

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-392-5
Relating to Exemptions Under Section 27156
of the Vehicle Code

ADVANCED ENGINE MANAGEMENT, INC.
AEM COLD AIR SYSTEM

Pursuant to the authority vested in the Air Resources Board (ARB) 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-45-9;

IT IS ORDERED AND RESOLVED: That installation of the AEM Cold Air System, manufactured by Advanced Engine Management, Inc. of 200 Corporate Point, Suite 465, Culver City, California 90230, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, the AEM Cold Air System is exempt from the prohibitions of Section 27156 of the Vehicle Code for installation on the following Honda Motor Co., Ltd. and Mitsubishi Motor Manufacturing of America, Inc. vehicles:

<u>Part No.</u>	<u>Vehicle MY</u>	<u>Vehicle Model</u>	<u>Engine</u>
21-400	1988-1991	Civic	1.6 liter D16A6 engine
21-401	1992-1995	Civic	1.5 and 1.6 liter D15Z1 and D16Z6
	1993-1995	Del Sol	engines; for Del Sols, SOHC engines only
21-402	1990-1993	Integra	1.7 and 1.8 liter B17A1 and B18A1 engines
21-403	1994-1998	Integra	1.8 liter B18B1 Non-VTEC engine
21-404	1994-1998	Integra	1.8 liter B18C1 VTEC engine
21-405	1992-1996	Prelude	2.2 and 2.3 liter F22A1 and H23A1 DOHC engines
21-406	1997-1998	Prelude	2.2 liter H22A4 engine
21-407	1990-1993	Accord	2.2 liter F22B2 and F22B1 engines
21-408	1994-1997	Accord	2.2 liter F22B2 and F22B1 4-cylinder engines
21-409	1996-1998	Civic EX	1.6 liter D16Y8 engine
21-411	1993-1995	Del Sol	1.6 liter D16Z6 DOHC engine
21-412	1997-1998	Integra Type-R	1.8 liter B18C5 engine
21-413	1996-1998	Civic DX	1.6 liter D16Y7 engine
21-414	1996-1997	Del Sol	1.6 liter D16Y7 SOHC engine
	1999	Civic EX	1.6 liter D16Y7 engine
21-415	1998-1999	Accord	2.3 liter F23A1 and F23A4 4-cylinder engines
21-416	1998-1999	Accord	3.0 liter J30A1 V-6 engine
21-417	1999	Civic Si	1.6 liter B16A2 engine
21-430	1995-1997	Eclipse GS	2.0 liter non-turbo engine

This exemption is based on examination of the on-board diagnostic (OBD II) system of the test vehicle with the AEM Cold Air System and an engineering evaluation of the emission impact of the device on the vehicle. Advanced Engine Management, Inc. tested the device on a 1998 model-year 2.3 liter Honda Accord using the Cold-Start CVS-75 Federal Test Procedure (FTP) and showed that it does not affect the operation of the vehicle's OBD II system. Also, based on engineering evaluation of the operating principles of the device and its required modifications, it was concluded that the device will not adversely affect the vehicle's exhaust emissions when tested using the Cold-Start CVS-75 FTP.

However, the ARB finds that reasonable grounds exist to believe that use of the AEM Cold Air System may adversely affect emissions of motor vehicles when operating under conditions outside the parameters of the Cold-Start CVS-75 FTP. Accordingly, the ARB reserves the right to conduct additional emission 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 AEM Cold Air System adversely affects emissions during off-cycle conditions (defined as those conditions which are beyond the parameters of the Cold-Start CVS-75 FTP), 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 the AEM Cold Air System will affect the durability of the emission control system, Advanced Engine Management, Inc. 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.

This Executive Order is valid provided that installation instructions for the AEM Cold Air System not recommend tuning the vehicles to specifications different from those of the vehicle manufacturer.

Changes made to the design or operating conditions of the AEM Cold Air System, as exempt by the ARB, which adversely affect the performance of the vehicles' pollution control system, shall invalidate this Executive Order.

Marketing of the AEM Cold Air System using 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 ARB. Exemption of the AEM Cold Air System shall not be construed as exemption to sell, offer for sale, or advertise any component of the system as an individual device.

This Executive Order does not constitute any opinion as to the effect the use of the AEM Cold Air System may have on any warranty either expressed or implied by the vehicle manufacturer.

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 California Code of Regulations, Title 13, Section 2222, et seq.

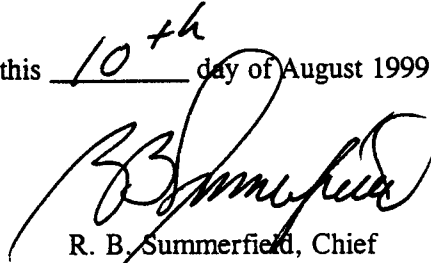
THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF ADVANCED ENGINE MANAGEMENT, INC.'S AEM COLD AIR SYSTEM.

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 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 after the hearing that grounds for revocation exist.

Executive Orders D-392, D-392-1, D-392-2, D-392-3, and D-392-4 have been superseded and are of no further force and effect.

Executed at El Monte, California, this 10th day of August 1999.

A handwritten signature in black ink, appearing to read "R. B. Summerfield", is written over the printed name and title.

R. B. Summerfield, Chief
Mobile Source Operations Division