

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-744

Relating to Exemptions Under Section 27156  
of the California Vehicle Code

Burger Motorsports, LLC  
Mini Cooper S N18 JB+

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 Section 39515 and Section 39516 of the Health and Safety Code and Executive Order G-14-012;

IT IS ORDERED AND RESOLVED: That installation of the Mini Cooper S N18 JB+, part number MiniJBPlus produced and marketed by Burger Motorsports, LLC of 2235 First Street Suite 122, Simi Valley, California 93065, has been found not to reduce the effectiveness of the applicable vehicle pollution control systems and, therefore, is exempt from the prohibitions of Section 27156 of the Vehicle Code for all 2011 to 2015 Mini Cooper S and Mini John Cooper Works models equipped with a 1.6 liter turbocharged engine.

The Mini Cooper S N18 JB+ is a tuning device installed on the mass air flow sensor connection designed to modify the operating parameters.

This Executive Order is valid provided that installation instructions for the Mini Cooper S N18 JB+ will not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the Mini Cooper S N18 JB+, as exempt by the ARB, which adversely affect the performance of the vehicle's pollution control system shall invalidate this Executive Order.

This Executive Order shall not apply to any Mini Cooper S N18 JB+ advertised, offered for sale, sold with, or installed on a new motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

Marketing of the Mini Cooper S N18 JB+ using any identification other than that shown in this Executive Order or marketing of the Mini Cooper S N18 JB+ for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the ARB.

This Executive Order does not constitute any opinion as to the effect the use of the Mini Cooper S N18 JB+ may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on emission test results in the modified configuration using the Federal Test Procedure (FTP) and Supplemental Federal Test Procedure (US06 and SC03), and an examination of the On-Board Diagnostic II (OBD II) system. A 2013 Mini Cooper S with a 1.6 liter turbocharged engine (DBMXV01.6N18, LEV-II ULEV) was used for the evaluation of the Mini Cooper S N18 JB+. Results from emissions testing conducted at California Environmental Engineering of Santa Ana, California are shown below (in grams per mile):

2013 Mini Cooper S 1.6 liter turbocharged

FTP	50,000 mi.	NMOG	CO	NOx	HCHO				
	Emission Level (DF applied)					0.017	0.3	0.01	0.000
	STD	0.040	1.7	0.05	0.008				
	120,000 mi.	NMOG	CO	NOx	HCHO				
	Emission Level (DF applied)					0.023	0.3	0.02	0.000
	STD					0.055	2.1	0.07	0.011
US06	Emission Level STD	NMHC + NOx	CO	CO					
					0.01	0.6			
		0.14	8.0						
SC03	Emission Level STD	NMHC + NOx	CO	CO					
					0.02	0.3			
		0.20	2.7						

Emission test results in the modified configuration were below the applicable certification standards. Examination of the OBD II system showed the Mini Cooper S N18 JB+ does not affect OBD II operation. Therefore, based on the test results, the staff concludes that the Mini Cooper S N18 JB+ meets the criteria for exempting general criteria parts.

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. Further, if test results or other evidence provides the ARB with reason to suspect that the Mini Cooper S N18 JB+ will affect the durability of emission control systems, Burger Motorsports, LLC shall be required to submit durability data to show that the durability of vehicle emission control systems are not, in fact, affected and/or that the add-on or modified part demonstrates adequate durability.

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 THE BURGER MOTORSPORTS, LLC MINI COOPER S N18 JB+.

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.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a ten-day written notice of intention to revoke the order, in 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 1<sup>st</sup> day of May 2015.



*FOR* Annette Hebert, Chief  
Emissions Compliance, Automotive Regulations and Science Division