

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-176-32

Relating to Exemptions Under Section 27156
of the California Vehicle Code

Dinan Engineering, Inc.
High Flow Cold Air Intake System

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 High Flow Cold Air Intake System, produced and marketed by Dinan Engineering, Inc. 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 1999 through 2007 model year BMW vehicles not equipped with a hydrocarbon absorber in the stock air filter housing as listed in Exhibit A.

The High Flow Cold Air Intake System (Air Box Kit) includes a new air filter housing lid and a cotton gauze filter element. The stock air filter housing bottom (dirty air side) is cut open to attached tubing that captures cold air from the bottom of the vehicle. The stock air flow meter is transferred to the new air filter housing lid.

The High Flow Cold Air Intake System (Tube Kit) consists of an aluminum tube which connects to the vehicle's stock air flow meter and to an open element type air filter located in a protected compartment.

This Executive Order is valid provided that the installation instructions for the High Flow Cold Air Intake System will not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the High Flow Cold Air Intake System, as exempt by the Air Resources Board, which adversely affect the performance of the vehicle's pollution control system shall invalidate this Executive Order.

This Executive Order shall not apply to any High Flow Cold Air Intake System advertised, offered for sale, sold with, or installed on a new motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

Marketing of the High Flow Cold Air Intake System using any identification other than that shown in this Executive Order or marketing of the High Flow Cold Air Intake System 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 High Flow Cold Air Intake System units may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on a prior Executive Order for Dinan Engineering, Inc. (D-176-21) which exempted the High Flow Cold Air Intake System (Tube Kit) on BMW vehicles certified to the Supplemental Federal Test Procedure (SFTP US06) test cycle and on submitted emission test data generated on a 2006 model year BMW 330i, engine test group 6BMXV03.0N52, certified to the Low Emission Vehicle II Ultra Low Emission Vehicle (LEV II ULEV) emission standards, modified with the High Flow Cold Air Intake System (Air Box Kit). Test results on the BMW 330i showed that emission levels, with Dinan Engineering, Inc.'s High Flow Cold Air Intake System installed, met the applicable emission standards when tested using the Cold-Start CVS-75 Federal Test Procedure (FTP) and the SFTP US06 test cycles. Examination of the OBD II system showed the High Flow Cold Air Intake System 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	0.040	1.7	0.05	0.008
Device Test 1	0.031	0.3	0.01	0.001
Device Test 2	0.040	0.4	0.01	0.001
Average	0.035	0.3	0.01	0.001

	US06	
	NMHC+NOx	CO
Standards 4k	0.14	8.0
Device	0.05	0.1

Similar effect on vehicle emissions is expected with the installation of the High Flow Cold Air Intake on vehicles listed in Exhibit A of this Executive Order

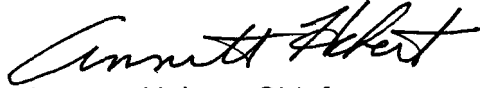
The Air Resources Board reserves the right in the future to review this Executive Order and the exemption provided herein to assure that the exempted add-on or modified part continues to meet the standards and procedures of Title 13, California Code of Regulations, Section 2222, et seq.

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 DINAN ENGINEERING, INC.'S HIGH FLOW COLD AIR INTAKE SYSTEM.

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 7 day of February 2008.

A handwritten signature in black ink, appearing to read "Annette Hebert", written in a cursive style.

Annette Hebert, Chief
Mobile Source Operations Division

Exhibit A

Dinan Part #	BMW Model	Model Years	Engine Size
D760-0400 (Tube Kit)	325i	2001-05	2.5L
	325xi	2001-05	2.5L
	325ci	2001-06	2.5L
	323i	1999-2000	2.5L
	323ci	2000	2.5L
	328i	1999-2000	2.8L
	328ci	2000	2.8L
* D760-0007 (Air Box Kit)	325i	2001-05	2.5L
	325xi	2001-05	2.5L
	325ci	2001-06	2.5L
D760-0401 (Tube Kit)	330i	2001-05	3.0L
	330xi	2001-05	3.0L
	330ci	2001-3/2003	3.0L
D760-0402 (Tube Kit)	330ci	3/2003 - 2006	3.0L
D760-0002 (Air Box Kit)	330i	2001-05	3.0L
	330xi	2001-05	3.0L
	330ci	2001-06	3.0L
D760-9000 (Air Box Kit)	325i	2006	3.0L
	325xi	2006	3.0L
	330i	2006	3.0L
	330xi	2006	3.0L
	328i sedan	2007	3.0L
	328xi sedan	2007	3.0L
	328i Sport Wagon	2007	3.0L
	328xi Sport Wagon	2007	3.0L
D760-9001 (Air Box Kit)	328i coupe	2007	3.0L
	328xi coupe	2007	3.0L
D760-0009 (Air Box Kit)	X3 2.5i	2004-06	2.5L
D760-0003 (Air Box Kit)	X3 3.0i	2004-06	3.0L
D760-0530 (Air Box Kit)	X5 4.4i	2000-03	4.4L
	X5 4.6i	2002-03	4.6L
D760-0534 (Air Box Kit)	X5 4.4i	2004-06	4.4L
	X5 4.8is	2004-06	4.8L
D760-0008 (Air Box Kit)	Z4 2.5i	2003-05	2.5L
D760-0011 (Air Box Kit)	Z4 3.0L	2003-05	3.0L
D760-0001 (Air Box Kit)	Mini Cooper S	2002-06	1.6L

* Excludes 325 (SULEV) models w/ engine test groups

- 3 BMXV02.5M56
- 4 BMXV02.5M56
- 5 BMXV02.5M56
- 6 BMXV02.5M56