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8 **BEFORE THE**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 79/15-5617

13 **EVERY DAY SMOG**  
14 **EDGAR IVAN GODINEZ, OWNER**  
820 E. Pacheco Blvd  
Los Banos, CA 93635

**A C C U S A T I O N**

15 Automobile Repair Dealer No. ARD 261653  
Smog Check Station License No. RC 261653  
16 Brake Station License No. BS 261653, Class C  
Lamp Station License No. LS 261653, Class A

17 **EDGAR IVAN GODINEZ**  
18 2100 Constantine Court  
Los Banos, CA 93635

19 Smog Check Inspector (EO) License  
20 No. 154357  
Smog Check Repair Technician (EI) License  
21 No. 154357  
Brake Adjuster License No. BA 154357  
22 Lamp Adjuster License No. LA 154357

23 **JOEL MENDEZ ESTRADA**  
24 27514 Fahey Rd.  
Gustine, CA 95322

25 Smog Check Inspector (EO) License  
No. 635462  
26 Brake Adjuster License No. BA 635462  
Lamp Adjuster License No. LA 635462  
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28 Respondents.

1 Patrick Dorais ("Complainant") alleges:

2 **PARTIES**

3 1. Complainant brings this Accusation solely in his official capacity as the Chief of the  
4 Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.

5 **Automotive Repair Dealer Registration**

6 2. On or about April 20, 2010, the Bureau issued Automobile Repair Dealer No. ARD  
7 261653 to Edgar Ivan Godinez ("Respondent Godinez"), as the owner of Every Day Smog. The  
8 Automobile Repair Dealer was in full force and effect at all times relevant to the charges brought  
9 herein and will expire on April 30, 2018, unless renewed.

10 **Smog Check, Test Only Station License**

11 3. On or about May 10, 2010, the Bureau issued Smog Check Station License No.  
12 RC 261653 to Respondent Godinez. The Smog Check Station License was in full force and  
13 effect at all times relevant to the charges brought herein and will expire on April 30, 2018, unless  
14 renewed.

15 **Brake Station License**

16 4. On or about November 20, 2014, the Bureau issued Brake Station License No.  
17 BS 261653, Class C, to Respondent Godinez. The Brake Station License was in full force and  
18 effect at all times relevant to the charges brought herein and will expire on April 30, 2018, unless  
19 renewed.

20 **Lamp Station License**

21 5. On or about November 13, 2014, the Bureau issued Lamp Station License No.  
22 LS 261653, Class A, to Respondent Godinez. The Lamp Station License was in full force and  
23 effect at all times relevant to the charges brought herein and will expire on April 30, 2018, unless  
24 renewed.

25 **Smog Technician Licenses – Respondent Godinez**

26 6. On a date unknown in 2007 the Bureau issued Advanced Emission Specialist (EA)  
27 Technician License No. 154357 to Respondent Godinez. The license expired on April 30, 2013,  
28 and was cancelled on May 1, 2013. Pursuant to California Code of Regulations, title 16 ("CCR"),



1 section 3340.28(e), Respondent Godinez elected to renew the license as Smog Check Inspector  
2 (EO) License No. 154357, and Smog Check Repair Technician (EI) License No. 154357,  
3 effective May 1, 2013.<sup>1</sup> The Smog Check Inspector (EO) License and Smog Check Repair  
4 Technician (EI) Licenses were in full force and effect at all times relevant to the charges brought  
5 herein and will expire on April 30, 2019, unless renewed.

6 **Brake Adjuster License – Respondent Godinez**

7 7. On or about May 23, 2011, the Bureau issued Brake Adjuster License No.  
8 BA 154357, Class C, to Respondent Godinez. The Brake Adjuster License was in full force and  
9 effect at all times relevant to the charges brought herein and will expire on April 30, 2019, unless  
10 renewed.

11 **Lamp Adjuster License – Respondent Godinez**

12 8. On or about January 26, 2015, the Bureau issued Lamp Adjuster License No.  
13 LA 154357, Class A, to Respondent Godinez. The Lamp Adjuster License was in full force and  
14 effect at all times relevant to the charges brought herein and will expire on April 30, 2018, unless  
15 renewed.

16 **Smog Technician License – Respondent Estrada**

17 9. On or about April 29, 2013, the Bureau issued Smog Check Inspector (EO) License  
18 No. 635462 to Joel Mendez Estrada (“Respondent Estrada”). The Smog Check Inspector (EO)  
19 License was in full force and effect at all times relevant to the charges brought herein and will  
20 expire on February 28, 2019, unless renewed.

21 **Brake Adjuster License – Respondent Estrada**

22 10. On or about October 13, 2014, the Bureau issued Brake Adjuster License No.  
23 BA 635462, Class A, to Respondent Estrada. The Brake Adjuster License was in full force and  
24 effect at all times relevant to the charges brought herein and will expire on February 28, 2018,  
25 unless renewed.

26 <sup>1</sup> Effective August 1, 2012, Regulations, sections 3340.28, 3340.29, and 3340.30 were amended  
27 to implement a license restructure from the Advanced Emission Specialist Technician (EA)  
28 license and Basic Area (EB) Technician license to Smog Check Inspector (EO) license and/or  
Smog Check Repair Technician (EI) license.



1           **Lamp Adjuster License – Respondent Estrada**

2           11. On or about October 3, 2014, the Bureau issued Lamp Adjuster License No.  
3 LA 635462, Class A, to Respondent Estrada. The Lamp Adjuster License was in full force and  
4 effect at all times relevant to the charges brought herein and will expire on February 28, 2018.

5                           **JURISDICTION**

6           12. This Accusation is brought before the Director of the Department of Consumer  
7 Affairs (“Director”) for the Bureau of Automotive Repair, under the authority of the following  
8 laws.

9           13. Business and Professions Code (“Code”) section 9884.7 provides that the Director  
10 may revoke an automotive repair dealer registration.

11           14. Code section 9884.13 provides, in pertinent part, that the expiration of a valid  
12 registration shall not deprive the director or chief of jurisdiction to proceed with a disciplinary  
13 proceeding against an automotive repair dealer or to render a decision invalidating a registration  
14 temporarily or permanently.

15           15. Code section 9889.1 provides, in pertinent part, that the Director may suspend or  
16 revoke any license issued under Articles 5 and 6 (commencing with section 9887.1) of the  
17 Automotive Repair Act.

18           16. Code section 9889.7 provides, in pertinent part, that the expiration or suspension of  
19 a license by operation of law or by order or decision of the Director or a court of law, or the  
20 voluntary surrender of a license shall not deprive the Director of jurisdiction to proceed with any  
21 disciplinary proceedings.

22           17. Code section 118(b), states:

23                   The suspension, expiration, or forfeiture by operation of law of a license issued  
24 by a board in the department, or its suspension, forfeiture, or cancellation by order of  
25 the board or by order of a court of law, or its surrender without the written consent of  
26 the board, shall not, during any period in which it may be renewed, restored, reissued,  
or reinstated, deprive the board of its authority to institute or continue a disciplinary  
proceeding against the licensee upon any ground provided by law or to enter an order  
suspending or revoking the license or otherwise taking disciplinary action against the  
licensee on any such ground.

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1 expiration. Persons whose licenses have expired shall immediately cease the activity  
2 requiring a license . . .

3 21. Code section 9888.3 states:

4 No person shall operate an "official" lamp or brake adjusting station unless a  
5 license therefor has been issued by the director. No person shall issue, or cause or  
6 permit to be issued, any certificate purporting to be an official lamp adjustment  
7 certificate unless he or she is a licensed lamp adjuster or an official brake adjustment  
8 certificate unless he or she is a licensed brake adjuster.

9 22. Code section 9889.3 states, in pertinent part:

10 The director may suspend, revoke, or take other disciplinary action against a  
11 license as provided in this article [Article 7 (commencing with section 9889.1) of the  
12 Automotive Repair Act] if the licensee or any partner, officer, or director thereof:

13 (a) Violates any section of the Business and Professions Code which relates to  
14 his or her licensed activities.

15 (c) Violates any of the regulations promulgated by the director pursuant to this  
16 chapter [the Automotive Repair Act].

17 (d) Commits any act involving dishonesty, fraud, or deceit whereby another is  
18 injured.

19 (h) Violates or attempts to violate the provisions of this chapter relating to the  
20 particular activity for which he or she is licensed. . .

21 23. Code section 9889.9 states:

22 When any license has been revoked or suspended following a hearing under the  
23 provisions of this article, any additional license issued under Articles 5 and 6 of this  
24 chapter in the name of the licensee may be likewise revoked or suspended by the  
25 director.

26 24. Code section 9889.16 states:

27 Whenever a licensed adjuster in a licensed station upon an inspection or after  
28 an adjustment, made in conformity with the instructions of the bureau, determines  
that the lamps or the brakes upon any vehicle conform with the requirements of the  
Vehicle Code, he shall, when requested by the owner or driver of the vehicle, issue a  
certificate of adjustment on a form prescribed by the director, which certificate shall  
contain the date of issuance, the make and registration number of the vehicle, the  
name of the owner of the vehicle, and the official license of the station.

25 25. Code section 477 provides, in pertinent part, that "Board" includes "bureau,"  
26 "commission," "committee," "department," "division," "examining committee," "program," and  
27 "agency." "License" includes certificate, registration or other means to engage in a business or  
28 profession regulated by the Code.



