

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-338-62  
Relating to Exemptions Under Section 27156  
of the Vehicle Code

Harley-Davidson Motor Company  
Screamin' Eagle Stage-1 Kit and Heavy Breather 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-02-003;

IT IS ORDERED AND RESOLVED: That the installation of the Screamin' Eagle Stage-1 Kit and Heavy Breather Kit, marketed and manufactured by the Harley-Davidson Motor Company, 3700 W. Juneau Avenue, Milwaukee, Wisconsin 53208 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 the following 2007 and 2008 model year Harley-Davidson Sportster motorcycles.

<u>Year</u>	<u>Kit P/N</u>	<u>Calibration/Cartridge</u>	<u>Model</u>
<b>Screamin' Eagle Stage-1 Kit</b>			
2007-2008	29782-07	22709-07B / no cartridge	XL883 Sportster (all)
2007-2008	29782-07	22718-07A / no cartridge	XL1200 cc Sportster (all)
<b>Heavy Breather Kit</b>			
2008	29264-08	22709-07B / no cartridge	XL883 Sportster (all)
2008	29264-08	22718-07A / no cartridge	XL1200 Sportster (all)

**Screamin' Eagle Stage-1 Kit, P/N 29782-07 and Heavy Breather Kit, P/N 29264-08,** includes the following main components: Screamin' Eagle high flow air filter, and a new ECM calibration. The new ECM calibration is a dealer downloaded file that requires the use of a scan tool for installation.

This Executive Order is granted based on emission test results submitted by Harley-Davidson in certifying their 2008 model year 883 cc (E.O. A-005-0138, engine family 8HDXC0.88CEA) and 1.2L (E.O. A-005-0137, engine family 8HDXC01.2CEA) as new motorcycles. The final configuration of the Screamin' Eagle Stage-1 Kit and Heavy Breather Kit are the same as the new motorcycles certified under engine families 8HDXC0.88CEA and 8HDXC01.2CEA. The certification emission results are shown on page 2. in grams per kilometer:

	HC+NOx (gm/km)	CO
<b>2008 Standards, Engine Family 8HDXC0.88CEA</b>	<b>1.7</b>	<b>12</b>
Certification Level	1.6	3
<b>2008 Standards, Engine Family 8HDXC01.2CEA</b>	<b>1.4</b>	<b>12</b>
Certification Level	1.4	4.7

The same emission test results are expected on applicable 2007 and 2008 model year Harley-Davidson motorcycles with either a Screamin' Eagle Stage-1 Kit or Heavy Breather Kit installed.

This Executive Order is valid provided that the installation instructions for the Screamin' Eagle Stage-1 Kit and Heavy Breather Kit will not recommend tuning the motorcycle to specifications different from those of the Harley-Davidson Motor Company.

This Executive Order shall not apply to any Harley-Davidson Motor Company Screamin' Eagle Stage-1 Kit and Heavy Breather Kit advertised, offered for sale, sold with, or installed on a motorcycle prior to transfer to an ultimate purchaser.

Changes made to the design or operating conditions of the Screamin' Eagle Stage-1 Kit and Heavy Breather Kit, as exempt by the Air Resources Board, which adversely affect the performance of the motorcycle's pollution control system shall invalidate this Executive Order.

Marketing of the Screamin' Eagle Stage-1 Kit and Heavy Breather Kit using any identification other than that shown in this Executive Order or marketing of the Screamin' Eagle Stage-1 Kit and Heavy Breather Kit Stage EFI Kit 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 Screamin' Eagle Stage-1 Kit and Heavy Breather Kit 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 Screamin' Eagle Stage-1 Kit and Heavy Breather Kit may have on any warranty either expressed or implied by the Harley-Davidson Motor Company.


In addition to the foregoing, 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 HARLEY-DAVIDSON MOTOR COMPANY'S SCREAMIN' EAGLE STAGE-1 KIT AND HEAVY BREATHER 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 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 14<sup>th</sup> day of November 2007.

  
Annette Hebert, Chief  
Mobile Source Operations Division