

(c) Such device shall operate in a safe manner and so that the device will not result in any unsafe condition resulting from excessive heat applied to the floorboards, hydraulic brake cylinders, brake lines, gasoline tank, fuel pump, fuel lines, transmission or other components of the motor vehicle or otherwise result in an unsafe motor vehicle.

(d) Malfunction or failure of the device shall not endanger life or property.

(e) Such device shall not malfunction or fail under the stress or backfire in the exhaust system.

(f) Such device shall not allow exhaust products of the motor vehicle to enter the passenger compartment in a volume beyond the volume characteristic of the motor vehicle with a standard exhaust system.

(g) Heat emanating from an operating device shall not create a hazard to persons or property who are in close proximity to the motor vehicle.

(h) Such device shall not cause an increase in fuel consumption or a decrease in vehicle performance beyond the limits established in the Fleet & Life Testing Procedures of the Motor Vehicle Pollution Control Board.

(i) Such device shall not be permanently impaired by the variety of severe motor vehicle operating conditions frequently encountered in California including heavy rains, mountain and desert driving, and other severe operating conditions.

(j) Such device shall operate in a manner so as not to create excessive noise or odor beyond the standard characteristics of the motor vehicle equipped with a standard exhaust system; nor should the installation of such device create a noxious or toxic effect in the ambient air.

(k) Such device shall be so designed as to have no adverse effect on engine operation or vehicle performance.

(l) The adequacy of methods of distribution, the financial responsibility of the applicant, and other factors affecting the economic interest of the motoring public shall be evaluated and determined satisfactory to protect the motorists.

2104. *Motor Vehicle Classification.*—Motor vehicles for which exhaust emission control devices will be certified are divided into the following classifications:

(a) (1) Under 50 cubic inches engine displacement.

(a) (2) 50–100 cubic inches engine displacement.

(a) (3) 100–140 cubic inches engine displacement.

(b) 140–200 cubic inches engine displacement.

(c) 200–250 cubic inches engine displacement.

(d) 250–300 cubic inches engine displacement.

(e) 300–375 cubic inches engine displacement.

(f) Over 375 cubic inches engine displacement.

(g) Motor vehicles which because of engine design by the manufacturer include or require special control methods for exhaust emission regardless of engine displacement.

2105. *Board Action.*—The Board upon review and evaluation of appropriate tests shall make a finding at a duly called public meeting as to whether a specific device for control of exhaust emissions meets the Standards and criteria specified in this article. If a device is found to be in compliance, a certificate of approval will be issued for its operation on a classification or classifications of vehicle.

2106. *Notification.*—When two or more devices have been granted a certificate of approval for a classification of motor vehicle, the Board shall notify the Department of Motor Vehicles by submission of an appropriate Board Resolution.

2107. *Device Identification.*—(a) The device shall be permanently and visibly marked with the trademark or name, and the model designation, in letters and/or numerals at least $\frac{1}{8}$ inch in height. The manufacturer's initials will be acceptable as the name, and trademarks shall include at least one letter $\frac{1}{8}$ inch or more in height.

(b) The required markings shall be die stamped or molded on each major component, or imprinted on a permanent name plate on each major component of the device or, as determined necessary by the Executive Officer of the Motor Vehicle Pollution Control Board.

(c) Samples of working models may be required by the Motor Vehicle Pollution Control Board as needed for inspection and approval and may be retained by the Board for reference and comparison purposes.

(d) The effective date of this section shall be January 1, 1965.