CALIFORNIA
AIR RESOURCES BOARD

EXECUTIVE ORDER D-176-56

Relating to Exemptions Under Section 27156
of the California Vehicle Code

Dinan
Cold Air Intake

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 Section 39515 and Section 39516 of the Health and Safety Code and Executive Order G-19-095;

IT IS ORDERED AND RESOLVED: That installation of the Cold Air Intake, manufactured and marketed by Dinan, of 4800 US Highway 280, Opelika, Alabama 36801, 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 California Vehicle Code for the vehicles listed in Exhibit A.

The Cold Air Intake includes an air filter, airbox lid, intake tube, heat shield, and clamps. No changes are made to the ECU calibrations.

This Executive Order is valid provided that the installation instructions for the Cold Air Intake 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 Cold Air Intake, as exempted by the California Air Resources Board, that adversely affect the performance of the vehicle's emission control system, shall invalidate this Executive Order.

This Executive Order shall not apply to any Cold Air Intake 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 Cold Air Intake using any identification other than those shown in this Executive Order or marketing of the Cold Air Intake 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.

This Executive Order does not constitute any opinion as to the effect the use of the Cold Air Intake may have on any warranty, either expressed or implied by the vehicle manufacturer; or compliance with any other state, federal, or local law, such as safety equipment requirements or noise limitations.

Exemption of the Cold Air Intake 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 is granted based on information supplied by Dinan, including emissions test data.

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. Further, if test results or other evidence provides the California Air Resources Board with reason to suspect that the Cold Air Intake will affect the durability of emission control systems, Dinan shall be required to submit durability data to show that the durability of vehicle emission control systems are not, in fact, affected and/or that the add on or modified part demonstrates adequate durability.

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

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.

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 the hearing that grounds for revocation exist.

Executed on this 13 day of January 2023.

Lisa Jacobian for

Robin U. Lang, Chief
Emissions Certification and Compliance Division

Exhibit A

Part Number	Make	Model Year	Model	Engine *
D760-0029	BMW	2009-2010	335i	3.0L TC
D760-0030	BMW	2007-2010	335ci	3.0L TC
D760-0030	BMW	2008-2010	135i	3.0L TC
D760-0030	BMW	2007-2008	335i	3.0L TC
D760-0030	BMW	2007-2008	335xi	3.0L TC
D760-0030	BMW	2008	335cxi	3.0L TC
D760-0038	BMW	2012-2015	335i	3.0L TC
D760-0046	BMW	2019-2020	440i	3.0L TC
D760-0046	BMW	2019	340i Gran Turismo	3.0L TC
D760-0046	BMW	2019-2020	440i Gran Coupe	3.0L TC
D760-0046	BMW	2019-2021	M240i	3.0L TC
D760-0048	BMW	2019-2021	230i	2.0L TC
D760-0048	BMW	2019-2020	430i Gran Coupe	2.0L TC
D760-0048	BMW	2019-2020	430i	2.0L TC
D760-0048	BMW	2019	330i	2.0L TC
D760-0048	BMW	2019	330i Gran Turismo	2.0L TC
D760-0029	BMW	2009-2010	335i	3.0L TC

* “TC” means Turbocharged.