

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-269-40

Relating to Exemptions Under Section 27156  
of the California Vehicle Code

K&N Engineering, Inc.  
Fuel Injection Performance Kits and Typhoon Intake Systems

Pursuant to the authority vested in the Air Resources Board (ARB) by Section 27156 of the Vehicle Code (VC); 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-14-012;

IT IS ORDERED AND RESOLVED: That installation of the Fuel Injection Performance Kits and Typhoon Intake Systems, produced and marketed by K&N Engineering, Inc. of 1455 Citrus Ave., Riverside, California 92507, 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 the vehicles listed in the attached Exhibit A.

The Fuel Injection Performance Kits and Typhoon Intake Systems include the following main components: open-element reusable air filter, intake system tubing, assorted brackets, and hardware.

This Executive Order is valid provided that installation instructions for the Fuel Injection Performance Kits and Typhoon Intake Systems 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 Fuel Injection Performance Kits and Typhoon Intake Systems, as exempt by the ARB, 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 Fuel Injection Performance Kit or Typhoon 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 Fuel Injection Performance Kits and Typhoon Intake Systems using any identification other than that shown in this Executive Order or marketing of the Fuel Injection Performance Kits and Typhoon Intake Systems for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the ARB.

This Executive Order does not constitute any opinion as to the effect the use of the Fuel Injection Performance Kits and Typhoon Intake Systems may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on emission test results in the modified configuration using the Supplemental Federal Test Procedure (US06), and an examination of the On-Board Diagnostic II (OBD II) system. A 2013 Scion FR-S with a 2.0 liter engine (DFJXV02.0AJM, LEV-II LEV) was used for the evaluation of the Fuel Injection Performance Kits and Typhoon Intake Systems. Results from emissions testing conducted at Automotive Testing & Development Services, Inc., are shown below (in grams per mile):

2013 Scion FR-S 2.0 liter

| US06           | NMHC + NOx | CO   |
|----------------|------------|------|
| Emission Level | 0.023      | 2.89 |
| STD            | 0.14       | 8.0  |

Emission test results in the modified configuration were below the applicable certification standards. Examination of the OBD II system showed the Fuel Injection Performance Kits and Typhoon Intake Systems do not affect OBD II operation. Therefore, based on the test results, the staff concludes that the Fuel Injection Performance Kits and Typhoon Intake Systems meet the criteria for exempting general criteria parts.

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. Further, if test results or other evidence provides the ARB with reason to suspect that the Fuel Injection Performance Kits and Typhoon Intake Systems will affect the durability of emission control systems, K&N Engineering, Inc. 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 AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF THE K&N ENGINEERING, INC. FUEL INJECTION PERFORMANCE KITS AND TYPHOON INTAKE SYSTEMS.

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 17<sup>th</sup> day of October 2014.

*for* 

Annette Hebert, Chief  
Emissions Compliance, Automotive Regulations and Science Division

# Exhibit A

| Part Number | Model Year | Make   | Model | Engine  | Remarks                               |
|-------------|------------|--------|-------|---------|---------------------------------------|
| 69-8619TS   | 2013-2014  | Scion  | FR-S  | H4 2.0L | Silver                                |
| 69-8619TS   | 2013-2014  | Subaru | BRZ   | H4 2.0L | Silver                                |
| 57-9004     | 1987-1995  | Toyota | Supra | L6 3.0L |                                       |
| 69-8704TP   | 2013-2014  | Lexus  | GS350 | V6 3.5L | Polished; retains factory air box lid |