State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER K-005-3

Relating to Exemptions of Aftermarket Critical Emission Control Parts for Highway Motorcycles under Sections 27156 and 38391 of the Vehicle Code

Cycle Shack, Inc.
Cycle Shack Header/Catalyst Exhaust System

WHEREAS, Pursuant to the authority vested in the Air Resources Board (ARB) by Sections 27156 and 38391 of the Vehicle Code and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(j); and

WHEREAS, Cycle Shack, Inc. has applied to ARB for an exemption from the prohibitions of Vehicle Code sections 27156 and 38391 to market its Cycle Shack Header/Catalyst Exhaust System on select 2011 model year Harley-Davidson highway motorcycle engine families; and

WHEREAS, Pursuant to the authority vested in the undersigned by Sections 39515 and Section 39516 of the Health and Safety Code and by Executive Order G-02-003;

IT IS ORDERED AND RESOLVED: That the Cycle Shack Header/Catalyst Exhaust System, manufactured by Cycle Shack, Inc. of 1104 San Mateo Avenue, South San Francisco, CA 94080-6602, has been found not to reduce the effectiveness of any required vehicle pollution control system or to cause the vehicle emissions to exceed applicable emission standards, and is therefore exempt from the prohibitions of Sections 27156 and 38391 of the Vehicle Code, as described below for the following 2011 model year Harley-Davidson motorcycle engine family (excluding three-wheeled models):

Engine Family: BHDXC1.80AED

Displacement: 1584 cc (96 Cubic Inches)
1688 cc (103 Cubic Inches)

Fuel Type: Gasoline

System Components:

Part Numbers	Description
(See Exhibit A)	Complete exhaust system with dual header pipes and dual slip-on mufflers each containing a three-way catalytic converter

The following are the applicable exhaust hydrocarbon plus oxides of nitrogen (HC + NOx) and carbon monoxide (CO) emission standards, in grams per kilometer (g/km):

HC + NOx (designated)	CO
0.5	12

Based on both previously submitted emission data, the following are Cycle Shack, Inc.'s HC + NOx and CO exemption emission values for this engine family in grams per kilometer (g/km):

HC + NOx	CO
0.3	3

BE IT FURTHER RESOLVED: That Cycle Shack, Inc. has submitted materials demonstrating compliance with the emissions defects warranty requirements of section (c)(2) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles."

BE IT FURTHER RESOLVED: That Cycle Shack, Inc. must permanently identify its exempted aftermarket critical emission control part by direct stamping or embossment as required under section (c)(3) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles."

BE IT FURTHER RESOLVED: That Cycle Shack, Inc. must retain records as required by section (c)(2)(D) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles," and to report warranty claim records for each part covered by this Executive Order, as required by section (c)(6) of said procedures.

BE IT FURTHER RESOLVED: That Cycle Shack, Inc. must submit production reports for the exempted aftermarket critical emission control part as required by section (c)(5)(A) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles."

BE IT FURTHER RESOLVED: That Cycle Shack, Inc. may be subjected to inspection and audit testing pursuant to section (c)(5)(B) of the "California Evaluation Procedures for Aftermarket Critical Emission Control Parts on Highway Motorcycles."

The production aftermarket critical emission control part shall be in all material respect the same as those for which exemption is granted.

Marketing of the Cycle Shack Header/Catalyst Exhaust System using any identification other than that shown in this Executive Order or marketing of the Cycle Shack Header/Catalyst Exhaust 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 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 Cycle Shack Header/Catalyst Exhaust System.

The aftermarket critical emission control part exempted under this Executive Order must conform to all applicable California emission regulations. This exemption does not constitute an exemption to sell, offer for sale, or advertise any components of the part as individual devices.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a 30-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 30 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 11 day of February 2011.

Annette Hebert, Chief
Mobile Source Operations Division

EXHIBIT A
(EO# K-005-3)

2011 Touring Models (non-trike) with 1584 and 1688 Engines:

HEADER PART NUMBER	CATALYTIC MUFFLER PART NUMBER
PHD-169	MHC-350SD, MHC-350SS, MHC-350ST, MHC-350SU
PHD-269	MHC-352SD, MHC-352SS, MHC-352ST, MHC-352SU