

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-253-4
Relating to Exemptions Under Section 27156
of the Vehicle Code

FUEL EFFICIENCY SYSTEMS, INC.
"THERMAL-CHARGER SYSTEM TC-(4-30)"

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, Fuel Efficiency Systems, Inc. of 11470 Sunrise Gold Circle, Suite 7, Rancho Cordova, California 95742, has applied to the ARB for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 for their Thermal-Charger System for installation on 1998 and older model-year heavy-duty 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. However, the ARB has found no evidence, based on sound engineering principles or through emissions data submitted by the manufacturer, that the Thermal-Charger can produce significant emission benefits.

It has not been determined what effect the use of the Thermal-Charger System may have on any warranty, either expressed or implied, by the manufacturer of a diesel engine or a motor vehicle on which the device is installed.

IT IS HEREBY RESOLVED that the above Thermal-Charger 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 Thermal-Charger System as described in the application for exemption, which includes use of appropriate temperature control to maintain fuel at engine manufacturer's recommended operating temperature. Any changes to the Thermal-Charger 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 Thermal-Charger System using identifications other than those shown in this Executive Order or marketing of the Thermal-Charger 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 Thermal-Charger System as individual devices.
3. Any oral or written references to this Executive Order or its content by Fuel Efficiency Systems, 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 Thermal-Charger System and is only a finding that the Thermal-Charger System is exempt from the prohibitions of Vehicle Code Section 27156.

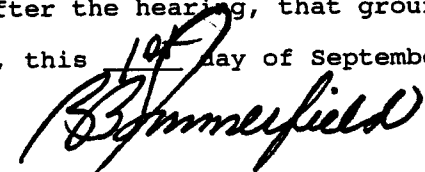
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THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF THE THERMAL-CHARGER 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 19th day of September 1998.



R.B. Summerfield, Chief
Mobile Source Operations Division