

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-176-17

Relating to Exemptions Under Section 27156
of the Vehicle Code

Dinan Engineering, Inc.
High Flow Throttle Body

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 High Flow Throttle Body, manufactured and marketed by Dinan Engineering, Inc., 865 Jarvis Drive, Morgan Hill, California 95037 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 installation on the BMW vehicle applications listed in Exhibit A.

The Dinan High Flow Throttle Body is an OEM throttle body that has been modified to a slightly larger diameter bore. A new throttle plate is included to match up with the new diameter bore. Installation is in the stock location.

This Executive Order is valid provided that the installation instructions for the High Flow Throttle Body will not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

This Executive Order shall not apply to any Dinan Engineering, Inc. High Flow Throttle Body advertised, offered for sale, sold with, or installed on a motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

Changes made to the design or operating conditions of the High Flow Throttle Body, 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 High Flow Throttle Body using any identification other than that shown in this Executive Order or marketing of the High Flow Throttle Body 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 High Flow Throttle Body may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on an engineering evaluation and On Board Diagnostic II (OBD II) testing conducted on a 2000 model-year BMW 540i. Test data showed that the High Flow Throttle Body when installed on the vehicle did not affect the vehicle's ability to perform its OBD II monitoring.

The ARB finds that reasonable grounds exist to believe that use of the High Flow Throttle Body may adversely affect emissions of motor vehicles when operating under conditions outside the parameters of the Cold-Start CVS-75 Federal Test Procedure. 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 High Flow Throttle Body adversely affect 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 High Flow Throttle Body will affect the durability of the emission control system, Dinan Engineering, 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 ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF DINAN ENGINEERING'S HIGH FLOW THROTTLE BODY.

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 has been made after the hearing that grounds for revocation exist.

Executed at El Monte, California, this 29th day of August 2001.

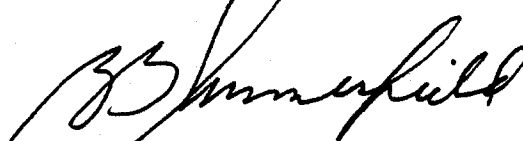

R. B. Summerfield, Chief
Mobile Source Operations Division

Exhibit A

Dinan "High Flow Throttle Body" Vehicle Application

<u>BMW Model</u>	<u>Model Years</u>	<u>Engine Size</u>	<u>Dinan P/N</u>	<u>Note</u>
325i, is, ix	1987-91	2.5L	D760-0040	(1)
			D760-0042	(1)
			D760-0044	(1)
325iC	1987-93	2.5L	D760-0040	(1)
			D760-0042	(1)
			D760-0044	(1)
318i, is, iC	1992-1/94	1.8L	D760-3181	
318i, is, iC, ti	1/94-1995	1.8L	D760-3180	
318i, is, ti	1/96-99	1.9L	D760-3190	
323is	1998-99	2.5L	D760-3200	
325i, is	1992-95	2.5L	D760-0050	
325iC	1994-95	2.5L	D760-0050	
328i, is, iC	1996-99	2.8L	D760-3200	(3)
330i, Ci, xi	2001	3.0L	D760-3300	(2)
M3	1995	3.0L	D760-0050	
M3	1996-99	3.2L	D760-3200	
Z3 1.9	1/96-99	1.9L	D760-3190	
Z3 2.8	1996-99	2.8L	D760-3200	(3)
Z3 3.0	2001	3.0L	D760-3300	(2)
M Roadster	1998-00	3.2L	D760-3200	
M Coupe	1998-00	3.2L	D760-3200	
525i	1989-90	2.5L	D760-0040	(1)
			D760-0042	(1)
			D760-0044	(1)
525i, iT	1991-95	2.5L	D760-0050	
528i	1996-99	2.8L	D760-3200	(3)
530i	2001	3.0L	D760-3300	(2)
540i, 740i/iL	1999-01	4.4L	D760-3440	(2)
X5 3.0i	2001	3.0L	D760-3300	(2)
X5 4.4i	2000-01	4.4L	D760-3440	(2)

NOTES:

- (1) These applications were equipped with several throttle body variants. Multiple part numbers are required in order for Dinan to provide a direct match to the OEM throttle body.
- (2) These applications are for engines certified to the LEV emission standard.
- (3) The following 1999 model-year engine family, XBMXV02.8LEV, certified to a LEV emission standard is excluded.