1       26. Health and Safety Code ("Health & Saf.") section 44002 provides, in pertinent part,  
2 that the Director has all the powers and authority granted under the Automotive Repair Act for  
3 enforcing the Motor Vehicle Inspection Program.

4       27. Health & Saf. Code section 44072.2 states, in pertinent part:

5               The director may suspend, revoke, or take other disciplinary action against a  
6 license as provided in this article if the licensee, or any partner, officer, or director  
thereof, does any of the following:

7               (a) Violates any section of this chapter [the Motor Vehicle Inspection  
8 Program (Health and Safety Code, § 44000, et seq.)] and the regulations adopted  
pursuant to it, which related to the licensed activities.

9               (c) Violates any of the regulations adopted by the director pursuant to this  
10 chapter.

11               (d) Commits any act involving dishonesty, fraud, or deceit whereby another  
is injured.

12       28. Health & Saf. Code section 44072.6 provides, in pertinent part, that the expiration or  
13 suspension of a license by operation of law, or by order or decision of the Director of Consumer  
14 Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director  
15 of jurisdiction to proceed with disciplinary action.

16       29. Health & Saf. Code section 44072.8 states:

17               When a license has been revoked or suspended following a hearing under this  
18 article, any additional license issued under this chapter in the name of the licensee  
may be likewise revoked or suspended by the director.

19       30. Health & Saf. Code section 44072.10(c) states, in pertinent part:

20               The department shall revoke the license of any smog check technician or  
21 station licensee who fraudulently certifies vehicles or participates in the fraudulent  
inspection of vehicles. A fraudulent inspection includes, but is not limited to, all of  
22 the following:

23               (4) Intentional or willful violation of this chapter or any regulation, standard, or  
procedure of the department implementing this chapter . . .

24       31. Health & Saf. Code section 44024.5(a), states:

25               The department shall compile and maintain statistical and emissions profiles  
26 and data from motor vehicles that are subject to the motor vehicle inspection  
program. The department may use data from any source, including remote sensing  
27 data, in use data, and other motor vehicle inspection program data, to develop and  
confirm the validity of the profiles, to evaluate the program, and to assess the  
28 performance of smog check stations. The department shall undertake these  
requirements directly or seek a qualified vendor for these services.



1 32. Health & Saf. Code section 44037 states, in pertinent part:

2 (a) The department shall compile and maintain records, using the sampling  
3 methodology necessary to ensure their scientific validity and reliability, of tests and  
4 repairs performed by qualified smog check technicians at licensed smog check  
5 stations pursuant to this chapter on all of the following information:

6 (1) The motor vehicle identification information and the test data collected at  
7 the station.

8 (5) Data received and compiled through the use of the centralized computer  
9 database and computer network to be established pursuant to Section 44037.1, and  
10 any other information determined to be essential by the department for program  
11 enhancement to achieve greater efficiency, consumer protection, cost-effectiveness,  
12 convenience, or emission reductions . . .

13 33. Health & Saf. Code section 44037.1 states, in pertinent part:

14 (a) On or before January 1, 1995, the department shall design and establish the  
15 equipment necessary to operate a centralized computer data base and computer  
16 network that is readily accessible by all licensed smog check technicians on a real  
17 time basis.

18 (b) The centralized computer data base and network shall be designed with all  
19 of the following capabilities:

20 (2) To provide smog check technicians and the department with information as  
21 to the date and result of prior smog check tests performed on each vehicle to  
22 discourage vehicle owners from shopping for certificates of compliance and to permit  
23 the department to identify smog check stations for further investigation as potential  
24 violators of this chapter.

25 (3) To provide the department with data on the failure rates and repair  
26 effectiveness for vehicles of each make and model year on a statewide basis, and by  
27 smog check station and technician, to facilitate identification of smog check stations  
28 and technicians as potential violators of this chapter.

(8) To be compatible with the department's recordkeeping and compilation  
requirements established by Section 44037.

(c) After January 1, 1995, each smog check station shall transmit vehicle data  
emission test results to the department's centralized data base. Each smog check  
station shall also transmit vehicle data and emission measurements made before and  
after repair . . .

34. California Code of Regulations, title 16 ("Regulations"), section 3340.17 states, in  
pertinent part:

(c) Vehicle data and test results from the OBD Inspection System (OIS) shall  
be transmitted to the bureau's centralized database . . .

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1 **COST RECOVERY**

2 35. Code section 125.3 provides, in pertinent part, that a Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
6 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
7 included in a stipulated settlement.

8 **UPDATED SMOG CHECK PROGRAM - ON BOARD DIAGNOSTIC SYSTEM**

9 36. On March 9, 2015, California's Smog Check Program was updated to keep pace with  
10 ever-advancing technology. The program update requires the use of an On-Board Diagnostic  
11 Inspection System (BAR-OIS). BAR-OIS is the smog check equipment required in all areas of  
12 the State when inspecting most model-year 2000 and newer gasoline and hybrid vehicles and  
13 most 1998 and newer diesel vehicles instead of the BAR-97 emission inspection system (EIS)  
14 used for most model year 1999 and older gasoline and hybrid vehicles and 1997 and older diesel  
15 vehicles. The BAR-OIS system consists of a certified Data Acquisition Device (DAD),  
16 computer, bar code scanner, and printer.

17 37. The DAD is an On Board Diagnostic (OBD) scan tool that, when requested by the  
18 California BAR-OIS software, retrieves OBD data from the vehicle. The DAD connects between  
19 the BAR-OIS computer and the vehicle's diagnostic link connector. The bar code scanner is used  
20 to input technician information, the vehicle identification number, and DMV renewal  
21 information. The vehicle identification number (VIN) that is physically present on all vehicles is  
22 required to be programmed into the vehicle's On-Board Diagnostics – Generation II (OBD II) on  
23 2005 and newer vehicles, and on many occasions was programmed into the OBD II computer in  
24 earlier model-years. The electronically programmed VIN, referred to as the "eVIN", is captured  
25 by the Bureau during a smog check inspection and should match the physical VIN on the vehicle.  
26 The printer is used to provide a Vehicle Inspection Report (VIR), which shows the inspection  
27 results and the Smog Check Certificate of Compliance Number for passing vehicles. Data

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1 retrieved and recorded during an OIS smog check includes the eVIN, the communication  
2 protocol,<sup>2</sup> and the number of Parameter Identifications (PID's)<sup>3</sup>.

3 38. As with the BAR-97 EIS, the technician also performs a visual and functional test on  
4 the vehicle. The visual inspection of the emission control components verifies the required  
5 emission control devices are present and properly connected and a functional test is performed of  
6 the malfunction indicator light. The OIS software makes the determination whether or not the  
7 vehicle passes the inspection based on the results of the OBD, visual, and functional tests.

### 8 CLEAN PLUGGING

#### 9 Review of OIS Test Data

10 39. Bureau Representative "W.N." reviewed BAR-OIS test data pertaining to smog  
11 inspections conducted at Respondent's facility. W.N. found that Respondent Godinez and/or  
12 Respondent Estrada performed smog inspections on twelve vehicles identified below using a  
13 method known as "clean plugging",<sup>4</sup> resulting in the issuance of fraudulent certificates of  
14 compliance for the vehicles.

#### 15 Vehicle #1

16 40. BAR-OIS test data showed that on June 25, 2015, Respondent Estrada performed a  
17 smog inspection on a 2000 Ford Expedition XLT (Vehicle 1), resulting in the issuance of  
18 Certificate of Compliance No. YT279409C. The BAR-OIS test details for Vehicle 1 showed that  
19 the eVIN recorded during the inspection did not match the VIN for Vehicle 1. W.N. reviewed the  
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21 <sup>2</sup> The OBD II communication protocol describes the specific manufacturer/vehicle  
22 communication "language" used by the OBD II computer to communicate to scan tools and other  
23 devices such as the BAR-OIS. The communication protocol is programmed into the OBD II  
24 computer during manufacture and does not change.

25 <sup>3</sup> PID's are data points reported by the OBD II computer to the scan tool or BAR-OIS (for  
26 example, engine speed (rpm), vehicle speed, engine temperature, etc.) The PID count is the  
27 number of data points reported by the OBD II computer, is programmed during manufacture, and  
28 does not change. Each make and model vehicle reports a specific number of PID counts; i.e., the  
PID count does not vary for that make and model vehicle.

<sup>4</sup> Clean-plugging is the use of a vehicle's properly functioning OBD II system, or another  
source, to generate passing diagnostic readings for the purpose of issuing a fraudulent smog  
certificate of compliance to another vehicle that is not in compliance with the Smog Check  
Program and/or is not present for testing.



1 Comparative OIS Test Data for 2000 Ford Expedition XLT vehicles and found that the  
2 communication protocol and PID count recorded during the smog check on Vehicle 1 were not  
3 consistent with the communication protocol and PID count for that make and model. W.N.  
4 concluded that the DAD was not connected to Vehicle 1 during the smog inspection.

5 41. The Bureau's VID data showed that on June 25, 2015, a Certificate of Compliance  
6 was issued by Respondent's facility for a 2005 Dodge Neon SRT-4. The eVIN transmitted to the  
7 VID was the same eVIN that was recorded during the smog inspection on Vehicle 1. Further, the  
8 communication protocol and PID count recorded during the inspection on the 2005 Dodge Neon  
9 were consistent with the communication protocol and PID count recorded during the inspection  
10 on Vehicle 1. W.N. concluded that Respondent Estrada used the 2005 Dodge Neon's properly  
11 functioning OBD II system during the smog inspection on Vehicle 1, resulting in the issuance of a  
12 fraudulent smog certificate of compliance for that vehicle.

