

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-176-4
Relating to Exemptions Under Section 27156
of the Vehicle Code

DINAN PERFORMANCE ENGINEERING
STAGE 1 TURBOCHARGER 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 39516 of the Health and Safety Code and Executive Order G-45-5;

IT IS ORDERED AND RESOLVED: That the installation of the Stage 1 Turbocharger Kit, manufactured by Dinan Performance Engineering, of 81 Pioneer Way, Mountain View, California, 94041, has been found not to reduce the effectiveness of required motor vehicle pollution control devices, and therefore is exempt from the prohibitions of Section 27156 of the Vehicle Code for installation on 1989-1992 model year BMW 535i, 1988-1989 model year BMW 635CSi, L6 and 1988-1992 model year BMW 735i and 735iL vehicles. Modifications allowed include longer positive crankcase ventilation (PCV) tubing due to location of new intake plumbing, replacement of air cleaner assembly, relocation of the oxygen sensor from the catalytic converter to the exhaust manifold, and an option to replace the original 9:1 compression ratio pistons with BMW 8:1 compression ratio pistons.

This Executive Order is valid provided that installation instructions for this device will not recommend tuning the vehicle to specifications different from those submitted by the device manufacturer.

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

Marketing of this device using an identification other than that shown in this Executive Order or marketing of this device 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 a kit shall not be construed as an exemption to sell, offer for sale, or advertise any component of the product as an individual device.

This Executive Order does not constitute any opinion as to the effect that the use of this device 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 THE DINAN STAGE 1 TURBOCHARGER 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 or other oral or written communications.

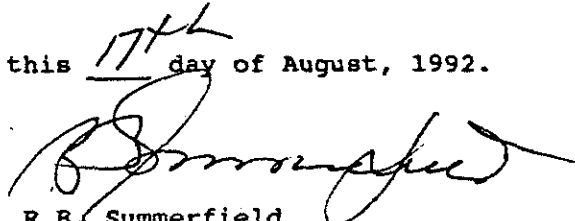
Section 17500 of the Business and Professions Code makes untrue or misleading advertising unlawful, and Section 17534 makes violation punishable as a misdemeanor.

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

Any apparent violation of the conditions of this Executive Order will be submitted to the Attorney General of California for such action as he deems advisable.

Executed at El Monte, California, this 17th day of August, 1992.



R.B. Summerfield
Assistant Division Chief
Mobile Source Division