

Emissions Notice to Customers in California

California regulates motorcycle aftermarket parts that have the potential to impact emissions. In most cases, the sale and use of emissions related aftermarket parts on motorcycles is prohibited unless it is either a "replacement part" as defined by California, or is a specifically authorized use of that part as reflected in an Executive Order ("EO Part.")

The California Air Resources Board (ARB) regulates aftermarket parts and has promulgated regulations that essentially place all emissions related aftermarket parts into three categories:

(1) Replacement Parts

Replacement Parts are aftermarket parts that ARB considers to be functionally equivalent to the stock part they are intended to replace, and therefore would not impact the emissions from these vehicles. These parts are appropriate for sale and use on motorcycles used on or off the public highways. For aftermarket exhaust systems and parts, there are two applicable scenarios:

(a) If the motorcycle's stock exhaust system does not contain a catalytic converter, then an aftermarket exhaust part is a replacement part as long as the part does not remove or replace any emission control equipment originally attached to the stock exhaust system, such as oxygen sensors.

(b) If the motorcycle's stock exhaust system contains a catalytic converter in the manifold section of the stock exhaust system, then an aftermarket muffler positioned downstream from the catalytic converter (i.e. cat-back) is a replacement part as long as the part does not remove or replace any emission control equipment originally attached to the stock exhaust system.

(2) Executive Order Parts

Executive Order Parts are aftermarket parts that ARB has evaluated and determined do not adversely impact emissions, and thereby are granted an Executive Order (EO), which allows the part to be sold and used on specified motorcycles. Any aftermarket exhaust system that replaces or otherwise impacts emission control equipment, including catalytic converters, requires an EO to be sold and used on a used motorcycle on or off a public highway.

(3) Competition Use Only Parts

Competition Use Only Parts may not be sold or used on a motorcycle that is used on or off the public highways other than those motorcycles used exclusively for competition. Competition Use Only Parts are aftermarket parts that replace or otherwise interfere with the operation of an emission control device, such as a catalytic converter or oxygen sensor, and may be sold and used on a motorcycle that is used only for closed course competition.

If you are located in California, we CANNOT ship ANY exhaust. If you wish to purchase an exhaust system for use in Race/Closed Course applications, you must fill out and sign our Release of Liability form. We CANNOT ship ANY exhaust system without the signed form. We keep records of all sales of these systems in the state of California as well as all sales of Competition Use Only Parts sold in and out of state. All systems shipped out of state do not require the Release of Liability form.

I, _____ release **FAB28 Industries** of any and all liability.

PLEASE SIGN AND E-MAIL BACK TO SALES@FAB28INDUSTRIES.COM SUBJECT LINE: CALIFORNIA CUSTOMER WAIVER

SIGN NAME

TELEPHONE

NUMBER

DATE