California Environmental Protection Agency AIR RESOURCES BOARD	BAYERISCHE MOTOREN WERKE AG	EXECUTIVE ORDER A-008-0165 New Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles

Pursuant to the authority vested in the Air Resources Board by Health and Safety Code (HSC), Div. 26, Part 5, Chap. 2; and pursuant to the authority vested in the undersigned by HSC Sections 39515 & 39516 and Executive Order G-02-003;

IT IS ORDERED AND RESOLVED:
That the following exhaust and evaporative emission control systems produced by the manufacturer are certified as described below. Production vehicles shall be in all material respects the same as those for which certification is granted.

MODEL YEAR	TEST GROUP	VEHICLE TYPE	EXHAUST EMISSION STANDARD CATEGORY	USEFUL LIFE (miles)		INTERMEDIATE IN-USE COMPLIANCE (*=N/A or full in-use; A/E=exh. / evap. intermediate in-use)		FUEL TYPE
				EXH / ORVR	EVAP	EXH	EVAP	
2004	4BMXV02.5M56	Passenger Car	"LEV II" Super Ultra Low Emission Vehicle (LEV II SULEV)	150K	150K	A	E	Gasoline

No.	ECS & SPECIAL FEATURES	EVAPORATIVE FAMILY (EVAF)	DISPLACEMENT (L)
1	2WU-TWC, 2TWC, 2HAFS, 2HO2S, SFI, AIR, DOR, OBD(P)	4BMXR0134M56	2.5

See the Attachment for Vehicle Models, Evaporative Family, Engine Displacement, Emission Control Systems, Phase-In Standards, OBD Compliance, Emission Standards and Certification Levels, and Abbreviations.

BE IT FURTHER RESOLVED:
That the exhaust and the evaporative emission standards and the certification emission levels for the listed vehicles are as listed on the Attachment. Compliance with the 50^0 Fahrenheit testing requirement may have been met based on the manufacturer's submitted compliance plan in lieu of testing. Any debit in the manufacturer's "NMOG Fleet Average" (PC or LDT) or "Vehicle Equivalent Credit" (MDV) compliance plan shall be equalized as required.

BE IT FURTHER RESOLVED:
That for the listed vehicle models, the manufacturer has attested to compliance with Title 13, California Code of Regulations, (13 CCR) Sections 1965 [emission control labels], 1968.1 [on-board diagnostic, full or partial compliance], 2035 et seq. [emission control warranty], 2235 [fuel tank fill pipes and openings] (gasoline and alcohol fueled vehicles only), and "High-Altitude Requirements" and "Inspection and Maintenance Emission Standards" (California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model PC, LDT and MDV).

BE IT FURTHER RESOLVED:
That the listed vehicle models have been certified on the condition that the manufacturer provide all the on-board diagnostic data required by 13 CCR Section 1968.2 (h)(2.4) by May 23, 2003. Failure to submit the required demonstration data by the specified date, or failure of the submitted demonstration data to show compliance with the test procedures, shall be cause for the Air Resources Board to revoke this Executive Order and vehicles sold under the revoked conditional certification shall be deemed uncertified.

BE IT FURTHER RESOLVED:
Pursuant to allowances under 13 CCR Section 1961(a)(12) [direct ozone reduction], the non-methane organic gas (NMOG) certification level reflects application of a 0.0047 grams per mile (g/mi) NMOG credit; for in-use testing, an NMOG credit equal to 0.0045 or 0.0048 g/mi may be applied to measured NMOG emissions of appropriate vehicle models.

BE IT FURTHER RESOLVED:
That the manufacturer has requested that the listed vehicles be determined to qualify for a baseline partial zero emission vehicle (PZEV) allowance of 0.2 under 13 CCR Section 1962(c)(2) as amended by the 2001 Zero Emission Vehicle (ZEV) Amendments. A June 11, 2002 preliminary injunction issued by a federal district court and currently on appeal enjoins the Executive Officer from enforcing the 2001 ZEV Amendments with respect to the sale of new motor vehicles in the 2003 or 2004 model years pending final resolution of the litigation. In case the preliminary injunction is lifted or the PZEV status of the vehicles becomes relevant in the context of subsequent amendments to the ZEV regulations (depending on the credit provisions of such amendments), the undersigned has determined that the listed vehicles would qualify for a baseline PZEV allowance of 0.2 under 13 CCR Section 1962(c)(2) if those provisions could be enforced. Nothing in this Executive Order is intended as enforcement of any of the 2001 ZEV Amendments for the 2003 or 2004 model years.

Vehicles certified under this Executive Order shall conform to all applicable California emission regulations.

The Bureau of Automotive Repair will be notified by copy of this Executive Order.

Executed at El Monte, California on this 23RD day of April 2003.