13 **Vehicle #2**

14 42. BAR-OIS test data showed that on September 9, 2015, Respondent Estrada  
15 performed a smog inspection on a 2004 Chevrolet C1500 Suburban (Vehicle 2), resulting in the  
16 issuance of Certificate of Compliance No. PW250050C. The BAR-OIS test details for Vehicle 2  
17 showed that the eVIN recorded during the inspection did not match the VIN for Vehicle 2. W.N.  
18 reviewed the Comparative OIS Test Data for 2004 Chevrolet C1500 Suburban vehicles and found  
19 that the PID count recorded during the smog check on Vehicle 2 was not consistent with the PID  
20 count for that make and model. W.N. concluded that the DAD was not connected to Vehicle 2  
21 during the smog inspection.

22 43. The Bureau's VID data showed that on September 10, 2015, a Certificate of  
23 Compliance was issued by Respondent's facility for a 2004 Chevrolet Silverado K2500HD. The  
24 eVIN transmitted to the VID was the same eVIN that was recorded during the smog inspection on  
25 Vehicle 2. Further, the communication protocol and PID count recorded during the inspection on  
26 the 2004 Chevrolet Silverado were consistent with the communication protocol and PID count  
27 recorded during the inspection on Vehicle 2. W.N. concluded that Respondent Estrada used the  
28



1 2004 Chevrolet Silverado's properly functioning OBD II system during the smog inspection on  
2 Vehicle 2, resulting in the issuance of a fraudulent smog certificate of compliance for that vehicle.

3 **Vehicle #3**

4 44. BAR-OIS test data showed that on September 14, 2015, Respondent Estrada  
5 performed a smog inspection on a 2007 Honda Civic SI (Vehicle 3), resulting in the issuance of  
6 Certificate of Compliance No. PW374839C. The BAR-OIS test details for Vehicle 3 showed that  
7 the eVIN was not recorded for Vehicle 3. W.N. reviewed the Comparative OIS Test Data for  
8 2007 Honda Civic SI vehicles and found that the majority transmitted the eVIN during the  
9 inspection. W.N. reviewed the Comparative OIS Test Data for 2007 Honda Civic SI vehicles and  
10 found that the PID count recorded during the smog check on Vehicle 3 was not consistent with  
11 the PID count for that make and model. W.N. concluded that the DAD was not connected to  
12 Vehicle 3 during the smog inspection, resulting in the issuance of a fraudulent smog certificate of  
13 compliance.

14 **Vehicle #4**

15 45. BAR-OIS test data showed that on December 17, 2015, Respondent Estrada  
16 performed a smog inspection on a 2004 BMW 545i (Vehicle 4), resulting in the issuance of  
17 Certificate of Compliance No. YV330349C. The BAR-OIS test details for Vehicle 4 showed that  
18 the eVIN was not recorded for Vehicle 4. W.N. reviewed the Comparative OIS Test Data for  
19 2004 BMW 545i vehicles and found that the majority transmitted the eVIN during the inspection.  
20 W.N. reviewed the Comparative OIS Test Data for 2004 BMW 545i vehicles and found that the  
21 communication protocol and PID count recorded during the smog check on Vehicle 4 were not  
22 consistent with the communication protocol and PID count for that make and model. W.N.  
23 concluded that the DAD was not connected to Vehicle 4 during the smog inspection, resulting in  
24 the issuance of a fraudulent smog certificate of compliance.

25 **Vehicle #5**

26 46. BAR-OIS test data showed that on January 30, 2016, Respondent Estrada performed  
27 a smog inspection on a 2005 Mitsubishi Lancer Evolution AWD (Vehicle 5), resulting in the  
28 issuance of Certificate of Compliance No. YX361451C. The BAR-OIS test details for Vehicle 5



1 showed that the eVIN was not recorded for Vehicle 5. W.N. reviewed the Comparative OIS Test  
2 Data for 2005 Mitsubishi Lancer Evolution AWD vehicles and found that the majority  
3 transmitted the eVIN during the inspection. W.N. reviewed the Comparative OIS Test Data for  
4 2005 Mitsubishi Lancer Evolution AWD vehicles and found that the communication protocol and  
5 PID count recorded during the smog check on Vehicle 5 were not consistent with the  
6 communication protocol and PID count for that make and model. W.N. concluded that the DAD  
7 was not connected to Vehicle 5 during the smog inspection, resulting in the issuance of a  
8 fraudulent smog certificate of compliance.

9 **Vehicle #6**

10 47. BAR-OIS test data showed that on March 4, 2016, Respondent Godinez performed a  
11 smog inspection on a 2008 GMC Canyon (Vehicle 6), resulting in the issuance of Certificate of  
12 Compliance No. YZ499309C. The BAR-OIS test details for Vehicle 6 showed that the eVIN  
13 recorded during the inspection did not match the VIN for Vehicle 6. W.N. reviewed the  
14 Comparative OIS Test Data for 2008 GMC Canyon vehicles and found that the communication  
15 protocol and PID count recorded during the smog check on Vehicle 6 were not consistent with the  
16 communication protocol and PID count for that make and model. W.N. concluded that the DAD  
17 was not connected to Vehicle 6.

18 48. The Bureau's VID data showed that on May 23, 2015, a Certificate of Compliance  
19 was issued by Respondent's facility for a 2003 GMC Envoy XL. The eVIN transmitted to the  
20 VID was the same eVIN that was recorded during the smog inspection on Vehicle 6. Further, the  
21 communication protocol and PID count recorded during the inspection on the 2003 GMC Envoy  
22 XL were consistent with the communication protocol and PID count recorded during the  
23 inspection on Vehicle 6. W.N. concluded that Respondent Estrada used the 2003 GMC Envoy  
24 XL's properly functioning OBD II system during the smog inspection on Vehicle 6, resulting in  
25 the issuance of a fraudulent smog certificate of compliance for that vehicle.

26 **Vehicle #7**

27 49. BAR-OIS test data showed that on March 8, 2016, Respondent Estrada performed a  
28 smog inspection on a 2008 BMW 335i (Vehicle 7), resulting in the issuance of Certificate of



1 Compliance No. YZ491964C. The BAR-OIS test details for Vehicle 7 showed that the eVIN  
2 recorded during the inspection did not match the VIN for Vehicle 7. W.N. reviewed the  
3 Comparative OIS Test Data for 2008 BMW 335i vehicles and found that the PID count recorded  
4 during the smog check on Vehicle 7 was not consistent with the PID count for that make and  
5 model. W.N. concluded that the DAD was not connected to Vehicle 7 during the smog inspection.

6 50. The Bureau's VID data showed that on March 8, 2016, a Certificate of Compliance  
7 was issued by Respondent's facility for a 2008 Nissan Sentra. The eVIN transmitted to the VID  
8 was the same eVIN that was recorded during the smog inspection on Vehicle 7. Further, the  
9 communication protocol and PID count recorded during the inspection on the 2008 Nissan Sentra  
10 were consistent with the communication protocol and PID count recorded during the inspection  
11 on Vehicle 7. W.N. concluded that Respondent Estrada used the 2008 Nissan Sentra's properly  
12 functioning OBD II system during the smog inspection on Vehicle 7, resulting in the issuance of a  
13 fraudulent smog certificate of compliance for that vehicle.

#### 14 **Vehicle #8**

15 51. BAR-OIS test data showed that on March 8, 2016, Respondent Estrada performed a  
16 smog inspection on a 2001 Volkswagen Jetta GL (Vehicle 8), resulting in the issuance of  
17 Certificate of Compliance No. YZ644705C. W.N. reviewed the Comparative OIS Test Data for  
18 2001 Volkswagen Jetta GL vehicles and found that the communication protocol and PID count  
19 recorded during the smog check on Vehicle 8 were not consistent with the communication  
20 protocol and PID count for that make and model. W.N. concluded that the DAD was not  
21 connected to Vehicle 8 during the smog inspection.

#### 22 **Vehicle #9**

23 52. BAR-OIS test data showed that on April 5, 2016, Respondent Estrada performed a  
24 smog inspection on a 2007 Chevrolet Silverado C1500 (Vehicle 9), resulting in the issuance of  
25 Certificate of Compliance No. ZB053366C. The BAR-OIS test details for Vehicle 9 showed that  
26 the eVIN recorded during the inspection did not match the VIN for Vehicle 9. W.N. concluded  
27 that the DAD was not connected to Vehicle 9 during the smog inspection, resulting in the  
28 issuance of a fraudulent smog certificate of compliance.



1           53. The Bureau's VID data showed that on April 5, 2016, a Certificate of Compliance  
2 was issued by Respondent's facility for a 2003 Chevrolet Silverado C1500. The eVIN  
3 transmitted to the VID was the same eVIN that was recorded during the smog inspection on  
4 Vehicle 9. Further, the communication protocol and PID count recorded during the inspection on  
5 that vehicle were consistent with the communication protocol and PID count recorded during the  
6 inspection on Vehicle 9. W.N. concluded that Respondent Estrada used a 2003 Chevrolet  
7 Silverado C1500 with a properly functioning OBD II system during the smog inspection on  
8 Vehicle 9, resulting in the issuance of a fraudulent smog certificate of compliance for that vehicle.

