

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-175-12
Relating to Exemptions Under Section 27156
of the Vehicle Code

HYPERMAX ENGINEERING, INC.
DIESEL CONTROLLER

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 Section 39515 and Section 39516 of the Health and Safety Code and Executive Order G-45-9;

IT IS ORDERED AND RESOLVED: That the installation of the Diesel Controller marketed by Hypermax Engineering, Inc., 255 E Route 72, Gilberts, Illinois 60136 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 1993-97 trucks equipped with a turbocharged Navistar 7.3L diesel engine.

The Diesel Controller is a replacement ECM that has been reprogrammed to increase fuel delivery at wide-open-throttle (WOT).

This Executive Order is valid provided that the installation instructions for the Diesel Controller 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 Diesel Controller, as exempt by the Air Resources Board, which adversely affect the performance of the vehicle's pollution control system shall invalidate this Executive Order.

Marketing of the Diesel Controller using any identification other than that shown in this Executive Order or marketing of the system for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of the system shall not be construed as exemption to sell, offer for sale, or advertise any component of the kit as an individual device.

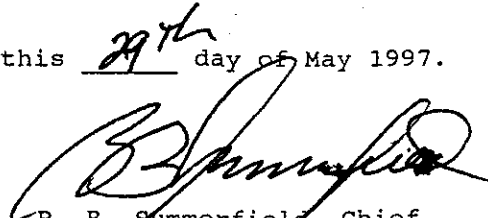
This Executive Order does not constitute any opinion as to the effect the use of the Diesel Controller may have on any warranty either expressed or implied by the vehicle manufacturer.

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 HYPERMAX ENGINEERING, INC.'S DIESEL CONTROLLER.

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 after hearing that grounds for revocation exist.

Executed at El Monte, California, this 29th day of May 1997.


R. B. Summerfield, Chief
Mobile Source Operations Division

State of California
AIR RESOURCES BOARD

EVALUATION OF HYPERMAX ENGINEERING, INC.'S
DIESEL CONTROLLER FOR EXEMPTION FROM THE PROHIBITIONS OF VEHICLE CODE
SECTION 27156 IN ACCORDANCE WITH SECTION 2222, TITLE 13, OF THE
CALIFORNIA CODE OF REGULATIONS

May 1997

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by

Mobile Source Operations Division
9528 Telstar Avenue
El Monte, CA 91731

(This report has been reviewed by the staff of the California Air Resources Board and approved for publication. Approval does not signify that the contents necessarily reflect the views and policies of the Air Resources Board, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.)

SUMMARY

Hypermax Engineering, Inc. of 255 E Route 72, Gilberts, Illinois 60136 has applied for an exemption from the prohibitions in Section 27156 of the California Vehicle Code (VC) for their Diesel Controller designed for 1993-97 trucks equipped with a turbocharged Navistar 7.3L diesel engine.

Based on submitted emissions test data, the staff concludes that the Diesel Controller will not adversely affect exhaust emissions from vehicles for which the exemption is requested.

The staff recommends that Hypermax Engineering, Inc. be granted an exemption as requested and that Executive Order D-175-12 be issued.

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