California Environmental Protection Agency AIR RESOURCES BOARD	BAYERISCHE MOTOREN WERKE AG	EXECUTIVE ORDER A-008-0302-1 New Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles Page 1 of 2

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 (PC=passenger car; LDT=light-duty truck; MDV=medium-duty vehicle; LVW=loaded vehicle weight; GVW=gross VW)	EXHAUST EMISSION STANDARD CATEGORY (LEV=low emission vehicle; TLEV=transitional LEV; ULEV=ultra LEV; SULEV=super ULEV)	EXHAUST & ORVR / EVAPORATIVE USEFUL LIFE (UL) (miles)	FUEL TYPE (CNG/LNG=compressed/liquefied natural gas; LPG=liquefied petroleum gas)
2012	CBMXJ03.0N55	Passenger Car + LDT <6,000# GVW 3,751-5,750 # LVW	"LEV II" Ultra Low Emission Vehicle (LEVII ULEV)	120K / 150K	Gasoline (Tier 2 Unleaded)

No.	EVAPORATIVE FAMILY (EVAF)
1	CBMXR0130N54
2	*
3	*
4	*
5	*
6	*

No.	SPECIAL FEATURES & EMISSION CONTROL SYSTEMS (ECS) * = not applicable
1	TWC, AFS,HO2S, DFI, TC, CAC, OBD(P)
2	*
3	*
4	*
5	*
6	*

TWC/OC=3-way/oxidizing catalyst; **ADSTWC**=adsorbing TWC; **WU**=warm-up catalyst; **NAC**=NOx adsorption catalyst; **SCR-U/SCR-N**= selective catalytic reduction-urea/ammonia; **NH3OC=SCR-U/SCR-N** ammonia slip catalyst; **CTOX/PTOX**= continuous/periodic trap oxidizer; **HO2S/O2S**=heated/oxygen sensor; **HO2S**=heated O2S; **AFS/HAFS**=air- fuel ratio sensor / heated AFS; **NOXS**= NOx sensor; **RDQS**=reductant quality sensor; **EGR**=exhaust gas recirculation; AIR=secondary air injection; **PAIR**=pulsed AIR; **SFI/MFI**= sequentia/ multiport fuel injection; **DFI**=direct fuel injection; **TC/SC**= turbo/super charger; **CAC**=charge air cooler; **OBD (F)/(P)(B)**= full/partial/both on-board diagnostic; **DOR**=direct ozone reducing; prefix 2=parallel; (2) suffix=series;

EVAF No.	ECS No.	ENGINE SIZE (L)	VEHICLE MAKES & MODELS	VEHICLES SUBJECT TO SFTP STANDARDS ARE UNDERLINED
1	1	3.0	BMW (PC): 135i, 135i CONVERTIBLE, 335Ci, 335Ci CONVERTIBLE, 335i 335i xDrive, 335Ci xDrive, X1 xDrive35i	ABBREVIATIONS:
1	1	3.0	BMW (LDT 3,751-5,750 #LVW): X3 xDrive35i	

That the exhaust, the evaporative emission standards, and the certification emission levels for the listed vehicles are as listed on the Attachment. Compliance with the 50° 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.

NMOG FLEET AVERAGE [g/mi]			NMOG @ RAF= * CH4 RAF = *		NMOG or NMHC STD [g/mi]	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									
STD-PC	STD-LDT2		NMOG CERT [g/mi]	NMHC CERT [g/mi]		CO [g/mi]		NOx [g/mi]		HCHO [mg/mi]		PM [g/mi]		Hwy NOx [g/mi]	
						CERT	STD	CERT	STD	CERT	STD	CERT	STD	CERT	STD
0.035	0.043														
		@ 50K	0.016	*	0.040	0.5	1.7	0.01	0.05	*	8.	*	*	0.004	0.07
		@ UL	0.017	*	0.055	0.7	2.1	0.01	0.07	*	11.	*	0.01	0.01	0.09
		@ 50°F & 4K	0.020	*	0.080	0.2	1.7	0.01	0.05	*	16.	*	*	*	*