9           **Vehicle #10**

10           54. BAR-OIS test data showed that on April 5, 2016, Respondent Estrada performed a  
11 smog inspection on a 2008 Dodge Caravan SXT (Vehicle 10), resulting in the issuance of  
12 Certificate of Compliance No. ZB456743C. The BAR-OIS test details for Vehicle 10 showed  
13 that the eVIN was not recorded for Vehicle 10. W.N. reviewed the Comparative OIS Test Data  
14 for 2008 Dodge Caravan SXT vehicles and found that the majority transmitted the eVIN during  
15 the inspection. W.N. reviewed the Comparative OIS Test Data for 2008 Dodge Caravan SXT  
16 vehicles and found that the communication protocol and PID count recorded during the smog  
17 check on Vehicle 10 were not consistent with the communication protocol and PID count for that  
18 make and model. W.N. concluded that the DAD was not connected to Vehicle 10 during the  
19 smog inspection.

20           **Vehicle #11**

21           55. BAR-OIS test data showed that on April 6, 2016, Respondent Estrada performed a  
22 smog inspection on a 2007 Ford Five Hundred SEL AWD (Vehicle 11), resulting in the issuance  
23 of Certificate of Compliance No. ZB592805C. The BAR-OIS test details for Vehicle 11 showed  
24 that the eVIN recorded during the inspection did not match the VIN for Vehicle 11. W.N.  
25 reviewed the Comparative OIS Test Data for 2007 Ford Five Hundred SEL AWD vehicles and  
26 found that the PID count recorded during the smog check on Vehicle 11 was not consistent with  
27 the PID count for that make and model. W.N. concluded that the DAD was not connected to  
28 Vehicle 11 during the smog inspection.



1           56. The Bureau's VID data showed that on February 24, 2015, a Certificate of  
2 Compliance was issued by Respondent's facility for a 2005 Ford Mustang. The eVIN transmitted  
3 to the VID was the same eVIN that was recorded during the smog inspection on Vehicle 11.  
4 Further, the communication protocol and PID count recorded during the inspection on the 2005  
5 Ford Mustang were consistent with the communication protocol and PID count recorded during  
6 the inspection on Vehicle 11. W.N. concluded that Respondent Estrada used the 2005 Ford  
7 Mustang's properly functioning OBD II system during the smog inspection on Vehicle 11,  
8 resulting in the issuance of a fraudulent smog certificate of compliance for that vehicle.

9                                   **FIRST CAUSE FOR DISCIPLINE**

10                                   (Untrue or Misleading Statements)

11           57. Respondent Godinez's registration is subject to discipline pursuant to Code  
12 section 9884.7(a)(1), in that he made or authorized statements which he knew or in the exercise of  
13 reasonable care should have known to be untrue or misleading. Specifically, Respondent  
14 Godinez certified that vehicles 1 through 11, identified in paragraphs 40 through 56, above,  
15 passed inspection and were in compliance with applicable laws and regulations. In fact,  
16 Respondent Godinez conducted, or caused to be conducted, smog inspections on the vehicles  
17 using clean-plugging methods in that he substituted different vehicles during the inspections in  
18 order to issue smog certificates of compliance for the vehicles, and did not test or inspect the  
19 vehicles as required by Health & Saf. Code section 44012.

20                                   **SECOND CAUSE FOR DISCIPLINE**

21                                   (Fraud)

22           58. Respondent Godinez's registration is subject to discipline pursuant to Code  
23 section 9884.7(a)(4), in that he committed acts that constitute fraud by issuing electronic smog  
24 certificates of compliance for vehicles 1 through 11, identified in paragraphs 40 through 56,  
25 above, without ensuring that bona fide inspections were performed of the emission control  
26 devices and systems on the vehicles, thereby depriving the People of the State of California of the  
27 protection afforded by the Motor Vehicle Inspection Program.

28   ///



1 **THIRD CAUSE FOR DISCIPLINE**

2 (Violations of Motor Vehicle Inspection Program)

3 59. Respondent Godinez's smog check station license is subject to discipline pursuant to  
4 Health & Saf. Code section 44072.2(a), in that regarding vehicles 1 through 11, identified in  
5 paragraphs 40 through 56 above, he failed to comply with the following sections of that Code, as  
6 follows:

7 a. **Section 44012(a)**: Respondent Godinez failed to ensure that the emission control  
8 tests were performed on the vehicles in accordance with procedures prescribed by the department.

9 b. **Section 44015**: Respondent Godinez issued electronic smog certificates of  
10 compliance for the vehicles without ensuring that the vehicles were properly tested and inspected  
11 to determine if it was in compliance with Health & Saf. Code section 44012.

12 **FOURTH CAUSE FOR DISCIPLINE**

13 (Failure to Comply with Regulations)

14 60. Respondent Godinez's smog check station license is subject to discipline pursuant to  
15 Health & Saf. Code section 44072.2(c), in that regarding vehicles 1 through 11, identified in  
16 paragraphs 40 through 56, above, it failed to comply with Regulations, as follows:

17 a. **Section 3340.35(c)**: Respondent Godinez issued electronic smog certificates of  
18 compliance for the vehicles even though the vehicles had not been inspected in accordance with  
19 Regulation section 3340.42.

20 b. **Section 3340.42**: Respondent Godinez failed to ensure that the required smog tests  
21 were conducted in accordance with the Bureau's specifications.

22 **FIFTH CAUSE FOR DISCIPLINE**

23 (Dishonesty, Fraud or Deceit)

24 61. Respondent Godinez's Smog Check Station, Smog Check Inspector and Smog Check  
25 Repair Technician licenses are subject to discipline pursuant to Health & Saf. Code section  
26 44072.2(d), in that Respondent Godinez committed dishonest, fraudulent, or deceitful acts  
27 whereby another was injured by issuing electronic smog certificates of compliance for vehicles 1  
28 through 11, identified in paragraphs 40 through 56 above, without ensuring that a bona fide



1 inspection was performed of the emission control devices and systems on the vehicles, thereby  
2 depriving the people of the State of California of the protection afforded by the Motor Vehicle  
3 Inspection Program.

4 **SIXTH CAUSE FOR DISCIPLINE**

5 (Violations of Motor Vehicle Inspection Program)

6 62. Respondent Godinez's smog check inspector and smog check repair technician  
7 licenses are subject to discipline pursuant to Health & Saf. Code section 44072.2(a), in that he  
8 violated sections of that Code. Specifically, Respondent Godinez failed to perform the emission  
9 control tests on Vehicle 6, identified in paragraphs 47 and 48 above, in accord with procedures  
10 prescribed by the department.

11 **SEVENTH CAUSE FOR DISCIPLINE**

12 (Failure to Comply with Regulations)

13 63. Respondent Godinez's smog check inspector and smog check repair technician  
14 licenses are subject to discipline pursuant to Health & Saf. Code section 44072.2(c), in that  
15 regarding vehicle 6, identified in paragraphs 47 and 48, above, he failed to comply with  
16 provisions of the Regulations, as follows:

17 a. **Section 3340.30(a)**: Respondent Godinez failed to inspect and test Vehicle 6 in  
18 accordance with Health & Saf. Code sections 44012 and 44035, and Regulations, section  
19 3340.42.

20 b. **Section 3340.42**: Respondent Godinez failed to conduct the required smog tests on  
21 vehicle 6 in accordance with the Bureau's specifications.

22 **EIGHTH CAUSE FOR DISCIPLINE**

23 (Dishonesty, Fraud, or Deceit)

24 64. Respondent Godinez's brake and lamp station and brake and lamp adjuster licenses  
25 are subject to discipline pursuant to Code section 9889.3(d), in that he committed dishonest,  
26 fraudulent, or deceitful acts whereby another was injured, as set forth in paragraphs 40 through 56  
27 above.

28 ///



1 **NINTH CAUSE FOR DISCIPLINE**

2 (Violations of Motor Vehicle Inspection Program)

3 65. Respondent Estrada's smog check inspector license is subject to discipline pursuant  
4 to Health & Saf. Code section 44072.2(a), in that he violated sections of that Code. Specifically,  
5 Respondent Estrada failed to perform the emission control tests on vehicles 1 through 5,  
6 identified in paragraphs 40 through 46 above, and vehicles 7 through 11, identified in paragraphs  
7 49 through 56, above, in accord with procedures prescribed by the department.

8 **TENTH CAUSE FOR DISCIPLINE**

9 (Failure to Comply with Regulations)

10 66. Respondent Estrada's smog check inspector license is subject to discipline pursuant  
11 to Health & Saf. Code section 44072.2(c), in that regarding vehicles 1 through 5, identified in  
12 paragraphs 40 through 46, above, and vehicles 7 through 11, identified in paragraphs 49 through  
13 56, above, he failed to comply with provisions of the Regulations, as follows:

14 a. **Section 3340.30(a)**: Respondent Estrada failed to inspect and test the vehicles in  
15 accordance with Health & Saf. Code sections 44012 and 44035, and Regulations, section  
16 3340.42.

17 b. **Section 3340.42**: Respondent Estrada failed to conduct the required smog tests on the  
18 vehicles in accordance with the Bureau's specifications.

19 **ELEVENTH CAUSE FOR DISCIPLINE**

20 (Dishonesty, Fraud, or Deceit)

21 67. Respondent Estrada's smog check inspector's license is subject to discipline pursuant  
22 to Health & Saf. Code section 44072.2(d), in that he committed dishonest, fraudulent, or deceitful  
23 acts whereby another was injured by using false information for electronic smog certificates of  
24 compliance issued for vehicles 1 through 5, identified in paragraphs 40 through 46 above, and  
25 vehicles 7 through 11, identified in paragraphs 49 through 56, above, thereby failing to  
26 performing bona fide inspections of the emission control devices and systems on the vehicles and  
27 depriving the people of the State of California of the protection afforded by the Motor Vehicle  
28 Inspection Program.