Allen Lyons, Chief
Mobile Source Operations Division

ATTACHMENT

EXHAUST AND EVAPORATIVE EMISSION STANDARDS AND CERTIFICATION LEVELS

(For bi-, dual- or flexible-fueled vehicles, the STD and CERT in parentheses are those applicable to testing on gasoline test fuel.)

CH4=methane; NMOG=non-CH4 organic gas; NMHC=non-CH4 hydrocarbon; CO=carbon monoxide; NOx=oxides of nitrogen; HCHO=formaldehyde; PM=particulate matter; RAF=reactivity adjustment factor; 2/3 D [g/test]=2/3 day diurnal+ hot-soak; RL [g/mi]=running loss; ORVR [g/gallon dispensed]=on-board refueling vapor recovery; g=gram; mg=milligram mi=mile; K=1000 miles; F=degrees Fahrenheit; SFTP=supplemental federal test procedure

NMOG FLEET AVERAGE [g/mi]		NMOG @ RAF=* CH4 RAF = *		NMOG or NMHC STD [g/mi]	CO [g/mi]		NOx [g/mi]		HCHO [mg/mi]		PM [g/mi]		Hwy NOx [g/mi]	
CERT	STD	NMOG CERT [g/mi]	NMHC CERT [g/mi]		CERT	STD	CERT	STD	CERT	STD	CERT	STD	CERT	STD
0.048	0.053													
	@ 50K	*	*	*	*	*	*	*	*	*	*	*	*	*
	@ UL	0.003	*	0.010	0.1	1.0	0.00	0.02	0.0	4.	*	*	0.01	0.03
	@ 50°F & 4K	0.012	*	0.020	0.1	1.0	0.005	0.02	0.3	8.	*	*	*	*

CO [g/mi] @ 20°F & 50K			NMHC+NOx [g/mi] (composite)		CO [g/mi] (composite)		NMHC+NOx [g/mi] [US06]		CO [g/mi] [US06]		NMHC+NOx [g/mi] [SC03]		CO [g/mi] [SC03]	
			CERT	STD	CERT	STD	CERT	STD	CERT	STD	CERT	STD	CERT	STD
CERT	0.7	SFTP @ 4000 miles	*	*	*	*	0.003	0.14	1.0	8.0	0.00	0.20	0.02	2.7
STD	10.0	SFTP @ * miles	*	*	*	*	*	*	*	*	*	*	*	*

Evaporative Family	3-Days Diurnal + Hot Soak (grams/test) @ UL		2-Days Diurnal + Hot Soak (grams/test) @ UL		Running Loss (grams/mile) @ UL		On-Board Refueling Vapor Recovery (grams/gallon) @ UL	
	CERT	STD	CERT	STD	CERT	STD	CERT	STD
4BMXR0134M56	0.10	0.35	0.11	0.35	0.02	0.05	0.10	0.20
*	*	*	*	*	*	*	*	*
*	*	*	*	*	*	*	*	*
*	*	*	*	*	*	*	*	*

* = not applicable; UL=useful life; PC=passenger car; LDT=light-duty truck; MDV=medium-duty vehicle; ECS= Emission Control System; STD= Standard; CERT= Certification; LVW=loaded vehicle weight; ALVW=adjusted LVW; LEV=low emission vehicle; TLEV=transitional LEV; ULEV=ultra LEV; SULEV=super ULEV; TWC=3-way catalyst; ADSTWC=adsorbing TWC; WU=warm-up catalyst; OC=oxidizing catalyst; O2S=oxygen sensor; HO2S=heated O2S; AFS/HAFS=air- fuel ratio sensor / heated AFS; EGR=exhaust gas recirculation; AIR=secondary air injection; PAIR=pulsed AIR; MFI= multiport fuel injection; SFI=sequential MFI; TBI=throttle body injection; TC/SC= turbo/super charger; CAC=charge air cooler; OBD (F)/(P)=full/partial on-board diagnostic; DOR=direct ozone reducing; prefix 2=parallel; (2) suffix=series; CNG/LNG= compressed/liquefied natural gas; LPG=liquefied petroleum gas; E85="85%" Ethanol Fuel

2004 MODEL YEAR: VEHICLE MODELS INFORMATION

MAKE	MODEL	EVAPORATIVE FAMILY	ECS NO.	ENGINE SIZE (L)	INTERMEDIATE IN-USE COMPLIANCE (*=N/A or full in-use; A/E=exh. / evap. intermediate in-use)		PHASE-IN STD.	OBD II
					EXH	EVAP		
BMW	325i	4BMXR0134M56	1	2.5	A	E	SFTP	Partial
BMW	325Ci	4BMXR0134M56	1	2.5	A	E	SFTP	Partial
BMW	325i SPORT WAGON	4BMXR0134M56	1	2.5	A	E	SFTP	Partial