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	
2013	DBMXV03.051R	Passenger Car	"LEV II" Super Ultra Low Emission Vehicle (LEV II SULEV)	150K	150K	*	*	Gasoline

No.	ECS & SPECIAL FEATURES	EVAPORATIVE FAMILY (EVAF)	DISPLACEMENT (L)
1	2WU-TWC,2TWC, 2AFS,2HO2S, SFI, AIR, OBD(P), DOR	DBMXR0141N51	3
*	*	*	
*	*	*	
*	*	*	

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, 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.

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 listed vehicle models are granted a partial zero-emission-vehicle (PZEV) allowance of 0.2 pursuant to 13 CCR Section 1962.1 (c)(2) and a 0.005 g/mi NMOG credit for all certification and in-use testing pursuant to 13 CCR Section 1961(a)(12) [direct ozone reduction]. The listed NMOG certification level includes application of the credit from the DOR.

BE IT FURTHER RESOLVED:
That the vehicle models are conditionally certified in accordance with 13 CCR Section 1968.2(k) (deficiencies 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 2013 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.

Executed at El Monte, California on this 26 day of July 2012.

Annette Hebert, 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
0.030	0.035													
	@ 50K	*	*	*	*	*	*	*	*	*	*	*	*	*
	@ UL	0.008	*	0.010	0.05	1.0	0.01	0.02	*	4.	*	0.01	0.01	0.03
	@ 50°F & 4K	0.013	*	0.020	0.2	1.0	0.01	0.02	*	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	0.5	SFTP @ 4000 miles	*	*	*	*	0.005	0.14	0.1	8.0	0.002	0.20	0.1	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
DBMXR0141N51	0.12	0.35	*	0.35	0.02	0.05	0.03	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; **ULEV**=ultra LEV; **SULEV**=super ULEV; **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; **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; **CNG/LNG**= compressed/liquefied natural gas; **LPG**=liquefied petroleum gas; **E85**="85%" Ethanol ("15%"gasoline) Fuel;

2013 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	328Ci xDrive	DBMXR0141N51	1	3	*	*	SFTP	Partial
BMW	328i xDrive	DBMXR0141N51	1	3	*	*	SFTP	Partial
BMW	128i	DBMXR0141N51	1	3	*	*	SFTP	Partial
BMW	128i CONVERTIBLE	DBMXR0141N51	1	3	*	*	SFTP	Partial
BMW	328Ci	DBMXR0141N51	1	3	*	*	SFTP	Partial
BMW	328Ci CONVERTIBLE	DBMXR0141N51	1	3	*	*	SFTP	Partial