1 **TWELFTH CAUSE FOR DISCIPLINE**

2 (Dishonesty, Fraud, or Deceit)

3 68. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
4 pursuant to Code section 9889.3(d), in that he committed dishonest, fraudulent, or deceitful acts  
5 whereby another was injured, as set forth in paragraphs 40 through 46, and 49 through 56, above.

6 **SECRET SHOPPER OPERATION – APRIL 2, 2015 (2007 TOYOTA)**

7 69. On or about April 2, 2015, a Bureau undercover operator using an alias (the  
8 "operator") took the Bureau's 2007 Toyota to Respondent Godinez's facility and asked for a  
9 smog check and brake and lamp inspections. Respondent Godinez had the operator sign a repair  
10 order. The operator did not receive a copy of the repair order he had signed.

11 70. The operator observed that Respondent Estrada, who performed the brake and lamp  
12 inspections, did not remove the wheels and the vehicle never left the facility.

13 71. The operator was given invoice [REDACTED] for \$128, which he paid. The operator  
14 also received Brake Certificate [REDACTED] and Lamp Certificate [REDACTED] which had  
15 Respondent Estrada's signature and adjuster license number on them. The Brake Certificate  
16 indicated that 7' were required to stop at 20 mph.

17 **THIRTEENTH CAUSE FOR DISCIPLINE**

18 (Untrue or Misleading Statements)

19 72. Respondent Godinez's registration is subject to discipline pursuant to Code section  
20 9884.7(a)(1), in that on or about April 2, 2015, regarding the Bureau's 2007 Toyota, he made or  
21 authorized statements which he knew or in the exercise of reasonable care should have known to  
22 be untrue or misleading, as follows:

23 a. Respondent Godinez's employee, Respondent Estrada, falsely represented on Brake  
24 Certificate [REDACTED] that the vehicle had been road tested when, in fact, it had not.

25 b. Respondent Godinez issued Brake Certificate [REDACTED] for the vehicle,  
26 certifying that Respondent's employee, Respondent Estrada, inspected the vehicle's brake system.  
27 In fact, Respondent Estrada did not properly test or inspect the vehicle.

28 ///



1 **FOURTEENTH CAUSE FOR DISCIPLINE**

2 (Fraud)

3 73. Respondent Godinez's registration is subject to discipline pursuant to Code section  
4 9884.7(a)(4), in that on or about April 2, 2015, he committed acts that constitute fraud.  
5 Specifically, Respondent obtained payment from the operator for causing the applicable  
6 inspections, adjustments, or repairs of the brake and lamp systems to be performed on the  
7 Bureau's 2007 Toyota as specified by the Bureau and in accordance with the Vehicle Code when,  
8 in fact, it had not been inspected, as set forth in paragraphs 69 through 71, above.

9 **FIFTEENTH CAUSE FOR DISCIPLINE**

10 (Failure to Provide Customer with Copy of Signed Document)

11 74. Respondent Godinez's registration is subject to discipline pursuant to Code section  
12 9884.7(a)(3), in that on or about April 2, 2015, Respondent Godinez failed to ensure that the  
13 operator was provided with a copy of the repair order as soon as the operator signed the  
14 document.

15 **SIXTEENTH CAUSE FOR DISCIPLINE**

16 (Violations of Motor Vehicle Inspection Program)

17 75. Respondent Godinez's registration is subject to discipline pursuant to Code  
18 section 9884.7(a)(6), in that regarding the Bureau's 2007 Toyota, he failed to materially comply  
19 with provisions of Code section 9889.16. Specifically, on or about April 2, 2015, Respondent  
20 Godinez issued Brake Certificate [REDACTED] to the operator, certifying that the vehicle was  
21 in compliance with Bureau Regulations or the requirements of the Vehicle Code. In fact,  
22 Respondent Godinez's employee, Respondent Estrada, did not test or inspect the vehicle in a  
23 manner that conforms with Bureau Regulations or Vehicle Code requirements.

24 **SEVENTEENTH CAUSE FOR DISCIPLINE**

25 (Violations of Regulations)

26 76. Respondent Godinez's registration is subject to discipline pursuant to Code section  
27 9884.7(a)(6), in that on or about April 2, 2015, regarding the Bureau's 2007 Toyota, he failed to  
28 comply with Regulations, as follows:



1 a. **Section 3305(a)**: Respondent Godinez failed to ensure that the brake system was  
2 inspected by his employee, Respondent Estrada, in accordance with specifications, instructions,  
3 and directives issued by the Bureau and vehicle manufacturer.

4 b. **Section 3321(c)(2)**: Respondent Godinez issued Brake Certificate [REDACTED]  
5 for the vehicle, certifying that the vehicle's brake system had been properly tested or inspected  
6 when, in fact, Respondent Estrada did not properly test or inspect the vehicle, as set forth in  
7 paragraphs 69 through 71, above.

8 **EIGHTEENTH CAUSE FOR DISCIPLINE**

9 (Dishonesty, Fraud, or Deceit)

10 77. Respondent Godinez's brake and lamp station and brake and lamp adjuster licenses  
11 are subject to discipline pursuant to Code section 9889.3(d), in that Respondent Godinez  
12 committed acts involving dishonesty, fraud, or deceit whereby another was injured, as set forth in  
13 paragraphs 69 through 71, above.

14 **NINETEENTH CAUSE FOR DISCIPLINE**

15 (Violations of Motor Vehicle Inspection Program)

16 78. Respondent Godinez's brake and lamp station licenses are subject to discipline  
17 pursuant to Code section 9889.3(a) and (h), in that regarding the Bureau's 2007 Toyota, he  
18 committed acts in violation of the Code relating to his licensed activities, as set forth in  
19 paragraphs 75, above.

20 **TWENTIETH CAUSE FOR DISCIPLINE**

21 (Violations of Regulations)

22 79. Respondent Godinez's brake and lamp station licenses are subject to discipline  
23 pursuant to Code section 9889.3(c), in that regarding the Bureau's 2007 Toyota, he committed  
24 acts in violation of Regulations relating to his licensed activities, as set forth in paragraph 76,  
25 subparagraphs a and b, above.

26 ///

27 ///

28 ///



1 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

2 (Dishonesty, Fraud, or Deceit Causing Injury to Another)

3 80. Respondent Godinez's smog check station, smog check inspector, and smog check  
4 repair technician licenses are subject to discipline pursuant to Health and Safety Code  
5 section 44072.2(d), in that he committed dishonest, fraudulent, or deceitful acts whereby another  
6 was injured, as set forth in paragraphs 69 through 71, above.

7 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

8 (Violations of Motor Vehicle Inspection Program)

9 81. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
10 pursuant to Code section 9889.3(a) and (h), in that he violated the provisions of the Code, as set  
11 forth in paragraph 70, above.

12 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

13 (Violations of Regulations)

14 82. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
15 pursuant to Code section 9889.3(c), in that on or about April 2, 2015, regarding the Bureau's  
16 2007 Toyota, he failed to comply with Regulations, as set forth in paragraph 76, subparagraphs a  
17 and b, above.

18 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

19 (Dishonesty, Fraud, or Deceit)

20 83. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
21 pursuant to Code section 9889.3(d), in that he committed dishonest, fraudulent, or deceitful acts  
22 whereby another was injured, as set forth in paragraphs 69 through 71, above.

23 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

24 (Dishonesty, Fraud, or Deceit Causing Injury to Another)

25 84. Respondent Estrada's smog check inspector license is subject to discipline pursuant  
26 to Health and Safety Code section 44072.2(d), in that he committed dishonest, fraudulent, or  
27 deceitful acts whereby another was injured, as set forth in paragraphs 69 through 71, above.

28 ///



1                                    **UNDERCOVER OPERATION – November 19, 2015 (2007 FORD)**

2            85.    On or about November 19, 2015, a Bureau undercover operator using an alias (the  
3    “operator”) took a Bureau-documented 2007 Ford to Respondent Godinez’s facility and asked  
4    Respondent Godinez to perform a smog, brake, and lamp inspection on the vehicle. Respondent  
5    Godinez did not give the operator a written estimate or have him sign a repair order.

6            86.    The operator observed that Respondent Estrada, who performed the brake and lamp  
7    inspections, did not remove the wheels and the vehicle never left the facility.

8            87.    The operator was given invoice [REDACTED] for \$120, which he paid. The operator  
9    received Brake Certificate [REDACTED], which had Respondent Estrada’s signature and adjuster  
10   license number on it. The Brake Certificate indicated that 9’ were required to stop at 20 mph.

11           88.    On or about June 20, 2015, a Bureau representative inspected the 2007 Ford, using  
12   Respondent Godinez’s invoice [REDACTED], and Brake Certificate [REDACTED] for  
13   comparison. The representative concluded that the certificate should not have been issued for the  
14   vehicle because the right front and left rear brake rotors did not meet the manufacturer’s  
15   minimum thickness tolerance.

16                                    **TWENTY-SIXTH CAUSE FOR DISCIPLINE**

17                                    (Untrue or Misleading Statements)

18           89.    Respondent Godinez’s registration is subject to discipline pursuant to Code section  
19   9884.7(a)(1), in that on or about November 19, 2015, regarding the Bureau’s 2007 Ford, he made  
20   or authorized statements which he knew or in the exercise of reasonable care should have known  
21   to be untrue or misleading, as follows:

22           a.    Respondent Godinez’s employee, Respondent Estrada, falsely represented on Brake  
23   Certificate [REDACTED] that the vehicle had been road tested when, in fact, it had not.

