

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-670-12

Relating to Exemptions under
Section 27156 of the Vehicle Code

AEM Induction Systems
AEM Intercooler System

Pursuant to the authority vested in the Air Resources Board (ARB) by Vehicle Code (VC) Section 27156; 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 AEM Intercooler System, manufactured by AEM Induction Systems of 1455 Citrus Street, Riverside, California 92507, has been found not to reduce the effectiveness of the applicable vehicle pollution control systems, and therefore, the AEM Intercooler System is exempt from the prohibitions in VC Section 27156 for installation on the following vehicles:

| <u>AEM Intercooler System</u> | <u>Vehicle Application</u> |
|-------------------------------|--|
| 26-2102 | 2010-2013 Mitsubishi Lancer Evolution 2.0 liter turbocharged |

The AEM Intercooler System includes a replacement intercooler. No other changes to the original vehicle, such as disconnection, relocation, or modification of original temperature or pressure sensors, are allowed with the use of the AEM Intercooler System.

This Executive Order is based on Federal Test Procedure test, Supplemental Federal Test Procedure US06 test, and On-Board Diagnostic II System test conducted with the AEM Intercooler System.

If evidence provides ARB with reasons to suspect that the AEM Intercooler System will affect the durability of the emission control system, AEM Induction Systems 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 AEM Intercooler System 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 AEM Intercooler System, as exempt by ARB, which adversely affect the performance of the vehicle's emission control system, shall invalidate this Executive Order.

Marketing of the AEM Intercooler System 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 ARB.

Exemption of the AEM Intercooler System 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 AEM Intercooler System 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 AEM Intercooler System 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, 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 2222, et seq.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY ARB OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF AEM INDUCTION SYSTEMS' AEM INTERCOOLER SYSTEM.

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 29th day of August 2013.


Erik White, Chief
Mobile Source Operations Division