CALIFORNIA
AIR RESOURCES BOARD

EXECUTIVE ORDER D-176-54

Relating to Exemptions under
Section 27156 of the Vehicle Code

Dinan
Cold Air Intake F97 X3M

Pursuant to the authority vested in the California 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-19-095;

IT IS ORDERED AND RESOLVED: That the installation of the Cold Air Intake F97 X3M, manufactured by Dinan of 4800 US Highway 280, Opelika, Alabama 36801, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, the Cold Air Intake F97 X3M is exempt from the prohibitions in Section 27156 of the Vehicle Code for the following:

Cold Air Intake F97 X3M Part Number	**Model Specification**
D760-0054	2020-2021 3.0L BMW X3M/X4M

The Cold Air Intake F97 X3M replaces the factory air intake filters and engine cover and is designed to improve air flow. The air filters, engine cover, and all the attachment fasteners are included to complete the Cold Air Intake F97 X3M installation. **No changes are made to any component of the stock engine, including engine calibration or boost pressure.**

This Executive Order is granted based on engineering evaluation, comparative Cold-Start CVS-75 Federal Test Procedure (FTP) and Supplemental Federal Test Procedure Composite (SFTP US06/SC03) test cycles, and On-Board Diagnostic II (OBD II) system testing conducted at an independent laboratory using a 2020 3.0 liter BMW X3 M (LBMXT03.0S58).

Exemption of the Cold Air Intake F97 X3M shall not be construed as an exemption to sell, offer for sale, or advertise any component of the assembly as individual devices.

This Executive Order shall not apply to any device advertised, offered for sale, sold with, or installed on a motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

This Executive Order is valid provided that installation instructions for the Cold Air Intake F97 X3M do not recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the Cold Air Intake F97 X3M, as exempted by the California Air Resources Board, that adversely affect the performance of the vehicle's pollution control system shall invalidate this Executive Order.

Marketing of the Cold Air Intake F97 X3M 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 California Air Resources Board.

In addition to the foregoing, the California 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 any opinion as to the effect the use of the Cold Air Intake F97 X3M may have on any warranty either expressed or implied by the vehicle manufacturer.

No claim of any kind, such as "Approved by the California Air Resources Board," may be made with respect to the action taken herein in any advertising or other oral or written communication.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE CALIFORNIA AIR RESOURCES BOARD OF CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF DINAN'S COLD AIR INTAKE F97 X3M.

Violation of any of the above conditions shall be grounds for revocation of this Executive Order. The Executive Order may be revoked only after a ten day written notice of intention to revoke the Executive Order, in which period the holder of the Executive 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 Executive Order may not be revoked until a determination is made after a hearing that grounds for revocation exist.

Executed on this 13th day of January 2022.

Allen Lyons, Chief
Emissions Certification and Compliance Division