

United States v. Power Performance Enterprises, Inc., et al.

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Docket Number

No. 2:22-CR-00043

Overview

On December 17, 2024, a court sentenced Power Performance Enterprises, Inc., (PPEI), and company president, Kory B. Willis, to jointly pay a \$1.55 million fine. Willis will complete a three-year term of probation to include ten months’ home detention, and PPEI will complete a five-year term of probation. As part of the probation, the company must comply with the terms of a civil Consent Decree it entered into with DOJ.

The defendants pleaded guilty to conspiracy and to violating the Clean Air Act (CAA) for tampering with emissions control system monitoring devices installed on diesel trucks (18 U.S.C. § 371; 42 U.S.C. § 7413(c)(2)(C)).

In addition to the criminal charges, the government also filed a civil complaint against PPEI and Willis in the Western District of Louisiana, for violating the CAA prohibition against the sale or manufacture of devices that bypass, defeat, or render inoperative emissions’ controls. Under the criminal plea agreements and a proposed civil consent decree, PPEI and Willis agreed to pay a total of \$3.1 million in criminal fines and civil penalties. Under the civil settlement, both Willis and the company agree not to manufacture, sell, or install any device that defeats emissions controls.

Between 2009 and 2019, PPEI and Willis ranked among the nation’ s most prominent developers of custom software known as “tunes.” These tunes can alter a diesel truck’ s fuel delivery, power parameters, and emissions. Those in the industry knew PPEI and Willis for their custom delete tunes, which allows a “deleted” truck to run seemingly normally. A “deleted” vehicle is one where someone has removed or disabled the emissions controls. Willis claimed PPEI ranked among the largest custom tuning companies in the world, with more than 100,000 customers, tuning more than 500 vehicles a week. According to internal PPEI records, the company typically sold well over a million dollars of product a month.

The U.S Environmental Protection Agency Criminal Investigation Division conducted the investigation

Case Open Date

December 17, 2024

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Case Type

Criminal

Topics

ENVIRONMENT

Component

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