

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-175-21

Relating to Exemptions Under Section 27156
Of the Vehicle Code

Hypermax Engineering, Inc.
Air to Air Intercooler Kit

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 Air to Air Intercooler Kit 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 systems and, therefore, is exempt from the prohibitions of Section 27156 of the Vehicle Code for 1983 through 2002 model year trucks equipped with a turbocharged Navistar 6.9/7.3L diesel engine.

The Air to Air Intercooler Kit is designed to either replace the existing intercooler system on those vehicles that are already equipped with an intercooler or to be added to vehicles not originally equipped with an intercooler system. No changes are made to the vehicle's fuel delivery system or any emission-related sensors.

This Executive Order is valid provided that the installation instructions for the Air to Air Intercooler Kit will not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

This Executive Order shall not apply to any Hypermax Engineering, Inc. Air to Air Intercooler Kit advertised, offered for sale, sold with, or installed on a motor vehicle prior to or concurrent with the transfer to an ultimate purchaser.

Changes made to the design or operating conditions of the Air to Air Intercooler Kit, 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 Air to Air Intercooler Kit 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 Air to Air Intercooler Kit 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 AIR TO AIR INTERCOOLER KIT.

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 of 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.

Executive Order D-175-18, dated January 2001, is superseded and of no further force and effect.

Executed at El Monte, California, this 27th day of March 2002.



Allen Lyons, Chief
New Vehicle/Engine Programs Branch