

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-529

Relating to Exemptions under
Section 27156 of the Vehicle Code

Archer Enterprises, Inc.
Fuel Stabilizer

WHEREAS, Vehicle Code Section 27156 and Title 13, California Code of Regulations (CCR) Section 2222(e) authorize the California Air Resources Board (ARB) and its Executive Officer to exempt add-on and modified parts from the prohibitions of Vehicle Code Section 27156;

WHEREAS, Archer Enterprises, Inc. has applied to the ARB for exemption from the prohibitions of Vehicle Code Section 27156 for the Fuel Stabilizer for use on 1994 and older model-year gasoline vehicles and 2002 and older model-year diesel and natural gas vehicles;

WHEREAS, pursuant to the authority vested in the Executive Officer by the Health and Safety Code Section 39515 and in the Chief of the Mobile Source Operations Division by the Health and Safety Code Section 39516 and Executive Order G-45-9, the ARB finds that;

1. The Fuel Stabilizer is an add-on device that is attached to the fuel line in a motor vehicle.
2. The fuel line is part of the required motor vehicle pollution control system.
3. The Fuel Stabilizer is intended for use with a required motor vehicle pollution control system.
4. The Fuel Stabilizer by being installed in the fuel line alters the original design of a motor vehicle pollution control system.
5. The Fuel Stabilizer is a device subject to the prohibitions of Vehicle Code Section 27156 and an add-on part as defined by 13 CCR Section 1900(b)(1).
6. The Fuel Stabilizer does not reduce the effectiveness of any required motor vehicle pollution control system.
7. The ARB, in the exercise of technical judgement, is aware of no basis on which the Fuel Stabilizer will provide either a decrease in emissions or an increase in fuel economy.

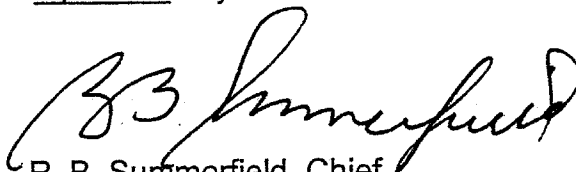
8. It has not been determined what effect the use of the Fuel Stabilizer may have on any warranty, either expressed or implied, by the manufacturer of a motor vehicle on which the device is installed.
9. The Fuel Stabilizer is not a certified motor vehicle pollution control device pursuant to the Health and Safety Code Section 43644.
10. The ARB by granting an exemption to Archer Enterprises, Inc. for the Fuel Stabilizer does not recommend or endorse in any way the Fuel Stabilizer for emission reduction, fuel economy, or any other purpose.

IT IS HEREBY RESOLVED that the Fuel Stabilizer is exempt from the prohibitions of Vehicle Code Section 27156 for installation on 1994 and older model-year gasoline vehicles and 2002 and older model-year diesel and natural gas vehicles subject to the following conditions:

1. This exemption shall not apply to any device, apparatus, or mechanism advertised, offered for sale, sold with, or installed on a motor vehicle prior to or concurrent with transfer to an ultimate purchaser.
2. No changes are permitted to the device as described in the application for exemption. Any changes to the device, applicable model-year, or other factors addressed in this Executive Order must be evaluated and approved by the ARB prior to marketing in California.
3. Marketing of this device using an identification other than that shown in this Executive Order or marketing of this device for an application other than those listed in the Executive Order shall be prohibited unless prior approval is obtained from the ARB.
4. Exemption of the device shall not be construed as an exemption to sell, offer for sale, or advertise any components of the device as individual devices.
5. Any oral or written references to this Executive Order or its content by Archer Enterprises, 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 emission reduction or fuel economy claims for the Fuel Stabilizer and is only a finding that the device is exempt from the prohibitions of Vehicle Code Section 27156.
6. 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 is made after a hearing that grounds for revocation exist.

Executed at El Monte, California, this 13th day of November 2001.

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

R. B. Summerfield, Chief
Mobile Source Operations Division

EVALUATION SUMMARY

Applicant Name: Archer Enterprises, Inc.

Manufacturer Name: Stabilized Energy Systems, Corp.

Name of Device: Fuel Stabilizer

Background:

Archer Enterprises, Inc. (AEI) of P. O. Box 104, Huntington Beach, California 92648 has applied for an exemption from the prohibitions in Section 27156 of the California Vehicle Code (VC) for the Fuel Stabilizer. AEI is the authorized marketer and distributor of the Fuel Stabilizer. The fuel device is manufactured by Stabilized Energy Systems, Corp. (SES) of P. O. Box 42282, Indianapolis, Indiana 46242-0282. The exemption application includes 1994 and older model-year gasoline vehicles and 2002 and older model-year diesel and natural gas vehicles.

Recommendation:

Grant exemption to Archer Enterprises, Inc. as requested and issue Executive Order D-529.

Device Description:

SES's Fuel Stabilizer is an in-line fuel device designed to improve fuel economy and emissions. According to AEI, the Fuel Stabilizer aligns the fuel molecules as the fuel passes through the device. The alignment, according to AEI, results in improved fuel economy and emissions. The device consists of two stainless steel tubes, one straight and one in the shape of a corkscrew, encased in a stainless steel housing. The tubes measure approximately $\frac{1}{4}$ to $\frac{1}{2}$ inches in diameter. The device is offered in six sizes, diameters ranging from 2.0 to 8.0 inches and lengths from 6.5 to 32 inches. It should be installed as close to the engine as possible. Use of the device does not require any other alterations to the vehicle emission control system.

Discussion/Basis for the Recommendation:

Exemption of SES's Fuel Stabilizer is based on engineering evaluation of the impact on emissions. The Air Resources Board did not conduct any testing to confirm AEI's claims. However, based on evaluation of the operating principles of the Fuel Stabilizer and similar devices, the staff determined that the Fuel Stabilizer would not have any adverse effect on the exhaust or evaporative emissions of the vehicles included in the Executive Order. Therefore, the staff concludes that SES's Fuel Stabilizer meets the requirements for a VC 27156 exemption for 1994 and older model-year gasoline vehicles and 2002 and older model-year diesel and natural gas vehicles.