State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-99-3
Relating to Exemptions Under Section 27156
of the Vehicle Code

TURBONETICS, INC.
STAGE I AND STAGE II GN "CHEETAH"
TURBOCHARGER ASSEMBLY COMPONENTS

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-45-5;

IT IS ORDERED AND RESOLVED: That the installation of the add-on Stage I and Stage II GN "CHEETAH" Turbocharger Assembly components manufactured by Turbonetics, Inc. of 650 Flinn Ave., Unit 6, Moorpark, CA 93021, has been found not to reduce the effectiveness of the applicable vehicle pollution control system and, therefore, is exempt from the prohibitions of Section 27156 of the Vehicle Code for the 1986-1987 model-year Buick Regal equipped with a Grand National/T-Type 3.8L V6 turbocharged, intercooled, fuel injected engine and the 1989 Pontiac Turbo Trans Am equipped with the same engine. Modifications to the OEM emission-related parts due to installation of the Stage I/II GN "CHEETAH" Turbocharger Assembly include a hose adapter for the stock air mass sensor hose due to the re-configuration of the compressor inlet connection from the stock air mass sensor and relocation of the passenger side positive crankcase ventilation (PCV) breather connection due to the re-configured compressor inlet connection.

This Executive Order is valid provided that installation instructions for the turbocharger components will not recommend tuning the vehicle to specifications different from those submitted by Turbonetics, Inc.

Changes made to the design or operating conditions of the turbocharger components, as exempt by the Air Resources Board, which adversely affect the performance of a vehicle's pollution control system shall invalidate this Executive Order.

Marketing of these turbocharger components using any identification other than that shown in this Executive Order or marketing of these turbocharger components for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board.

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

This Executive Order is granted based on test results verifying that the turbocharger is not functional during the CVS-75 Federal Test Procedure (FTP) driving cycle. However, the ARB finds that reasonable grounds exist to believe that use of the turbocharger components may adversely affect emissions of motor vehicles when operating under conditions outside the parameters of the previously prescribed test procedures. Accordingly, the ARB reserves the right to conduct additional emission tests, in the future, as such tests are developed, that will more adequately measure emissions from all cycle phases. If such test results demonstrate that the turbocharger components adversely affects emissions during off-cycle conditions (defined as those conditions which are beyond the parameters of the Cold-Start CVS-75 Federal Test Procedure), this Executive Order shall be effectively rescinded as of the date the test results are validated. Further, if such test results or other evidence provides the ARB with reason to suspect that the turbocharger components will affect the durability of the emission control system, Turbonetics, 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 part demonstrates adequate durability.

In addition to the foregoing, the 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 A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF TURBONETICS, INC.'S STAGE I/II GN "CHEETAH" TURBOCHARGER COMPONENTS.

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.

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

Section 43644 of the Health and Safety Code provides as follows:

> "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, if fact, is not a certified device. Any violation of this subdivision is a misdemeanor."

Any apparent violation of the conditions of this Executive Order may result in its rescission or submission to the Attorney General of California for such action as he deems advisable.

Executed at El Monte, California, this 4th day of March, 1992.

R. B. Summerfield
Assistant Division Chief
Mobile Source Division