

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-176-42

Relating to Exemptions Under Section 27156  
of the California Vehicle Code

Dinan Corporation  
DINANTronics Performance Tuner

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-14-012;

IT IS ORDERED AND RESOLVED: That the installation of the DINANTronics Performance Tuner, manufactured and marketed by Dinan Corporation of 865 Jarvis Drive, Morgan Hill, California 95037, 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 the following turbocharged BMW gasoline vehicle applications, as listed in Exhibit A.

The DINANTronics Performance Tuner consists of a control module installed in series to the stock electronic control unit. No other changes are required for proper installation. There are no user adjustment to emissions related data files.

This Executive Order is valid provided that the installation instructions for the DINANTronics Performance Tuner will not recommend tuning the vehicle to specifications different from those of Dinan Engineering.

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

This Executive Order is granted based on submitted emission test data generated on two test vehicles: a 2014 model year BMW 650i, engine test group EBMXV04.4N63, certified to the Low Emission Vehicle II Ultra Low Emission Vehicle (LEV II ULEV) emission standards (see data on page 2) and a 2015 model year BMW 328i, engine test group FBMXV02.0N26, certified to the Low Emission Vehicle II Super Ultra Low Emission Vehicle (LEV II SULEV) emission standards (data listed on review sheet). Test results on the BMW 650i and the BMW 328i showed that emission levels, with Dinan Corporation's

DINANTronics Performance Tuner installed, met the applicable emission standards when tested using the Cold-Start CVS-75 Federal Test Procedure (FTP) and the Supplemental Federal Test Procedure (SFTP US06) test cycles. Examination of the OBD II system showed the DINANTronics Performance Tuner did not affect OBD II system operation. Results from emission testing conducted at Automotive Testing and Development Services, Inc., located in Ontario, California are listed below with deterioration factors applied.

	CVS-75 FTP			
	NMOG	CO	NOx	HCHO
Standards 50k	0.040	1.7	0.05	0.008
Device	0.011	0.3	0.01	0.000

	US06	
	NMHC+NOx	CO
Standards 4k	0.14	8.0
Device	0.08	0.5

The Air Resources Board 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.

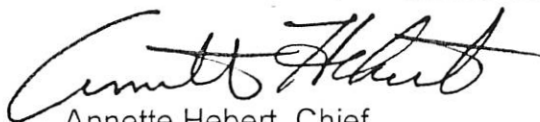
THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF THE DINANTRONICS PERFORMANCE TUNER.

This Executive Order shall not apply to any DINANTronics Performance Tuner advertised, offered for sale, sold with, or installed on a new motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

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 is made after the hearing that grounds for revocation exist.

Executed at El Monte, California, this 30 day of December 2014.



Annette Hebert, Chief  
Emissions Compliance, Automotive Regulations and Science Division