24           b.    Respondent Godinez issued Brake Certificate [REDACTED] to the operator,  
25   certifying that the vehicle was in compliance with Bureau Regulations or the requirements of the  
26   Vehicle Code. In fact, Respondent Godinez’s employee, Respondent Estrada, did not test or  
27   inspect the vehicle in a manner that conforms with Bureau Regulations or requirements.

28    ///



1 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

2 (Fraud)

3 90. Respondent Godinez's registration is subject to discipline pursuant to Code section  
4 9884.7(a)(4), in that on or about November 19, 2015, he committed acts that constitute fraud.  
5 Specifically, Respondent obtained payment from the operator for performing the applicable  
6 inspections, adjustments, or repairs of the brake system on the Bureau's 2007 Ford as specified by  
7 the Bureau and in accordance with the Vehicle Code when, in fact, it had not, as set forth in  
8 paragraphs 85 through 88, above.

9 **TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

10 (Violations of Motor Vehicle Inspection Program)

11 91. Respondent Godinez's registration is subject to discipline pursuant to Code  
12 section 9884.7(a)(6), in that on or about November 19, 2015, regarding the Bureau's 2007 Ford,  
13 he failed to materially comply with provisions of that Code as follows:

14 a. **Section 9884.9(a)**: Respondent Godinez failed to give the operator a written  
15 estimated price.

16 b. **Section 9889.16**: Respondent Godinez issued Brake Certificate [REDACTED] to  
17 the operator, certifying that the vehicle was in compliance with Bureau Regulations or the  
18 requirements of the Vehicle Code. In fact, Respondent Godinez's employee, Respondent Estrada,  
19 did not test or inspect the vehicle in a manner that conforms with Bureau Regulations or  
20 requirements of the Vehicle Code.

21 **TWENTY-NINTH CAUSE FOR DISCIPLINE**

22 (Violations of Regulations)

23 92. Respondent Godinez's registration is subject to discipline pursuant to Code section  
24 9884.7(a)(6), in that on or about November 19, 2015, regarding the Bureau's 2007 Ford, he failed  
25 to comply with Regulations, as follows:

26 a. **Section 3305(a)**: Respondent Godinez failed to ensure that the brake system was  
27 inspected by his employee, Respondent Estrada, in accordance with specifications, instructions,  
28 and directives issued by the Bureau and vehicle manufacturer.



b. **Section 3321(c)(2)**: Respondent Godinez issued Brake Certificate [REDACTED] for the vehicle, certifying that the vehicle's brake system had been properly tested or inspected. In fact, Respondent Estrada had not properly tested or inspected the vehicle, as set forth in paragraphs 85 through 88, above.

### THIRTIETH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit Causing Injury to Another)

93. Respondent Godinez's smog check station, smog check inspector, and smog check repair technician licenses are subject to discipline pursuant to Health and Safety Code section 44072.2(d), in that he committed dishonest, fraudulent, or deceitful acts whereby another was injured, as set forth in paragraph 85 through 88, above.

### THIRTY-FIRST CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit)

94. Respondent Godinez's brake and lamp station and brake and lamp adjuster licenses are subject to discipline pursuant to Code section 9889.3(d), in that Respondent Godinez committed dishonest, fraudulent, or deceitful acts whereby another was injured, as set forth in paragraphs 85 through 88, above.

### THIRTY-SECOND CAUSE FOR DISCIPLINE

(Violations of Motor Vehicle Inspection Program)

95. Respondent Godínez's brake and lamp station licenses are subject to discipline pursuant to Code section 9889.3(a) and (h), in that on or about November 19, 2015, regarding the Bureau's 2007 Ford, he committed acts in violation of the Code relating to his licensed activities, as set forth in paragraph 91, subparagraphs a and b, above.

### THIRTY-THIRD CAUSE FOR DISCIPLINE

(Violations of Regulations)

96. Respondent Godinez's brake and lamp station licenses are subject to discipline pursuant to Code section 9889.3(c), in that on or about November 19, 2015, regarding the Bureau's 2007 Ford, he committed acts in violation of Regulations relating to his licensed activities, as set forth in paragraph 92, subparagraphs a and b, above.



1 **THIRTY-FOURTH CAUSE FOR DISCIPLINE**

2 (Dishonesty, Fraud, or Deceit)

3 97. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
4 pursuant to Code section 9889.3(d), in that he committed dishonest, fraudulent, or deceitful acts  
5 whereby another was injured, as set forth in paragraphs 85 through 88, above.

6 **THIRTY-FIFTH CAUSE FOR DISCIPLINE**

7 (Violations of Motor Vehicle Inspection Program)

8 98. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
9 pursuant to Code section 9889.3(a) and (h), in that he violated the provisions of the Code, as set  
10 forth in paragraph 91, subparagraphs a and b, above.

11 **THIRTY-SIXTH CAUSE FOR DISCIPLINE**

12 (Violations of Regulations)

13 99. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
14 pursuant to Code section 9889.3(c), in that on or about November 19, 2015, regarding the  
15 Bureau's 2007 Ford, he failed to comply with Regulations, as set forth in paragraph 92,  
16 subparagraphs a and b, above.

17 **THIRTY-SEVENTH CAUSE FOR DISCIPLINE**

18 (Dishonesty, Fraud, or Deceit Causing Injury to Another)

19 100. Respondent Estrada's smog check inspector license is subject to discipline pursuant  
20 to Health and Safety Code section 44072.2(d), in that he committed dishonest, fraudulent, or  
21 deceitful acts whereby another was injured, as set forth in paragraphs 85 through 88, above.

22 **UNDERCOVER OPERATION – December 11, 2015 (2001 PONTIAC)**

23 101. On or about December 11, 2015, a Bureau undercover operator using an alias (the  
24 "operator") took a Bureau-documented 2001 Pontiac to Respondent Godinez's facility and asked  
25 Respondent Godinez to perform a smog, brake, and lamp inspection on the vehicle. Respondent  
26 Godinez did not give the operator a written estimate or have him sign a repair order.

27 102. The operator observed that Respondent Estrada, who performed the brake and lamp  
28 inspections, did not remove the wheels and the vehicle never left the facility.



1 103. The operator was given invoice [REDACTED] for \$60, which he paid. The operator  
2 received Brake Certificate [REDACTED], and Lamp Certificate [REDACTED], which had  
3 Respondent Estrada's signature and adjuster license number on them. The Brake Certificate  
4 indicated that 12' were required to stop at 20 mph.

5 104. On or about December 22, 2015, a Bureau representative inspected the 2001 Pontiac,  
6 using Respondent Godinez's invoice [REDACTED], Brake Certificate [REDACTED], and Lamp  
7 Certificate [REDACTED] for comparison. The representative concluded that the certificates  
8 should not have been issued for the vehicle because the passenger side low beam headlamp was  
9 not adjusted within manufacturer's specifications and the left front and right rear brake rotors did  
10 not meet the manufacturer's minimum thickness tolerance.

11 **THIRTY-EIGHTH CAUSE FOR DISCIPLINE**

12 (Untrue or Misleading Statements)

13 105. Respondent Godinez's registration is subject to discipline pursuant to Code section  
14 9884.7(a)(1), in that on or about December 11, 2015, regarding the Bureau's 2001 Pontiac, he  
15 made or authorized statements which he knew or in the exercise of reasonable care should have  
16 known to be untrue or misleading, as follows:

17 a. Respondent Godinez's employee, Respondent Estrada, falsely represented on Brake  
18 Certificate [REDACTED] that the vehicle had been road tested when, in fact, it had not.

19 b. Respondent Godinez issued Brake Certificate [REDACTED] for the vehicle,  
20 certifying that the vehicle's brake system had been properly tested or inspected when, in fact,  
21 Respondent's employee, Respondent Estrada, did not properly test or inspect the vehicle.

22 c. Respondent Godinez issued Lamp Certificate [REDACTED], certifying that the  
23 vehicle's headlights had been inspected, adjusted or repaired when, in fact, Respondent's  
24 employee, Respondent Estrada, did not properly adjust one headlamp.

25 **THIRTY-NINTH CAUSE FOR DISCIPLINE**

26 (Fraud)

27 106. Respondent Godinez's registration is subject to discipline pursuant to Code section  
28 9884.7(a)(4), in that on or about December 11, 2015, he committed acts that constitute fraud.



1 Specifically, Respondent obtained payment from the operator for causing the applicable  
2 inspection, adjustment, or repair of the lamps and brakes to be performed on the Bureau's 2001  
3 Pontiac as specified by the Bureau and in accordance with the Vehicle Code when, in fact,  
4 Respondent Estrada had not performed such work, as set forth in paragraphs 101 through 104,  
5 above.

6 **FORTIETH CAUSE FOR DISCIPLINE**

7 (Violations of Motor Vehicle Inspection Program)

8 107. Respondent Godinez's registration is subject to discipline pursuant to Code  
9 section 9884.7(a)(6), in that on or about December 11, 2015, regarding the Bureau's 2001  
10 Pontiac, he failed to materially comply with provisions of that Code as follows:

11 a. **Section 9884.9(a)**: Respondent Godinez failed to give the operator a written  
12 estimated price.

