

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-437
Relating to Exemptions Under Section 27156
of the Vehicle Code

DKS TECHNOLOGIES, INC.
"DKS FUEL STABILIZER SYSTEM"

WHEREAS, Vehicle Code Sections 27156 and 38391, and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(e), authorize the California Air Resources Board (ARB) and its Executive Officer to exempt add-on and modified aftermarket devices from the prohibitions of Vehicle Code Section 27156.

WHEREAS, DKS Technologies, Inc. of 2226 Northpoint Parkway, Santa Rosa, California 95407, has applied to the ARB for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 for their DKS Fuel Stabilizer System for installation on 1997 and older model-year vehicles powered by a diesel engine utilizing liquid coolant.

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Operations Division by Health and Safety Code Section 39516 and Executive Order G-45-9, the ARB finds that the above add-on device complies with the California Vehicle Code Section 27156 and Title 13, California Code of Regulations. It was determined through engineering evaluation that the device will not reduce the effectiveness of the pollution control system of applicable vehicles.

It has not been determined what effect use of the DKS Fuel Stabilizer System may have on any warranty, either expressed or implied, by the manufacturer or a motor vehicle on which the device is installed.

IT IS HEREBY RESOLVED that the above DKS Fuel Stabilizer System is exempt from the prohibitions in Vehicle Code Section 27156 for installation on the approved application vehicles subject to the following conditions:

1. No changes are permitted to the DKS Fuel Stabilizer System device as described in the application for exemption. Any changes to the DKS Fuel Stabilizer System or any of its components, and other factors addressed in this order must be evaluated and approved by the ARB prior to marketing in California.
2. Marketing of the DKS Fuel Stabilizer System using identifications other than those shown in this Executive Order or marketing of the DKS Fuel Stabilizer System for application other than the one listed in this Executive Order shall be prohibited unless prior approval is obtained from the ARB. Exemption of this product shall not be construed as an exemption to sell, offer for sale, or advertise any components of the DKS Fuel Stabilizer System device as individual devices.
3. Any oral or written references to this Executive Order or its content by DKS Technologies, Inc., its principals, agents, employees, distributors, dealers, or other representatives must include the disclaimer that the Executive Order or the exemption it provides is not an endorsement or approval of any emissions reduction claims for the DKS Fuel Stabilizer System and is only a finding that the DKS Fuel Stabilizer System is exempt from the prohibitions of Vehicle Code Section 27156.
4. Should the installation of the DKS Fuel Stabilizer System on applicable vehicles be determined to result in unacceptable emission increase or cause adverse effect on pollution control systems of the vehicles, the ARB may require DKS Fuel Stabilizer System to conduct specific tests in order to determine the levels of emissions increase. Should such tests show excessive emission increase, DKS Technologies, Inc. may be required to cease and desist from marketing the device in California, and this exemption may be rescinded, in accordance with established procedures.

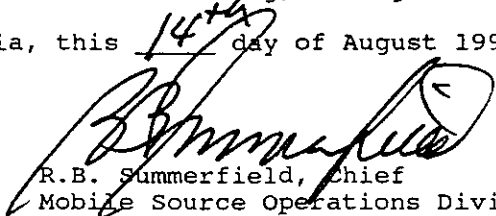
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THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF THE DKS FUEL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

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 it, during 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 14th day of August 1997.


R.B. Summerfield, Chief
Mobile Source Operations Division

State of California
AIR RESOURCES BOARD

EVALUATION OF DKS TECHNOLOGIES, INC.'S FUEL STABILIZER SYSTEM FOR EXEMPTION
FROM THE PROHIBITIONS IN VEHICLE CODE SECTION 27156, AND SECTION 2222
OF TITLE 13, CALIFORNIA CODE OF REGULATIONS

August 1997

EVALUATION OF DKS TECHNOLOGIES, INC.'S FUEL STABILIZER SYSTEM FOR EXEMPTION
FROM THE PROHIBITIONS IN VEHICLE CODE SECTION 27156, AND SECTION 2222
OF TITLE 13, CALIFORNIA CODE OF REGULATIONS

by

Mobile Source Operations Division

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(This report has been reviewed by the staff of the California Air Resources Board and approved for publication. Approval does not signify that the contents necessarily reflect the views and policies of the Air Resources Board, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.)

