

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-575

Relating to Exemptions Under Section 27156  
of the California Vehicle Code

East Coast Induction Systems  
Evolution Air Intake System

Pursuant to the authority vested in the Air Resources Board by Section 27156 of the Vehicle Code; 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-02-003;

IT IS ORDERED AND RESOLVED: That the installation of the Evolution Air Intake System, produced and marketed by East Coast Induction Systems of 236 S. 9<sup>th</sup> Street, Lindenhurst, NY 11757, 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 BMW vehicles listed in the attached Exhibit A.

The Evolution Air Intake System includes the following main components: open-element reusable air filter, heat shields (as applicable), intake system tubing, crankcase ventilation hose (as applicable, which may be silicone, and a color other than black), assorted brackets, and hardware.

This Executive Order is valid provided that the installation instructions for the Evolution Air Intake System 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 Evolution Air Intake System, as exempt by the Air Resources Board, 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 Evolution Air 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 Evolution Air Intake System using any identification other than that shown in this Executive Order or marketing of the Evolution Air Intake System for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board.

This Executive Order does not constitute any opinion as to the effect the use of the Evolution Air Intake System 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 Cold-Start CVS-75 Federal Test Procedure, Supplemental Federal Test Procedure (US06), and an examination of the On-Board Diagnostic II (OBD II) system. A 2003 BMW 325i was used for the evaluation of the Evolution Air Intake System. Results from emissions testing conducted at Roush Industries, of Livonia, Michigan, are shown below (in grams per mile):

| Model-Year<br>2003                     | Model<br>325i | Standard<br>LEV2 ULEV, PC |       |       | Test Group<br>3BMXV03.0UL2 |              |      |
|----------------------------------------|---------------|---------------------------|-------|-------|----------------------------|--------------|------|
| FTP                                    | NMOG          | CO                        | NOx   | HCHO  | US06                       | NMHC+<br>NOx | CO   |
| 50 k emission level<br>(DF's applied)  | 0.007         | 1.304                     | 0.028 | 0.000 | Measured                   | 0.013        | 1.57 |
| 50 k Standard                          | 0.075         | 3.4                       | 0.05  | 0.015 | Standard                   | 0.14         | 8.0  |
| 120 k emission<br>level (DF's applied) | 0.008         | 1.436                     | 0.033 | 0.000 |                            |              |      |
| 120 k Standard                         | 0.090         | 4.2                       | 0.07  | 0.018 |                            |              |      |

The emission test results in the modified configuration were below the applicable certification standards. Examination of the OBD II system showed the Evolution Air Intake System does not affect OBD II operation.

If evidence provides the ARB with reason to suspect that the Evolution Air Intake System will affect the durability of emission control systems, East Coast Induction Systems 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.

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.

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 EVOLUTION AIR INTAKE 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 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 12<sup>TH</sup> day of November 2003.



Allen Lyons, Chief  
Mobile Source Operations Division

| MODEL                                                                           | Part Number |
|---------------------------------------------------------------------------------|-------------|
| 1992-1995 BMW 3 Series Model (325/328/M3) 2.5L and 3.0L 6 cylinders             | E36-9295K   |
| 1996-1999 BMW 3 Series Model (325/328/M3) 2.8L and 3.2L 6 cylinders             | E36-9699K   |
| 1999-2000 BMW 3 Series Model (323/328) 2.5L and 2.8L 6 cylinders                | E46-9900K   |
| 2001-2003 BMW 3 Series Model (325/330) 2.5L and 3.0L 6 cylinders                | E46-0103K   |
| 1997-2001 BMW 5 Series Model (528) 2.8L 6 cylinders                             | E39-9701K   |
| 2001-2003 BMW 5 Series Model (525/530) 2.5L and 3.0L 6 cylinders                | E39-0103K   |
| 1997-1998 BMW Z3 Series Model (Z3 2.3/2.8) 2.5L and 2.8L 6 cylinders            | E37-9798K   |
| 1998-2003 BMW Z3 Series Model (Z3 2.5/2.8/3.0) 2.5L, 2.8L, and 3.0L 6 cylinders | E37-9903K   |
| 1998-2000 BMW Z3 Series Model (M Roadster/M Coupe) 3.0L and 3.2L 6 cylinders    | E37M-9800K  |