

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-308-8
Relating to Exemptions Under Section 27156
of the Vehicle Code

FORD SPECIAL VEHICLE OPERATIONS
"HIGH PERFORMANCE ENGINE MANAGEMENT COMPUTER P/N M-12650-B461"

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, Ford Motor Company Special Vehicle Operations (Ford SVO) of 17000 Southfield Road, Allen Park, Michigan 48101, has applied to the ARB for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 for their High Performance Engine Management Computer (HPEMC) for installation on 1996 and 1997 4.6L Ford Mustang GT.

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. Emission performance of the HPEMC was based on cold-start CVS-75 tests conducted at an independent vehicle test laboratory.

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

IT IS HEREBY RESOLVED that the above HPEMC 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 HPEMC device as described in the application for exemption. Any changes to the HPEMC 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 HPEMC using identification other than those shown in this Executive Order or marketing of the HPEMC 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 HPEMC device as individual devices.
3. Any oral or written references to this Executive Order or its content by Ford SVO, 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 HPEMC and is only a finding that the HPEMC is exempt from the prohibitions of Vehicle Code Section 27156.
4. The High Performance Engine Management Computer part number M-12650-B641 can only be installed on a vehicle equipped with Ford SVO's High Performance Cylinder Head part number M-6049-D46.

This Executive Order is granted based on results from emissions tests conducted in accordance with Cold-start CVS-75 Federal Test Procedure. However, the ARB finds that reasonable grounds exist for believing that use of the High Performance Engine Management Computer may adversely affect emissions of applicable motor vehicles when operating under conditions outside the parameters of the previously prescribed test procedures. Accordingly, the ARB reserves the right to conduct additional emissions

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tests, in the future, as such tests are developed, that will more adequately measure emissions from all cycle phases. If such test results demonstrate that the performance of the High Performance Engine Management Computer adversely affects emissions during off-cycle conditions (defined as those conditions which are beyond the parameters of the Cold-start CVS-75 Federal Test Procedure), this Executive Order shall be effectively rescinded as of the date the test results are validated.

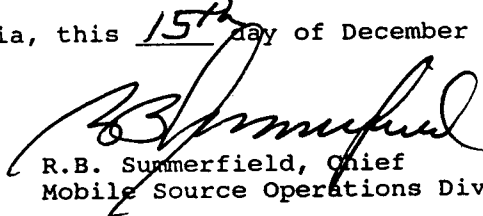
Further, if such test results or other evidence provides the ARB with reason to suspect that High Performance Engine Management Computer will affect the durability of the emission control system, Ford SVO shall be required to submit durability data to show that the durability of the vehicle emission control system is not, in fact affected and/or that the add-on or modified part demonstrates adequate durability.

In addition to the foregoing, the 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. and any future amendments thereto.

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 HPEMC.

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 15th day of December 1997.


R.B. Summerfield, Chief
Mobile Source Operations Division