

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-766

Relating to Exemptions Under Section 27156
of the California Vehicle Code

M7 Speed
Air Intake Kits

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-14-012;

IT IS ORDERED AND RESOLVED: That the installation of the Air Intake Kits, manufactured and marketed by M7 Speed, 149 Byers Creek Road, Unit 103, Mooresville, North Carolina 28117, 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 2002 to 2013 model year Mini Cooper vehicles equipped with a 1.6L gasoline supercharged or turbocharged engine.

| PN | Description | Year Models |
|-----------|---|-------------|
| 53-3M7301 | M7 R53 "Exact-Fit Certified" Cold Air Intake | 2002-2008 |
| 56-312101 | Maxx-Flo Intake System, Aluminum Housing | 2007-2013 |
| 56-312201 | Maxx-Flo Intake System, Stainless Steel Housing | 2007-2013 |
| 56-311701 | AGS-R2, Fiberglass Housing | 2007-2013 |
| 56-311801 | AGS-R2, Carbon Fiber Housing | 2007-2013 |

The Air Intake Kits include the following parts which are installed before the mass air flow sensor. The mass air flow sensor is retained in a stock location with stock air intake tubing retained between the mass air flow sensor and the throttle body: The M7 R53 "Exact-Fit Certified" Cold Air Intake is designed to replace the stock air box lid only, the stock air filter element and air box bottom is retained, the AGS-R2 with either a fiberglass or carbon fiber housing is designed to remove the stock air box located near the firewall with a new air box and conical air filter element that captures the air with an air ram on top of the engine, the Maxx-Flo Intake System with either an aluminum or a stainless steel housing is designed to remove the stock air box located near the firewall with a new conical open element air filter. **Installation of the Air Intake System requires the removal of the stock air filter housing and all intake air tubing. If the stock air filter housing contains the vehicle's tune-up & emissions control decal, a replacement decal must be placed in a similar location.**

This Executive Order is valid provided that the installation instructions for the Air Intake Kits will not recommend tuning the vehicle to specifications different from those of M7 Speed.

Changes made to the design or operating conditions of the Air Intake Kits, 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 exemption is issued based on submitted emissions test data, from the SEMA Garage, Diamond Bar, California, on a 2013 model year Mini Cooper 1.6L, certified to the LEV II ULEV emission standards and tested using the Cold-Start CVS-75 Federal Test Procedure (FTP) test cycle and the Supplemental Federal Test Procedure (SFTP US06) test cycle.

| | CVS-75 FTP | | | |
|-------------------------------|------------|-----|------|-------|
| | NMOG | CO | NOx | HCHO |
| Standards, UL | 0.055 | 2.1 | 0.07 | 0.011 |
| Device Test w/df, 2 test avg. | 0.032 | 0.4 | 0.03 | 0.001 |

| | US06 | |
|--------------|----------|-----|
| | NMHC+NOx | CO |
| Standards 4k | 0.14 | 8.0 |
| Device | 0.03 | 2.1 |

Test results showed that the worst case air intake kit (Maxx-Flo Intake System) installed on the vehicle did not cause exhaust emissions to exceed the applicable emission standards during the FTP and SFTP. This Executive Order is also based on the On-Board Diagnostic II (OBD II) testing conducted on the same test vehicle. The Maxx-Flo Intake System when installed on the test vehicle did not affect the vehicle's ability to perform its OBD II monitoring.

The Air Resources Board 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.

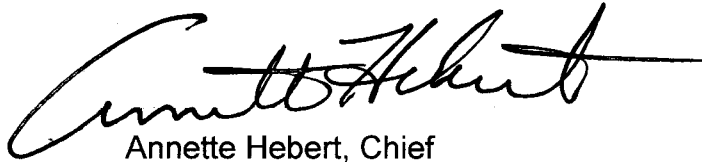
THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF THE AIR INTAKE KITS.

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.

3.

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 14 day of April 2016.

A handwritten signature in black ink, appearing to read "Annette Hebert", with a long horizontal flourish extending to the right.

Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science Division