13 b. **Section 9889.16**: Respondent Godinez issued Lamp Certificate [REDACTED] and  
14 Brake Certificate [REDACTED] to the operator, certifying that the vehicle was in compliance  
15 with Bureau Regulations or the requirements of the Vehicle Code. In fact, Respondent Godinez's  
16 employee, Respondent Estrada, did not test or inspect the vehicle in a manner that conforms with  
17 Bureau Regulations or requirements.

18 **FORTY-FIRST CAUSE FOR DISCIPLINE**

19 (Violations of Regulations)

20 108. Respondent Godinez's registration is subject to discipline pursuant to Code section  
21 9884.7(a)(6), in that on or about December 11, 2015, regarding the Bureau's 2001 Pontiac, he  
22 failed to comply with Regulations, as follows:

23 a. **Section 3305(a)**: Respondent Godinez failed to ensure that the lamp and brake  
24 systems were inspected by his employee, Respondent Estrada, in accordance with specifications,  
25 instructions, and directives issued by the Bureau and vehicle manufacturer.

26 b. **Section 3321(c)(2)**: Respondent Godinez issued Brake Certificate [REDACTED],  
27 certifying that Respondent Estrada had inspected the vehicle's brake system when, in fact, the  
28



1 brake system on the vehicle had not been properly tested or inspected, as set forth in paragraphs  
2 101 through 104, above.

3 c. **Section 3316(d)(2)**: Respondent Godinez issued Lamp Certificate [REDACTED],  
4 certifying that Respondent Estrada had properly adjusted the headlamps. In fact, the lamps had  
5 not been properly adjusted, as set forth in paragraphs 101 through 104, above.

6 **FORTY-SECOND CAUSE FOR DISCIPLINE**

7 (Dishonesty, Fraud, or Deceit)

8 109. Respondent Godinez's brake and lamp station and brake and lamp adjuster licenses  
9 are subject to discipline pursuant to Code section 9889.3(d), in that Respondent Godinez  
10 committed dishonest, fraudulent, or deceitful acts whereby another was injured, as set forth in  
11 paragraphs 101 through 104, above.

12 **FORTY-THIRD CAUSE FOR DISCIPLINE**

13 (Violations of Motor Vehicle Inspection Program)

14 110. Respondent Godinez's brake and lamp station licenses are subject to discipline  
15 pursuant to Code section 9889.3(a) and (h), in that on or about December 11, 2015, regarding the  
16 Bureau's 2001 Pontiac, he committed acts in violation of the Code relating to his licensed  
17 activities, as set forth in paragraph 107, subparagraphs a and b, above.

18 **FORTY-FOURTH CAUSE FOR DISCIPLINE**

19 (Violations of Regulations)

20 111. Respondent Godinez's brake and lamp station licenses are subject to discipline  
21 pursuant to Code section 9889.3(c), in that on or about December 11, 2015, regarding the  
22 Bureau's 2001 Pontiac, he committed acts in violation of Regulations relating to his licensed  
23 activities, as set forth in paragraph 108, subparagraphs a through c, above.

24 **FORTY-FIFTH CAUSE FOR DISCIPLINE**

25 (Dishonesty, Fraud, or Deceit Causing Injury to Another)

26 112. Respondent Godinez's smog check station and smog check inspector and smog check  
27 repair technician licenses are subject to discipline pursuant to Health and Safety Code section  
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1 44072.2(d), in that he committed dishonest, fraudulent, or deceitful acts whereby another was  
2 injured, as set forth in paragraph 101 through 104, above.

3 **FORTY-SIXTH CAUSE FOR DISCIPLINE**

4 (Dishonesty, Fraud, or Deceit)

5 113. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
6 pursuant to Code section 9889.3(d), in that he committed dishonest, fraudulent, or deceitful acts  
7 whereby another was injured, as set forth in paragraphs 101 through 104, above.

8 **FORTY-SEVENTH CAUSE FOR DISCIPLINE**

9 (Violations of Motor Vehicle Inspection Program)

10 114. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
11 pursuant to Code section 9889.3(a) and (h), in that he violated the provisions of the Code, as set  
12 forth in paragraph 107, subparagraphs a and b, above.

13 **FORTY-EIGHTH CAUSE FOR DISCIPLINE**

14 (Violations of Regulations)

15 115. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
16 pursuant to Code section 9889.3(c), in that on or about December 11, 2015, regarding the  
17 Bureau's 2001 Pontiac, he failed to comply with Regulations, as set forth in paragraph 108,  
18 subparagraphs a through c, above.

19 **FORTY-NINTH CAUSE FOR DISCIPLINE**

20 (Dishonesty, Fraud, or Deceit Causing Injury to Another)

21 116. Respondent Estrada's smog check inspector license is subject to discipline pursuant  
22 to Health and Safety Code section 44072.2(d), in that he committed dishonest, fraudulent, or  
23 deceitful acts whereby another was injured, as set forth in paragraphs 101 through 104, above.

24 **UNDERCOVER OPERATION – January 8, 2016 (2002 Chevrolet)**

25 117. On or about January 8, 2016, a Bureau undercover operator using an alias (the  
26 "operator") took a Bureau-documented 2002 Chevrolet to Respondent Godinez's facility and  
27 asked Respondent Godinez to perform a smog, brake, and lamp inspection on the vehicle.  
28 Respondent Godinez did not give the operator a written estimate or have him sign a repair order.



1 118. The operator observed that Respondent Estrada appeared to perform the brake and  
2 lamp inspections; however, the vehicle never left the facility and was not test-driven.

3 119. The operator was given invoice [REDACTED] for \$100, which he paid. The operator  
4 received Brake Certificate [REDACTED], and Lamp Certificate [REDACTED], which had  
5 Respondent Estrada's signature and adjuster license number on them. The Brake Certificate  
6 indicated that 8' were required to stop at 20 mph.

7 120. On or about January 8, 2016, a Bureau representative inspected the 2002 Chevrolet,  
8 using Respondent Godinez's invoice [REDACTED], Brake Certificate [REDACTED], and Lamp  
9 Certificate [REDACTED] for comparison. The representative concluded that the brake  
10 certificate should not have been issued for the vehicle because the right front and left rear disc  
11 brake rotors did not meet the manufacturer's minimum thickness tolerance.

12 **FIFTIETH CAUSE FOR DISCIPLINE**

13 (Untrue or Misleading Statements)

14 121. Respondent Godinez's registration is subject to discipline pursuant to Code section  
15 9884.7(a)(1), in that on or about January 8, 2016, regarding the Bureau's 2002 Chevrolet, he  
16 made or authorized statements which he knew or in the exercise of reasonable care should have  
17 known to be untrue or misleading, as follows:

18 a. Respondent Godinez's employee, Respondent Estrada, falsely represented on Brake  
19 Certificate [REDACTED] that the vehicle had been road tested when, in fact, it had not.

20 b. Respondent Godinez issued Brake Certificate [REDACTED], certifying that his  
21 employee, Respondent Estrada, had inspected the vehicle's brake system when, in fact, he had  
22 not.

23 **FIFTY-FIRST CAUSE FOR DISCIPLINE**

24 (Fraud)

25 122. Respondent Godinez's registration is subject to discipline pursuant to Code section  
26 9884.7(a)(4), in that on or about January 8, 2016, he committed acts that constitute fraud.  
27 Specifically, Respondent obtained payment from the operator for performing the applicable  
28 inspection, adjustment, or repair of brakes on the Bureau's 2002 Chevrolet as specified by the



1 Bureau and in accordance with the Vehicle Code when, in fact, it had not been performed, as set  
2 forth in paragraphs 117 through 120, above.

3 **FIFTY-SECOND CAUSE FOR DISCIPLINE**

4 (Violations of Motor Vehicle Inspection Program)

5 123. Respondent Godinez's registration is subject to discipline pursuant to Code  
6 section 9884.7(a)(6), in that on or about January 8, 2016, regarding the Bureau's 2002 Chevrolet,  
7 he failed to materially comply with provisions of that Code as follows:

8 a. **Section 9884.9(a)**: Respondent Godinez failed to give the operator a written  
9 estimated price.

10 b. **Section 9889.16**: Respondent Godinez issued Brake Certificate [REDACTED] to  
11 the operator, certifying that the vehicle was in compliance with Bureau Regulations or the  
12 requirements of the Vehicle Code. In fact, Respondent Godinez's employee, Respondent Estrada,  
13 did not test or inspect the vehicle in a manner that conforms with Bureau Regulations or  
14 requirements of the Vehicle Code.

15 **FIFTY-THIRD CAUSE FOR DISCIPLINE**

16 (Violations of Regulations)

17 124. Respondent Godinez's registration is subject to discipline pursuant to Code section  
18 9884.7(a)(6), in that on or about January 8, 2016, regarding the Bureau's 2002 Chevrolet, he  
19 failed to comply with Regulations, as follows:

20 a. **Section 3305(a)**: Respondent Godinez failed to ensure that the brake system was  
21 inspected by his employee, Respondent Estrada, in accordance with specifications, instructions,  
22 and directives issued by the Bureau and vehicle manufacturer.

23 b. **Section 3321(c)(2)**: Respondent Godinez issued Brake Certificate [REDACTED]  
24 for the vehicle certifying that Respondent Estrada had inspected the vehicle's brake system when,  
25 in fact, the brake system on the vehicle had not been properly tested or inspected, as set forth in  
26 paragraphs 117 through 120, above.

