

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-69-6
Relating to Exemptions Under Section 27156
of the Vehicle Code

CONDENSATOR, INC.
"CONDENSATOR SUPPLEMENTARY CARBURETOR"

WHEREAS, Vehicle Code Section 27156 and Title 13 California Code of Regulations (hereafter "CCR") Section 2222, authorize the California Air Resources Board (ARB) and its Executive Officer to exempt aftermarket devices from the prohibitions in Vehicle Code Section 27156.

WHEREAS, Condensator, Inc. of 2010 Trimble Way, Sacramento, California 95825, has applied to the ARB for exemption from the prohibitions in Vehicle Code Section 27156 for their Condensator Supplementary Carburetor (Condensator) for the following application:

<u>Condensator</u>	<u>Vehicle Application</u>
Model A	1992 and older model-year vehicles with engine displacement greater than 2.3L (140 CID), and not equipped with catalytic converter or feedback system.
Model B	1992 and older model-year vehicles not equipped with catalytic converter or feedback system.
Model C	1992 and older model-year vehicles.

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Division by Health and Safety Code Section 39516 and Executive Order G-45-5, the Air Resources Board finds that the above models of Condensator comply with the California Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222.

IT IS HEREBY RESOLVED that the above models of Condensator are exempt from the prohibitions in Vehicle Code Sections 27156 and 38391 for installation on the approved application vehicles subject to the following conditions:

1. No changes are permitted to the Condensator models as described in the application for exemption. Any changes to the Condensator or any of its components, applicable model year, or other factors addressed in this order must be evaluated and approved by the Air Resources Board prior to marketing in California.
2. Marketing of the Condensator using identifications other than those shown in the exemption application or marketing of the Condensator for application other than those listed above shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of this product shall not be construed as an exemption to sell, offer for sale, or advertise any components of the Condensator as individual devices.

3. Any oral or written references to this Executive Order or its content by Condensator, 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 emissions reduction claims for the Condensator and is only a finding that the Condensator is exempt from the prohibitions in Vehicle Code Sections 27156 and 38391.

This Executive Order does not constitute any opinion as to the effect that the use of this device may have on any warranty either expressed or implied by the vehicle manufacturer.

Section 17500 of the Business and Professions Code makes untrue or misleading advertising unlawful, and Section 17534 makes violation punishable as a misdemeanor.

43644. (a) No person shall install, sell, offer for sale, or advertise, or, except in an application to the state board for certification of a device, represent, any device as a motor vehicle pollution control device for use on any used motor vehicle unless that device has been certified by the state board. No person shall sell, offer for sale, advertise, or represent any motor vehicle pollution control device as a certified device which, in fact, is not a certified device. Any violation of this subdivision is a misdemeanor."

Executive Order D-69-5, dated January 15, 1992, is superseded and of no further force and effect.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after ten day written notice of ~~intention~~ to revoke it, during 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.

Executed at El Monte, California, this ^{23rd} day of June, 1992.



R.B. Summerfield
Assistant Division Chief
Mobile Source Division