## Exhibit A

<u>BMW Model</u>	<u>Model Years</u>	<u>Engine</u>	<u>Dinan Part#</u>	<u>P/N Suffix(es)</u>
228i coupe	2014-15	2.0L T	D440-1632	-ST1, -ST3, -ST4
228i xDrive coupe	2015	2.0L T	D440-1632	-ST1, -ST3, -ST4
228i coupe; N26	2014-15	2.0L T	D440-1633	-ST1
228i xDrive coupe; N26	2015	2.0L T	D440-1633	-ST1
320i sedan	2013-15	2.0L T	D440-1645 D440-1646	-ST1 -ST1
320i xDrive sedan	2014-15	2.0L T	D440-1645 D440-1646	-ST1 -ST1
328i sedan	2012-15	2.0L T	D440-1631 D440-1632	-ST1, -ST3, -ST4 -ST1, -ST3, -ST4
328i xDrive sedan	2012-15	2.0L T	D440-1631 D440-1632	-ST1, -ST3, -ST4 -ST1, -ST3, -ST4
328i xDrive wagon	2014-15	2.0L T	D440-1631 D440-1632	-ST1, -ST3, -ST4 -ST1, -ST3, -ST4
328i xDrive Gran Turismo	2014-15	2.0L T	D440-1631 D440-1632	-ST1, -ST3, -ST4 -ST1, -ST3, -ST4
328i sedan; N26	2012-15	2.0L T	D440-1633	-ST1
328i xDrive sedan; N26	2012-15	2.0L T	D440-1633	-ST1
328i xDrive wagon; N26	2014-15	2.0L T	D440-1633	-ST1
328i xDrive Gran Turismo; N26	2014-15	2.0L T	D440-1633	-ST1
335i sedan	2012-15	3.0L T	D440-1638 D440-1639 D440-1640 D440-1641	-ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4
335i xDrive sedan	2012-15	3.0L T	D440-1638 D440-1639 D440-1640 D440-1641	-ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4
335i xDrive Gran Turismo	2014-15	3.0L T	D440-1638 D440-1639 D440-1640 D440-1641	-ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4
428i coupe/conv	2014-15	2.0L T	D440-1631 D440-1632	-ST1, -ST3, -ST4 -ST1, -ST3, -ST4
428i xDrive coupe/conv	2014-15	2.0L T	D440-1631 D440-1632	-ST1, -ST3, -ST4 -ST1, -ST3, -ST4
428i Gran Coupe	2015	2.0L T	D440-1631 D440-1632	-ST1, -ST3, -ST4 -ST1, -ST3, -ST4

## Exhibit A

<u>BMW Model</u>	<u>Model Years</u>	<u>Engine</u>	<u>Dinan Part#</u>	<u>P/N Suffix</u>
428i xDrive Gran Coupe	2015	2.0L T	D440-1631 D440-1632	-ST1, -ST3, -ST4 -ST1, -ST3, -ST4
428i coupe/conv; N26	2014-15	2.0L T	D440-1633	-ST1
428i xDrive coupe/conv; N26	2014-15	2.0L T	D440-1633	-ST1
428i Gran Coupe; N26	2015	2.0L T	D440-1633	-ST1
428i xDrive Gran Coupe; N26	2015	2.0L T	D440-1633	-ST1
435i coupe/conv	2014-15	3.0L T	D440-1639 D440-1641	-ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4
435i xDrive coupe/conv	2014-15	3.0L T	D440-1639 D440-1641	-ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4
435i Gran Coupe	2015	3.0L T	D440-1639 D440-1641	-ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4
435i xDrive Gran Coupe	2015	3.0L T	D440-1639 D440-1641	-ST1, -ST2, -ST3, -ST4 -ST1, -ST2, -ST3, -ST4
528i	2013-15	2.0L T	D440-1631 D440-1632	-ST1 -ST1
528i xDrive	2013-15	2.0L T	D440-1631 D440-1632	-ST1 -ST1
535i	2011-15	3.0L T	D440-1638 D440-1639	-ST1 -ST1
535i xDrive	2011-15	3.0L T	D440-1638 D440-1639	-ST1 -ST1
535i GT	2011-15	3.0L T	D440-1638 D440-1639	-ST1 -ST1
535i GT xDrive	2011-15	3.0L T	D440-1638 D440-1639	-ST1 -ST1
550i	2014-15	4.4L T	D440-1634	-ST1, -ST2, -ST3
550i xDrive	2014-15	4.4L T	D440-1634	-ST1, -ST2, -ST3
550i GT	2013-15	4.4L T	D440-1634	-ST1, -ST2, -ST3
550i GT xDrive	2013-15	4.4L T	D440-1634	-ST1, -ST2, -ST3
640i coupe/conv	2012-15	3.0L T	D440-1642 D440-1643	-ST1 -ST1
640i Gran Coupe	2013-15	3.0L T	D440-1642 D440-1643	-ST1 -ST1
640i xDrive coupe/conv	2012-15	3.0L T	D440-1642 D440-1643	-ST1 -ST1

