

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-738

Relating to Exemptions under
Section 27156 of the Vehicle Code

McAvey Ventures, LLC
FuelTool

Pursuant to the authority vested in the Air Resources Board (ARB) by Section 27156 of the Vehicle Code (VC); and

Pursuant to the authority vested in the undersigned by Sections 39515 and 39516 of the Health and Safety Code and Executive Order G-14-012;

IT IS ORDERED AND RESOLVED: That installation of the FuelTool device, manufactured by McAvey Ventures, LLC of 269 Bellair Road, Ridgewood, New Jersey 07450, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, the FuelTool device is exempt from the prohibitions in VC Section 27156 for installation on 2015 and older model-year gasoline pick-up trucks and vans. This exemption excludes all hybrid-electric vehicles and all vehicles certified to California zero-fuel evaporative emission standards and LEV III evaporative emission standards.

This Executive Order is based on previous evaporative emission testing and On-Board Diagnostic II system check conducted with the FuelTool device.

Exemption of the FuelTool device shall not be construed as an exemption to sell, offer for sale, or advertise any components of the system as individual devices.

This Executive Order shall not apply to any device 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 is valid provided that installation instructions for the FuelTool device do not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the FuelTool device, as exempt by ARB, which adversely affect the performance of the vehicle's pollution control system shall invalidate this Executive Order.

Marketing of the FuelTool device using an identification other than that shown in this Executive Order or for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from ARB.

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 Title 13, California Code of Regulations, Section 2222 et seq.

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

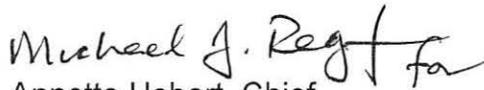
No claim of any kind, such as "Approved by the Air Resources Board," may be made with respect to the action taken herein in any advertising or other oral or written communication.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY ARB OF CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF MCAVEY VENTURES, LLC'S FUELTOOL DEVICE.

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.

This Executive Order hereby supersedes Executive Order D-703, dated March 8, 2013, and Executive Order D-703 is no longer valid.

Executed at El Monte, California, this 26 day of December 2014.



Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science Division