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1 **FIFTY-FOURTH CAUSE FOR DISCIPLINE**

2 (Dishonesty, Fraud, or Deceit)

3 125. Respondent Godinez's brake and lamp station and brake and lamp adjuster licenses  
4 are subject to discipline pursuant to Code section 9889.3(d), in that Respondent Godinez  
5 committed dishonest, fraudulent, or deceitful acts whereby another was injured, as set forth in  
6 paragraphs 121 through 124, above.

7 **FIFTY-FIFTH CAUSE FOR DISCIPLINE**

8 (Violations of Motor Vehicle Inspection Program)

9 126. Respondent Godinez's brake and lamp station licenses are subject to discipline  
10 pursuant to Code section 9889.3(a) and (h), in that on or about January 8, 2016, regarding the  
11 Bureau's 2002 Chevrolet, he committed acts in violation of the Code relating to his licensed  
12 activities, as set forth in paragraph 123, subparagraphs a and b, above.

13 **FIFTY-SIXTH CAUSE FOR DISCIPLINE**

14 (Violations of Regulations)

15 127. Respondent Godinez's brake and lamp station licenses are subject to discipline  
16 pursuant to Code section 9889.3(c), in that on or about January 8, 2016, regarding the Bureau's  
17 2002 Chevrolet, he committed acts in violation of Regulations relating to his licensed activities,  
18 as set forth in paragraph 124, subparagraphs a and b, above.

19 **FIFTY-SEVENTH CAUSE FOR DISCIPLINE**

20 (Dishonesty, Fraud, or Deceit Causing Injury to Another)

21 128. Respondent Godinez's smog check station and smog check inspector and smog check  
22 repair technician licenses are is subject to discipline pursuant to Health and Safety Code section  
23 44072.2(d), in that he committed dishonest, fraudulent, or deceitful acts whereby another was  
24 injured, as set forth in paragraph 117 through 120, above.

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1 **FIFTY-EIGHTH CAUSE FOR DISCIPLINE**

2 (Dishonesty, Fraud, or Deceit)

3 129. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
4 pursuant to Code section 9889.3(d), in that he committed dishonest, fraudulent, or deceitful acts  
5 whereby another was injured, as set forth in paragraphs 117 through 120, above.

6 **FIFTY-NINTH CAUSE FOR DISCIPLINE**

7 (Violations of Motor Vehicle Inspection Program)

8 130. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
9 pursuant to Code section 9889.3(a) and (h), in that he violated the provisions of the Code, as set  
10 forth in paragraph 123, subparagraphs a and b, above.

11 **SIXTIETH CAUSE FOR DISCIPLINE**

12 (Violations of Regulations)

13 131. Respondent Estrada's brake and lamp adjuster licenses are subject to discipline  
14 pursuant to Code section 9889.3(c), in that on or about January 8, 2016, regarding the Bureau's  
15 2002 Chevrolet, he failed to comply with Regulations, as set forth in paragraph 124,  
16 subparagraphs a and b, above.

17 **SIXTY-FIRST CAUSE FOR DISCIPLINE**

18 (Dishonesty, Fraud, or Deceit Causing Injury to Another)

19 132. Respondent Estrada's smog check inspector license is subject to discipline pursuant  
20 to Health and Safety Code section 44072.2(d), in that he committed dishonest, fraudulent, or  
21 deceitful acts whereby another was injured, as set forth in paragraphs 117 through 120, above.

22 **OTHER MATTERS**

23 133. Under Code section 9884.7(c), the Director may invalidate temporarily or  
24 permanently or refuse to validate, the registrations for all places of business operated in this state  
25 by Respondent Edgar Ivan Godinez upon a finding that he has, or is, engaged in a course of  
26 repeated and willful violations of the laws and regulations pertaining to an automotive repair  
27 dealer.

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1       134. Under Health & Saf. Code section 44072.8, if Smog Check, Test Only Station license  
2 No. RC 261653, issued to Edgar Ivan Godinez, as owner of Every Day Smog, is revoked or  
3 suspended, any additional license issued under this chapter in the name of said licensee may be  
4 likewise revoked or suspended by the director.

5       135. Under Health & Saf. Code section 44072.8, if Smog Check Inspector (EO) License  
6 No. 154357, or Smog Check Repair Technician (EI) License No. 154357, issued to Edgar Ivan  
7 Godinez, is revoked or suspended, then any additional license issued under Chapter 5 of the  
8 Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the  
9 Director.

10       136. Under Code section 9889.9, if Brake Station License No. BS 261653, Class C, issued  
11 to Edgar Ivan Godinez, as owner of Every Day Smog, is revoked or suspended, any additional  
12 license issued under Division 3, Chapter 20.3, Articles 5 and 6 of the Code in the name of said  
13 licensee may be likewise revoked or suspended by the Director.

14       137. Under Code section 9889.9, if Lamp Station License No. LS 261653, Class A, issued  
15 to Edgar Ivan Godinez, as owner of Every Day Smog, is revoked or suspended, any additional  
16 license issued under Division 3, Chapter 20.3, Articles 5 and 6 of the Code in the name of said  
17 licensee may be likewise revoked or suspended by the Director.

18       138. Under Code section 9889.9, if Brake Adjuster License No. BA 154357, Class C,  
19 issued to Edgar Ivan Godinez is revoked or suspended, any additional license issued under  
20 Division 3, Chapter 20.3, Articles 5 and 6 of the Code in the name of said licensee may be  
21 likewise revoked or suspended by the Director.

22       139. Under Code section 9889.9, if Lamp Adjuster License No. LA 154357, Class A,  
23 issued to Edgar Ivan Godinez is revoked or suspended, any additional license issued under  
24 Division 3, Chapter 20.3, Articles 5 and 6 of the Code in the name of said licensee may be  
25 likewise revoked or suspended by the Director.

26       140. Under Health and Safety Code section 44072.8, if Smog Check Inspector License No.  
27 EO 635462, issued to Joel Mendez Estrada is revoked or suspended, any additional license issued  
28



1 under Chapter 5 of the Health and Safety Code in the name of said licensee may be likewise  
2 revoked or suspended by the Director.

3 141. Under Code section 9889.9, if Brake Adjuster License No. BA 635462, Class A,  
4 issued to Joel Mendez Estrada is revoked or suspended, any additional license issued under  
5 Division 3, Chapter 20.3, Articles 5 and 6 of the Code in the name of said licensee may be  
6 likewise revoked or suspended by the Director.

7 142. Under Code section 9889.9, if Lamp Adjuster License No. LA 635462, Class A,  
8 issued to Joel Mendez Estrada is revoked or suspended, any additional license issued under  
9 Division 3, Chapter 20.3, Articles 5 and 6 of the Code in the name of said licensee may be  
10 likewise revoked or suspended by the Director.

11 **PRAYER**

12 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
13 and that following the hearing, the Director of Consumer Affairs issue a decision:

14 1. Revoking or suspending Automotive Repair Dealer Registration No. ARD 261653,  
15 issued to Edgar Ivan Godinez, as owner of Every Day Smog;

16 2. Revoking or suspending any other automotive repair dealer registration issued to  
17 Edgar Ivan Godinez;

18 3. Revoking or suspending Smog Check, Test Only, Station License No. RC 261653,  
19 issued to Edgar Ivan Godinez, as owner of Every Day Smog;

20 4. Revoking or suspending Brake Station License No. No. BS 261653, Class C, issued  
21 to Edgar Ivan Godinez, as owner of Every Day Smog;

22 5. Revoking or suspending Smog Check Inspector (EO) License No. 154357 and Smog  
23 Check Repair Technician (EI) License No. 154357 (formerly Advanced Emission Specialist  
24 Technician EA License No. 154357) issued to Edgar Ivan Godinez;

25 6. Revoking or suspending any additional license issued under Chapter 5 of the Health  
26 and Safety Code in the name of Edgar Ivan Godinez;

27 7. Revoking or suspending Lamp Station License No. LS 261653, Class A, issued to  
28 Edgar Ivan Godinez, as owner of Every Day Smog;



1 8. Revoking or suspending Brake Adjuster License No. BA 154357 issued to Edgar Ivan  
2 Godinez;

3 9. Revoking or suspending Lamp Adjuster License No. LA 154357 issued to Edgar Ivan  
4 Godinez;

5 10. Revoking or suspending any additional license issued under Division 3, Chapter 20.3,  
6 Articles 5 and 6 of the Business and Professions Code in the name of Edgar Ivan Godinez;

7 11. Revoking or suspending Smog Check Inspector (EO) License No. 635462 issued to  
8 Joel Mendez Estrada;

9 12. Revoking or suspending any additional license issued under Chapter 5 of the Health  
10 and Safety Code in the name of Joel Mendez Estrada;

11 13. Revoking or suspending Brake Adjuster License No. BA 635462 issued to Joel  
12 Mendez Estrada;


13 14. Revoking or suspending Lamp Adjuster License No. LA 635462 issued to Joel  
14 Mendez Estrada;

15 15. Revoking or suspending any additional license issued under Division 3, Chapter 20.3,  
16 Articles 5 and 6 of the Business and Professions Code in the name of Joel Mendez Estrada;

17 16. Ordering Edgar Ivan Godinez and Joel Mendez Estrada to pay the Bureau of  
18 Automotive Repair the reasonable costs of the investigation and enforcement of this case,  
19 pursuant to Business and Professions Code section 125.3; and,

20 17. Taking such other and further action as deemed necessary and proper.

21  
22 DATED: April 19, 2017

  
PATRICK DORAIS  
Chief  
Bureau of Automotive Repair  
Department of Consumer Affairs  
State of California  
*Complainant*

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