## Exhibit A

<u>BMW Model</u>	<u>Model Years</u>	<u>Engine</u>	<u>Dinan Part#</u>	<u>P/N Suffix</u>
640i xDrive Gran Coupe	2013-15	3.0L T	D440-1612	-ST1
			D440-1643	-ST1
650i coupe/conv/Gran Coupe	2013-15	4.4L T	D440-1634	-ST1, -ST3
650i xDrive coupe/conv/ Gran Coupe	2013-15	4.4L T	D440-1634	-ST1, -ST3
740i, Li sedan	2011-15	3.0L T	D440-1642	-ST1
			D440-1643	-ST1
740Li xDrive sedan	2013-15	3.0L T	D440-1642	-ST1
			D440-1643	-ST1
750i, Li	2013-15	4.4L T	D440-1634	-ST1, -ST2, -ST3
750i, Li xDrive	2013-15	4.4L T	D440-1634	-ST1, -ST2, -ST3
Alpina B6 xDrive Gran Coupe	2015	4.4L T	D440-1635	-ST1
Alpina B7 SWB	2013-15	4.4L T	D440-1635	-ST1, -ST2
Alpina B7 SWB xDrive	2013-15	4.4L T	D440-1635	-ST1, -ST2
Alpina B7 LWB	2013-15	4.4L T	D440-1635	-ST1, -ST2
Alpina B7 LWB xDrive	2013-15	4.4L T	D440-1635	-ST1, -ST2
M235i coupe	2013-15	3.0L T	D440-1641	-ST1, -ST2, -ST3, -ST4
M235i xDrive coupe	2014-15	3.0L T	D440-1641	-ST1, -ST2, -ST3, -ST4
M3 sedan	2014-15	3.0L T	D440-1644	-ST1, -ST2, -ST3
M4 coupe/conv	2014-15	3.0L T	D440-1644	-ST1, -ST2, -ST3
M5	2013-15	4.4L T	D440-1636	-ST1, -ST2
			D440-1637	-ST1, -ST2
M6 coupe/conv	2012-15	4.4L T	D440-1636	-ST1, -ST2
			D440-1637	-ST1, -ST2
M6 Gran Coupe	2013-15	4.4L T	D440-1636	-ST1, -ST2
			D440-1637	-ST1, -ST2
X1 sDrive 28i	2013-15	2.0L T	D440-1631	-ST1
			D440-1632	-ST1
X1 xDrive 28i	2013-15	2.0L T	D440-1631	-ST1
			D440-1632	-ST1
X3 sDrive 28i	2014-15	2.0L T	D440-1631	-ST1
			D440-1632	-ST1
X3 xDrive 28i	2013-15	2.0L T	D440-1631	-ST1
			D440-1632	-ST1

## Exhibit A

<u>BMW Model</u>	<u>Model Years</u>	<u>Engine</u>	<u>Dinan Part#</u>	<u>P/N Suffix</u>
X3 xDrive 35i	2013-15	3.0L T	D440-1638X	-ST1
			D440-1639X	-ST1
X4 xDrive 28i	2014-15	2.0L T	D440-1632	-ST1
X4 xDrive 35i	2014-15	3.0L T	D440-1638X	-ST1
			D440-1639X	-ST1
X5 sDrive 35i	2014-15	3.0L T	D440-1639X	-ST1
			D440-1641X	-ST1
X5 xDrive 35i	2014-15	3.0L T	D440-1639X	-ST1
			D440-1641X	-ST1
X5 xDrive 50i	2014-15	4.4L T	D440-1634X	-ST1
X6 sDrive 35i	2015	3.0L T	D440-1639X	-ST1
			D440-1641X	-ST1
X6 xDrive 35i	2015	3.0L T	D440-1639X	-ST1
			D440-1641X	-ST1
X6 xDrive 50i	2015	4.4L T	D440-1634X	-ST1
Z4 sDrive 28i	2013-15	2.0L T	D440-1631	-ST1
			D440-1632	-ST1