

October 18, 2018

Reference No. A-2018-415

Mr. Joel McKay  
Vice President, Business Development  
and Strategy  
APR LLC  
4800 US HWY 280 West  
Opelika, Alabama 36801

Dear Mr. McKay:

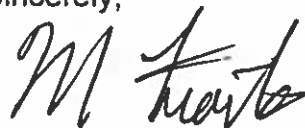
This is in regards to your application, submitted on behalf of APR LLC (APR), for an exemption from the prohibitions of California Vehicle Code Section 27156 for APR's Stage 1 ECU Upgrade for various Volkswagen and Audi vehicles.

Enclosed please find Executive Order No. D-783-3, permitting advertisement, sales, and installation in California of the Stage 1 ECU Upgrade, manufactured by APR for those vehicles listed in the enclosed Executive Order. Please note the Executive Order number which must be printed on the identification label and affixed on or near the device.

No changes are permitted to the device as described in your application. Any changes to the device, applicable model-years, etc., must be evaluated and approved by the California Air Resources Board. No claim of any kind, such as "Approved by the California Air Resources Board" or "reduces emissions", may be made with respect to the action taken herein in any advertising or other oral or written communication.

If you have any questions, please contact Mr. Tony Martino, Manager, Aftermarket Parts Section, at (626) 575-6848.

Sincerely,



*Annette Hebert*

*fa* Annette Hebert, Chief  
Emissions Compliance, Automotive Regulations and Science Division

Enclosure

cc: see next page

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cc: Tony Martino, Manager  
Aftermarket Parts Section  
Emissions Compliance, Automotive Regulations and Science Division

Mr. Peter Treydte, Manager  
SEMA Compliance Center  
1575 South Valley Vista Drive  
Diamond Bar, California 91765



## EXECUTIVE ORDER D-783-3

Relating to Exemptions Under Section 27156  
of the California Vehicle Code

APR LLC  
Stage 1 ECU Upgrade

Pursuant to the authority vested in the California Air Resources Board (CARB) by Section 27156 of the Vehicle Code (VC); 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 installation of the Stage 1 ECU Upgrade, produced and marketed by APR LLC (APR) of 4800 US HWY 280 West, Opelika, Alabama 36801, 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 the vehicles listed in the attached Exhibit A.

The Stage 1 ECU Upgrade is an Engine Control Module (ECM) software re-calibration, known as a re-flash, and may only be installed by an approved APR dealer using APR's Cheetah cable to transfer the vehicle specific electronic data from a personal computer into the vehicle's ECM. There are no user adjustable parameters and calibrations designed for use with other aftermarket parts may not be selected. The vehicle may run on a recommended maximum 91 octane fuel, but may also use the minimum octane fuel recommended by the Original Equipment Manufacturer (OEM).

This Executive Order is valid provided that installation instructions for the Stage 1 ECU Upgrade will not recommend tuning the vehicle to specifications different from those of APR.

Changes made to the design or operating conditions of the Stage 1 ECU Upgrade, as exempt by CARB, which adversely affect the performance of the vehicle's pollution control system shall invalidate this Executive Order.

This Executive Order shall not apply to any Stage 1 ECU Upgrade advertised, offered for sale, sold with, or installed on a new motor vehicle prior to or concurrent with transfer to an ultimate purchaser.

Marketing of the Stage 1 ECU Upgrade using any identification other than that shown in this Executive Order or marketing of the Stage 1 ECU Upgrade for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from CARB.

This Executive Order does not constitute any opinion as to the effect the use of the Stage 1 ECU Upgrade may have on any warranty either expressed or implied by the vehicle manufacturer.

This Executive Order is granted based on emission test results in the modified configuration using the Federal Test Procedure (FTP) and Supplemental Federal Test Procedure (SFTP), and an examination of the On-Board Diagnostic II (OBD II) system. A 2017 Volkswagen Golf Sportwagen equipped with a 1.8 liter turbocharged engine (HVGAV02.0APA, LEV II SULEV) was used for the evaluation of the Stage 1 ECU Upgrade. Results from emissions testing in the modified configuration were below the applicable certification standards. Examination of the OBD II system showed the Stage 1 ECU Upgrade does not affect OBD II operation. In addition, APR previously submitted test results on a 2016 Volkswagen GTI (Executive Order D-783). Therefore, the staff concludes that the Stage 1 ECU Upgrade meets the criteria for exemption.

CARB 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. Further, if test results or other evidence provides CARB with reason to suspect that the Stage 1 ECU Upgrade will affect the durability of emission control systems, APR shall be required to submit durability data to show that the durability of vehicle emission control systems are not, in fact, affected and/or that the add-on or modified part demonstrates adequate durability.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY CARB OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF THE APR STAGE 1 ECU UPGRADE.

No claim of any kind, such as "Approved by the California Air Resources Board", may be made with respect to the action taken herein in any advertising or other oral or written communication.

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 19<sup>th</sup> day of October 2018.

  
Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science Division

Exhibit A

Part Number	Engine	Year	Make*	Model(s)*
DPP-2.0TSI-GN3-MK6-SP	2.0L turbocharged	2013-2015	Volkswagen	Beetle
		2013-2017	Volkswagen	GLI
DPP-2.0T-MQB-IS20-SP	2.0L turbocharged	2015-2017	Audi	TT, A3** (Excludes HVGAV02.0A3A)
		2015-2017	Volkswagen	GTI
DPP-2.0T-MQB-IS38-SP	2.0L turbocharged	2015-2017	Audi	S3
		2016-2017	Audi	TTS
		2015-2017	Volkswagen	Golf R
DPP-2.0T-SP	2.0L turbocharged	2008-2013	Audi	A3
		2005-2015	Audi	A4
		2009-2015	Audi	A5
		2012-2015	Audi	A6
		2011-2015	Audi	Q5
		2008-2014	Audi	TT
		2009-2015	Audi	TTS
		2012	Volkswagen	Beetle, Jetta GLI
		2010-2017	Volkswagen	CC
		2009-2016	Volkswagen	EOS
		2012-2013	Volkswagen	Golf R
		2008-2014	Volkswagen	GTI
		2008-2012	Volkswagen	Jetta
		2008-2011	Volkswagen	Passat
2009-2017	Volkswagen	Tiguan		
DPP-1.8T-MQB-SP	1.8L turbocharged	2015-2016	Audi	A3
		2015-2017	Volkswagen	Golf
		2017	Volkswagen	Golf Alltrack
		2016-2017	Volkswagen	Golf Sportwagen
DPP-1.8TSI-GN3-MK6-SP	1.8L turbocharged	2014-2017	Volkswagen	Jetta, Beetle, Passat
DPP-1.8T-SP	1.8L turbocharged	1997-2006	Audi	A4
		2000-2005	Audi	TT
		1999-2005	Volkswagen	Beetle
		2001	Volkswagen	Golf, GTI, Jetta
		1998-2005	Volkswagen	Passat

\*Models may include trim level suffix: Quattro, Cabriolet, Coupe, and/or Roadster

\*\*Excluding 2017 Audi A3 (HVGAV02.0A3A, LEV3 SULEV30)

