State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER K-003-2

Relating to Exemptions of Aftermarket Critical Emission Control Parts for Highway Motorcycles under Sections 27156 and 38391 of the Vehicle Code

Ducati North America Inc.
Ducati Performance Racing Kit

WHEREAS, Pursuant to the authority vested in the Air Resources Board (ARB) by Sections 27156 and 38391 of the Vehicle Code and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(j); and

WHEREAS, Ducati North America Inc. has applied to ARB for an exemption from the prohibitions of Vehicle Code sections 27156 and 38391 to market its Ducati Performance Racing Kit on selected 2011 model year Ducati Motor S.P.A. highway motorcycle engine families; and

WHEREAS, Pursuant to the authority vested in the undersigned by Sections 39515 and Section 39516 of the Health and Safety Code and by Executive Order G-02-003;

IT IS ORDERED AND RESOLVED: That the Ducati Performance Racing Kit, manufactured by Ducati North America Inc. of 10443 Bradley Drive, Cupertino, CA 95014, has been found not to reduce the effectiveness of any required vehicle pollution control system or to cause the vehicle emissions to exceed applicable emission standards, and is therefore exempt from the prohibitions of Sections 27156 and 38391 of the Vehicle Code, as described below for the following 2011 model year Ducati Motor S.P.A. highway motorcycle engine family:

Engine Family: BDUCC700NMS Displacement: 696 cc (42 Cubic Inches)

Fuel Type: Gasoline

System Components:

Kit Part Number: 96457810B (non-ABS) & 96458410B (ABS)

| Component Part Numbers | Description |
|---|---|
| 96027409B | Muffler (2) containing three-way catalytic converter |
| 96519709B | Electronic control unit (1) |
| 96452809B | Air filter element (1) |

The following are the applicable exhaust hydrocarbon plus oxides of nitrogen (HC + NOx) and carbon monoxide (CO) emission standards, in grams per kilometer (g/km):

| HC + NOx | CO |
|---|---|
| 0.8 | 12 |

Based on previously submitted emission data, the following are Ducati North America Inc.'s HC + NOx and CO exemption emission values for this engine family in grams per kilometer (g/km):

| HC + NOx | CO |
|---|---|
| 0.5 | 3 |

BE IT FURTHER RESOLVED: That Ducati North America Inc. has submitted materials demonstrating compliance with the emissions defects warranty requirements of section (c)(2) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles."

BE IT FURTHER RESOLVED: That Ducati North America Inc. must permanently identify its exempted aftermarket critical emission control part by direct stamping or embossment as required under section (c)(3) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles."

BE IT FURTHER RESOLVED: That Ducati North America Inc. must retain records as required by section (c)(2)(D) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles," and to report warranty claim records for each part covered by this Executive Order, as required by section (c)(6) of said procedures.

BE IT FURTHER RESOLVED: That Ducati North America Inc. must submit production reports for the exempted aftermarket critical emission control part as required by section (c)(5)(A) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles."

BE IT FURTHER RESOLVED: That Ducati North America Inc. may be subjected to inspection and audit testing pursuant to section (c)(5)(B) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles."

The production aftermarket critical emission control parts shall be in all material respects the same as those for which exemption is granted.

Marketing of the Ducati Performance Racing Kit using any identification other than that shown in this Executive Order or marketing of the Ducati Performance Racing Kit

for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from ARB.

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 the Ducati Performance Racing Kit.

The aftermarket critical emission control part exempted under this Executive Order must conform to all applicable California emission regulations. This exemption does not constitute an exemption to sell, offer for sale, or advertise any components of the Ducati Performance Racing Kit as individual devices.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a 30-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 30 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 30 day of September 2010.

Annette Hebert, Chief
Mobile Source Operations Division