CO [g/mi] @ 20°F & 50K		SFTP 1 = @ 4K (SULEV, ULEV, LEV) or 50K (Tier 1, TLEV) SFTP 2 = @ UL (Tier 1, TLEV)	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	0.4	SFTP @ 4K	*	*	*	*	0.02	0.14	1.4	8.0	0.01	0.20	0.00	2.7
STD	10.0	SFTP @ UL	*	*	*	*	*	*	*	*	*	*	*	*

@ UL	EVAPORATIVE FAMILY 1				EVAPORATIVE FAMILY 2				EVAPORATIVE FAMILY 3				EVAPORATIVE FAMILY 4			
	3-D	2-D	RL	ORVR	3-D	2-D	RL	ORVR	3-D	2-D	RL	ORVR	3-D	2-D	RL	ORVR
CERT	0.31	*	0.01	0.00	*	*	*	*	*	*	*	*	*	*	*	*
STD	0.50	0.65	0.05	0.20	*	*	*	*	*	*	*	*	*	*	*	*

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], 1968.2 [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: The test group listed in this Executive Order is certified conditionally on the manufacturer providing data to demonstrate compliance with California's greenhouse gas fleet average emission standard (CA GHG Standard) specified in Title 13, California Code of Regulations, (13 CCR) Section 1961.1 and the incorporated California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, amended March 29, 2010 (CA Test Procedures). The manufacturer has elected, under 13 CCR Section 1961.1(a)(1)(A)~~(ii)~~ and under Section E.2.5.1(ii) of the CA Test Procedures, to demonstrate compliance with the CA GHG Standard by demonstrating compliance with the National greenhouse gas program (National GHG Program). Therefore, the test group listed in this Executive Order is certified conditionally further on the manufacturer complying with the requirements specified in said provisions in 13 CCR, and Sections E.2.5.1(ii) and H.4.5(b) and H.4.5(c) of the CA Test Procedures (among other things, concerning data and information submission, timing, and format as specified by the Executive Officer). Failure to comply with the certification requirements to demonstrate compliance with CA GHG Standard by demonstrating compliance with the National GHG Program under said provisions in 13 CCR and CA Test Procedures may be cause for the Executive Officer to revoke the Executive Order. Vehicles in the revoked Executive Order shall be deemed uncertified and subject to penalties authorized under California law. Notwithstanding the requirement herein, a manufacturer that becomes, after MY2009, a large-volume manufacturer, as defined in 13 CCR Section 1900, is not required to comply with the CA GHG Standard until the beginning of the fourth model-year from becoming a large-volume manufacturer. Additionally, notwithstanding the requirement herein, a small-volume manufacturer, independent low-volume manufacturer, or intermediate volume-manufacturer, as defined in 13 CCR Section 1900, is not required to comply with CA GHG Standard during model-years (MY) 2012 through 2015.

BE IT FURTHER RESOLVED: That the vehicle models are conditionally certified in accordance with 13 CCR Section 1968.2(k) (deficiency and fines provisions for certification of malfunction and diagnostic system) because the on-board diagnostic II system of the listed vehicle models has been determined to have four deficiencies. The listed vehicle models are approved subject to the manufacturer paying a fine of fifty dollars ($50) per vehicle for the third and fourth deficiency in the listed test group that is produced and delivered for sale in California.

On a quarterly basis, the manufacturer shall submit to the Air Resources Board reports of the number of vehicles produced and delivered for sale in California and pay the full fine owed for that quarter pursuant to this conditional certification. Payment shall be made payable to the State Treasurer for deposit in the Air Pollution Control Fund no later than thirty (30) days after the end of each calendar quarter during the 2012 model-year production period. Failure to pay the quarterly fine, in full, in the time provided, may be cause for the Executive Officer to rescind this conditional certification, effective from the start of the quarter in question, in which case all vehicles covered under this conditional certification for that quarter and all future quarters would be deemed uncertified and subject to a civil penalty of up to $5000 per vehicle pursuant to HSC Section 43154.

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.
This Executive Order hereby superseedsExecutive Order A-008-0302 dated April 11, 2011

Executed at El Monte, California on this 27TH day of December 2011.

M. Fuentes FOR AGH
Annette Hebert, Chief
Mobile Source Operations Division