

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-426
Relating to Exemptions Under Section 27156
of the Vehicle Code

GEKKO INTERNATIONAL, L.C.
"REVERSE OXYGEN HYDROGEN MIST"

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, Gekko International, L.C. of 3829 West Locust, Fairway Plaza, Davenport, Iowa 52804, has applied to the ARB for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 for their Reverse Oxygen Hydrogen Mist (ROHM) device for installation on 1995 and older model year vehicles except those equipped with On-Board Diagnostic II (OBD II) and/or Enhanced Evaporative Control Systems.

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 ROHM device was based on cold-start CVS-75 tests conducted at an independent vehicle test laboratory, and at the ARB test laboratory.

It has not been determined what effect use of the ROHM device 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 ROHM device 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 ROHM device as described in the application for exemption. Any changes to the ROHM device 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 ROHM device using identification other than those shown in this Executive Order or marketing of the ROHM device 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 ROHM device as individual devices.

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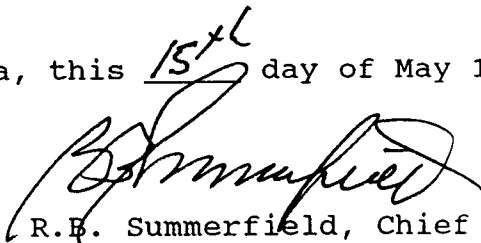
EXECUTIVE ORDER D-426
(Page 2 of 2)

3. Any oral or written references to this Executive Order or its content by Gekko International, L.C., 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 ROHM device and is only a finding that the ROHM device is exempt from the prohibitions of Vehicle Code Section 27156.

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 ROHM DEVICE.

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 May 1997.


R.E. Summerfield, Chief
Mobile Source Operations Division