INDUCTION SYSTEMS.

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 the hearing that grounds for revocation exist.

Executed at El Monte, California, this 16th day of May 2008.



Annette Hebert, Chief
Mobile Source Operations Division

C&L Performance Inc.		
Mass Air Flow Housing Only		
Part Number	Model Year	Model Specification
106, 107, 108, 109, 110	1988-1993	5.0L Ford Mustang GT, LX and Cobra
124, 125, 126, 127, 128	1988-1993	5.0L Ford Mustang GT, LX and Cobra
106, 107, 108, 109, 124	1989-1995	5.0L/4.6L Ford Thunderbird
106, 107, 108, 111, 124	1989-1995	3.8L Supercharged Ford Thunderbird Supercoupe
110	1989-1995	3.0L/3.2L Ford Taurus SHO
106-94, 107-94, 108-94, 109-94	1994-1995	5.0L Ford Mustang GT, LX and Cobra
124-94, 125-94, 126-94, 127-94, 128-94	1994-1995	5.0L Ford Mustang GT, LX and Cobra
106A	2001-2004	3.8L Ford Mustang V6
Mass Air Flow Housing and Air Filter		
Part Number	Model Year	Model Specification
115, 115A, 115B	1994-1995	5.0L Ford Mustang GT, LX and Cobra
117	1994-2000	3.8L Ford Mustang V6
117A	2001-2004	3.8L Ford Mustang V6
10699	1996-2001	4.6L Ford Mustang GT 2V & 4V
10699A	2002-2004	4.6L Ford Mustang GT 2V & 4V
10699	2001	4.6L Ford Mustang Bullitt
10699M1	2003-2004	4.6L Ford Mustang Mach 1
10699B	2003-2004	4.6L Supercharged Ford Mustang Cobra
10700	1999-2000	5.4L Ford Lightning & Harley Davidson Truck
10700A	2001-2004	5.4L Ford Lightning & Harley Davidson Truck

C&L Performance Inc.		
Mass Air Flow Housing, Filter, and Inlet Pipe		
Part Number	Model Year	Model Specification
118, 118A, 118B	1994-1995	5.0L Ford Mustang GT, LX and Cobra
119, 119A, 119B, 119C, 119D	1989-1993	5.0L Ford Mustang GT, LX and Cobra
10699-P	1996-2001	4.6L Ford Mustang GT 2V & 4V
10696-PC	1996-1998	4.6L Ford Mustang Cobra 4V
10699-PC	1999-2001	4.6L Ford Mustang Cobra 4V
10699A-P	2002-2004	4.6L Ford Mustang GT 2V & 4V
10699-PB	2001	4.6L Ford Mustang Bullitt
10699M1-P	2003-2004	4.6L Ford Mustang Mach 1
10699B-P	2003-2004	4.6L Supercharged Ford Mustang Cobra
10699-05-PI (1)	2005-2006	4.6L Ford Mustang GT (1)
Inlet Pipe Only		
Part Number	Model Year	Model Specification
704	1989-1993	5.0L Ford Mustang GT, LX and Cobra
705	1994-1995	5.0L Ford Mustang GT, LX and Cobra
706	1996-2001	4.6L Ford Mustang GT 2V & 4V
707	2002-2004	4.6L Ford Mustang GT 2V & 4V
708	1996-1998	4.6L Ford Mustang Cobra 4V
709	2001	4.6L Ford Mustang Bullitt
710	1999-2004	5.4L Ford Lightning & Harley Davidson Truck
712	1999-2001	4.6L Ford Mustang Cobra 4V
713	2003-2004	4.6L Ford Mustang Mach 1
714	2005-2006	4.6L Ford Mustang GT
715	2003-2004	4.6L Supercharged Ford Mustang Cobra

Note:

- 10699-05-PI: For 2005 MY 4.6L Mustang GT installation, the kit can only be installed on vehicles with a 5/2005 or newer production date.

EVALUATION SUMMARY

Manufacturer Name: C&L Performance Inc.

Name of Device: Air Induction Systems

Background:

C&L Performance Inc. (C&L) of 207 Green Cove Rd., Huntsville, Alabama 35803 has requested an exemption from the prohibitions in Section 27156 of the California Vehicle Code for its Air Induction Systems. The vehicles in the application include 2006 and older vehicles. They are subject to the following standards and regulations:

1. LEV II LEV or higher Federal Test Procedure (FTP) exhaust emission standards
2. Supplemental Federal Test Procedure (SFTP) exhaust emission standards
3. LEV II or higher evaporative emission standards
4. On-Board Diagnostic II (OBD II) System regulations

Recommendation:

Grant exemption to C&L as requested and issue Executive Order D-640. The Air Induction Systems exempted under this Executive Order are identified in Attachment A.

Device Description:

C&L's Air Induction Systems are designed to increase the vehicle's power output by increasing the amount of air into the engine. The air induction systems may be sold in four configurations, consisting of: 1) a modified mass air flow housing, 2) a modified mass air flow housing and an open element air filter, 3) a modified mass air flow housing, open element air filter and air inlet tube, 4) air inlet tube. All come with assorted connectors, hoses, and mounting brackets and hardware. The various systems replace the stock mass air flow housing, air filter, the filter housing, and air inlet pipe(s). In some applications, the positive crankcase ventilation breather hose is replaced.

Discussion/Basis for the Recommendation:

This exemption is based on: FTP and OBD II System tests conducted on a 2006 model year 4.6 liter Ford Mustang GT LEV II LEV to evaluate the impact of the system on emissions. SFTP testing was not required because the CO and NMHC+NOx US06 certification values were lower than 40 percent of the SFTP US06 standard values. Testing was conducted on a vehicle modified with C&L's Air Induction System, part number 10699-05-PI, which include mass air flow housing, open element air filter and air inlet tube. Results are shown below:

FTP and OBD II System tests on a 2006 MY 4.6 liter Ford Mustang GT

	FTP Emissions (grams/mile)			
	NMOG	CO	NOx	HCHO
Test Results	0.030	1.401	0.030	0.000
Test Results w/50K DF	0.035	1.5	0.04	0.000
50K Standards	0.075	3.4	0.05	0.015
Pass/Fail	Pass	Pass	Pass	Pass
Test Results w/120K DF	0.051	1.8	0.07	0.000
120K Standards	0.090	4.2	0.07	0.018
Pass/Fail	Pass	Pass	Pass	Pass

	OBD II System Results	
	Readiness Indicator	Trouble Code
At vehicle receipt	All complete	None
After 1 st 50 mile drive	All complete except evaporative system	None
After C&L air induction system FTP test	All complete except evaporative system	None
After Ford recommended drive sequence to complete EVAP monitor testing	All complete	None

Notes:

1. Test vehicle – Test group 6FMXV04.6VEM (LEV II LEV); evaporative family 6FMXR0185GAK (LEV II evap.); odometer reading 21,414 miles.
2. Testing laboratory – Automotive Testing and Development Services, Inc. (ATDS) in Ontario, California.
3. OBD II System Results – It was necessary to drive the test vehicle in the Ford recommended drive sequence in order to set the evaporative system to complete.

FTP emission results showed that the modified vehicle meets the exhaust emission standards. Testing also showed that the modification does not have any adverse impact on the vehicle's OBD II System. Similar results are expected when any of the C&L Air Inductions Systems included in this application are used on the listed vehicles.