SUMMARY

DKS Technologies, Inc. of 2226 Northpoint Parkway, Santa Rosa, California 95407, has applied for an exemption of their DKS Fuel Stabilizer System (Fuel Stabilizer) from the prohibitions in Vehicle Code (VC) Sections 27156 and 38391, in accordance with Section 2222 of Title 13, California Code of Regulations (CCR). The Fuel Stabilizer is for installation on 1997 and older model-year diesel engines utilizing liquid coolant. It is designed to optimize diesel fuel temperature for better performance. The applicant claimed that increase in diesel fuel temperature will result in fuel consumption and emissions benefits. However, the applicant did not provide appropriate test data to support their claims.

Similar device previously exempted by the Air Resources Board (ARB) showed that diesel fuel stabilizer does not interfere with the pollution control systems of diesel engines. Based on the above, the staff recommends that the exemption be granted as requested and that Executive Order No. D-437 be issued to enable DKS Technologies, Inc. to market the DKS Fuel Stabilizer System in California.

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OF TITLE 13, CALIFORNIA CODE OF REGULATIONS

I. INTRODUCTION

DKS Technologies, Inc. of 2226 Northpoint Parkway, Santa Rosa, California 95407, has applied for an exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 for their DKS Fuel Stabilizer System, in accordance with Section 2222 of Title 13, California Code of Regulations (CCR). The DKS Fuel Stabilizer System is an add-on device designed to raise the temperature of diesel fuel to optimum operating level, and also ensure that the temperature does not exceed engine manufacturer's specification. The Fuel Stabilizer is designed for installation on 1997 and older model-year vehicles powered by diesel engines and utilizing liquid coolant.

II. CONCLUSION

The applicant did not submit appropriate emissions test data to the ARB; however, the ARB has previously granted exemption to an add-on device that operates on the same principle as the DKS Fuel Stabilizer System. Based on the above, and staff's engineering evaluation, it was determined that the installation of the DKS Fuel Stabilizer System on applicable vehicles will not result in any adverse effect on the pollution control system of the vehicles.

III. RECOMMENDATION

Staff recommends that the exemption be granted as requested and that Executive Order No. D-437 be issued, permitting the advertisement, sale, and installation of the DKS Fuel Stabilizer System on applicable vehicles.

IV. DEVICE DESCRIPTION

DKS Technologies, Inc.'s Fuel Stabilizer System consists of heat exchanger, Goyen solenoid valve, and temperature sensor. The heat exchanger is made of stainless steel plates which are copper brazed together at high temperature to make the heat exchanger rugged and leak-proof. Engine coolant passing through the heat exchanger heats incoming fuel to the desired temperature. The unit is compact but has a wide range of application. The temperature sensor monitors the temperature of the fuel leaving the heat exchanger. Signal from the temperature sensor enables the electronically operated Goyen solenoid valve to modulate the coolant flow to ensure that engine manufacture's specifications on fuel temperature are not exceeded. The applicant claims that installation of the device will result in increased gas mileage and emissions reduction. However, the applicant has not provided data from appropriate test procedures to substantiate their claims.

V. DEVICE EVALUATION

DKS Technologies, Inc. has not provided test results using appropriate emissions test procedures for diesel vehicles. The ARB did not require testing on the DKS Fuel Stabilizer System. The ARB has previously granted exemption to a device that operates on similar principle as the DKS Fuel Stabilizer System. By engineering evaluation, staff has determined that the DKS Fuel Stabilizer System will not reduce the effectiveness of the pollution control system of applicable diesel vehicles. In view of the above, staff recommends that DKS Technologies, Inc. be granted a Vehicle Code Section 27156 Exemption based on compatibility with pollution control systems of applicable vehicles.