

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-520-3

Relating to Exemptions Under Section 27156
of the Vehicle Code

Evergreen Performance
PowerAid Throttle Body Spacer

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 PowerAid Throttle Body Spacer, manufactured and marketed by Evergreen Performance, Inc., 14840 N. 74th Street, Scottsdale, Arizona 85260 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 vehicle applications listed in Exhibit A.

The PowerAid Throttle Body Spacer is an aluminum spacer plate, approximately one inch thick with machined helical grooves on the inside ports, and is installed under the vehicle's throttle body or carburetor.

This Executive Order is valid provided that the installation instructions for the PowerAid Throttle Body Spacer will not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

This Executive Order shall not apply to any Evergreen Performance's PowerAid Throttle Body Spacer advertised, offered for sale, sold with, or installed on a new motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

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

This Executive Order is granted based on a prior evaluation which determined that Evergreen Performance, Inc.'s PowerAid Throttle Body Spacer does not cause an adverse effect on emissions of selected vehicles (Executive Order D-520-1), and does not affect the vehicle's ability to perform its On-Board Diagnostic II (OBD II) system monitoring. The same effect on emissions and OBD II system monitoring is expected from the use of the PowerAid Throttle Body Spacer on vehicles listed in this Executive Order.

If evidence provides the ARB with reason to suspect that the PowerAid Throttle Body Spacer will affect the durability of the emission control system, Evergreen Performance 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 add-on or modified part demonstrates adequate durability.

The ARB 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 EVERGREEN PERFORMANCE'S POWERAID THROTTLE BODY SPACER.

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 10TH day of September 2003.



Allen Lyons, Chief

Mobile Source Operations Division

Exhibit A

100-701 1989 and older vehicles equipped with a 4 BBL Holley carburetor
100-702 1989 and older vehicles equipped with a 2 BBL Holley carburetor
100-705 1989 and older vehicles equipped with a 4 BBL Quadrajet carburetor
200-512 1999-2001 GM trucks equipped with a 4.8, 5.3, or 6.0L engine
200-514 2001 Chevy 8.1L / 2002 Chevy 4.8,5.3,6.0,8.1L
200-520 1996-1999 GM trucks equipped with a 5.0 or 5.7L engine
200-522 1985-1992 GM passenger cars equipped with a 5.7L engine
200-522 1985-1991 Corvette
200-530 1996-2001 GM trucks equipped with a 7.4L engine
200-540 1987-1995 GM trucks equipped with 4.3, 5.0, or 5.7L engine.
200-550 1991-1995 GM trucks equipped with a 7.4L engine
200-551 1987-1990 GM trucks equipped with a 7.4L engine
200-552-1 98-01 Chevy Cavalier 2.2L
200-553-1 96-01 Chevy Cavalier 2.4L
200-554-1 02-04 Chevy Cavalier 2.2L
200-557 02-03 Chevy Duramax 6.6L
200-580 1996-2001 GM trucks equipped with a 4.3L engine
200-581 1987-1993 GM trucks equipped with a 4.3L TBI engine
200-582 1986-1990 GM trucks equipped with a 2.8L engine
200-583 1996-1999 GM Lumina equipped with a 3.1L engine
200-584 99-02 Impala / Grand Prix 3.8L
200-586 02-03 Envoy / Trailblazer 4.2L
200-589 99-01 Chevy/GMC S-10/S-15
300-560 1992-2001 Chrysler trucks equipped with a 3.9, 5.2, or 5.9L engine
300-561 1987-2000 Voyager equipped with a 3.0 or 3.8L engine
300-562 1993-1997 Intrepid 3.5L
300-564-1 1996-1999 Dodge Neon
300-565 1994-2001 Chrysler trucks equipped with a V10 engine
300-567 2002 Dodge Ram 4.7L
300-568 2001-2003 PT Cruiser
300-569 1992-2001 Dodge Dakota 2.5L
300-570 1997-2001 Chrysler trucks equipped with a 3.9, 5.2, or 5.9L engine
300-573 2003 Dodge Ram 4.7L Magnum
300-574 2003 Dodge Durango 4.7L
300-575 2000-2001 Chrysler trucks equipped with a 4.7L engine
310-509 2003 Jeep Grande Charokee 4.7L
310-510 1991-1999 Jeep YJ & XJ vehicles equipped with a 4.0L engine
310-511 1987-1995 Jeep vehicles equipped with a 2.5L engine
310-513 2000-2003 4.0L Jeeps
310-515 1999-2002 Jeep Grand Cherokee 4.7L
400-507 2001 Ford Sport Track
400-516 2001 Ford F-150 XLT 4.2L V6
400-517 1998 Explorer/Mountaineer with a 5.0L engine
400-518 1996-2000 Crown Victoria equipped with a 4.6L engine
400-519 1994-1996 Mustang equipped with a 3.8L engine
400-521 2001-2002 Ford Powerstroke
400-523-1 2000-2003 Ford Focus 2.0
400-524 2003 Ford Mustang GT 4.6L
400-525 1986-1987 Mustang equipped with a 5.0L engine

Exhibit A

400-526 1988-1993 Mustang equipped with a 5.0L engine
400-527 1987-1995 Ford trucks equipped with a 5.0 or 5.8L engine
400-528 1988-1995 Ford trucks equipped with a 7.5L engine
400-529 1994-1995 Mustang equipped with a 5.0L engine
400-587 1999-2001 Ranger XLT 3.0L V6
400-588 1998-2000 Ranger 2.5 (4 cyl)
400-590 1997-2001 Ford trucks equipped with a 4.6L engine
400-591 1997-2001 Ford trucks equipped with a 5.4L engine
400-592 1999-2001 Ford trucks equipped with a V10 engine
400-593 1987-1996 Ford trucks equipped with a 6 cyl. engine
400-594 1999-2001 Mustang equipped with a 3.8L engine
400-595 1999-2001 Ford trucks equipped with a 7.3L engine
400-596 1997-2001 Ford trucks equipped with a 4.2L engine
400-597 1999-2001 Ford trucks equipped with a 5.4L engine
400-598 1999-2000 4.0 Explorer SOHC only
400-599 2003 Ranger XLT 4.0L SOHC V6
510-502 1995-1999 Toyota trucks equipped with a 3.4L engine
510-504 2000 Toyota Sienna 2.0L V6 / Explorer
510-566 2000-2001 Tundra V8
520-505 1999-2001 Nissan trucks equipped with a 3.0L engine