

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-186-16  
Relating to Exemptions Under Section 27156  
of the Vehicle Code

HKS USA, INC.  
HKS ELECTRONIC VALVE CONTROLLER -- EVC AND EVC II

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 Sections 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 HKS Electronic Valve Controller -- EVC and EVC II (Electronic Valve Controller), manufactured by HKS USA, Inc., of 20312 Gramercy Place, Torrance, California 90501, 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 1994 and older model-year OEM turbocharger equipped passenger cars except vehicles equipped with OBD II on-board diagnostic systems and vehicles certified to a Low-Emission Vehicle category, such as Transitional Low-Emission Vehicle (TLEV).

This Executive Order is valid provided that installation instructions for the HKS Electronic Valve Controller will not recommend tuning the vehicle to specifications different from those submitted by HKS USA, Inc..

Changes made to the design or operating conditions of the HKS Electronic Valve Controller, as exempt by the Air Resources Board (ARB), which adversely affect the performance of a vehicle's pollution control system shall invalidate this Executive Order.

Marketing of the HKS Electronic Valve Controller using an identification other than that shown in this Executive Order or for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the ARB.

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

This Executive Order is granted based on results from emissions tests conducted in accordance with Cold-Start CVS-75 Federal Test Procedure. However, the Air Resources Board finds that reasonable grounds exist to believe that use of the HKS Electronic Valve Controller may adversely affect emissions of motor vehicles when operating under conditions outside the parameters of the previously prescribed test procedures. Accordingly, the Air Resources Board reserves the right to conduct additional emissions 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 HKS Electronic Valve Controller adversely affects 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 Air Resources Board with reason to suspect that the HKS Electronic Valve Controller will affect the durability of the emission control system, HKS USA, 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 HKS Electronic Valve Controller demonstrates adequate durability.

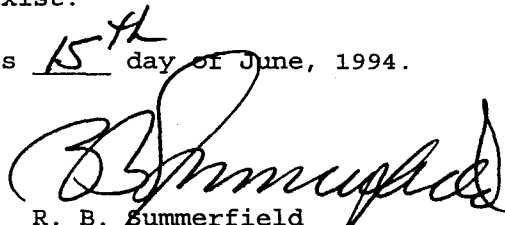
In addition to the foregoing, the ARB reserves the right in the future to review this Executive Order and the exemption provided herein to assure that the exempted HKS Electronic Valve Controller continues to meet the standards and procedures of Title 13, California Code of Regulations, Section 2222 et seq.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF HKS USA, INC.'S ELECTRONIC VALVE 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 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 the hearing that grounds for revocation exist.

Executed at El Monte, California, this 15<sup>th</sup> day of June, 1994.

  
R. B. Summerfield  
Assistant Division Chief  
Mobile Source Division