

Automotive Repair AND Smog Check News

Fall 2012

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BAR's STAR Program improves scores, service, and air quality



John Wallauch, BAR Chief

BAR Chief John Wallauch was interviewed by Steve Sharp with the Parts and People publication regarding his views of the new STAR Program. The following article is comprised of excerpts from the July 2012 interview.

The STAR Program was developed to address information gained through an independent analysis provided by Sierra Research, which was contracted by the State to perform roadside audits between 2003 and 2004, and again between 2005 through 2006. Sierra's audits extracted nearly a 60 percent failure rate for vehicle years 1976 through 1995, 30 days to six months after their California Smog Test.

The initial posting of technicians' scores on the STAR Web page February 2012 resulted in lower than expected scores. "Since then," said Wallauch, "we have seen continued improvement. Smog technicians are taking advantage of the new program and are working to improve, which means the STAR Program is clearly doing its job." The STAR Program will officially go into effect January 1, 2013.

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How to apply to the STAR Program

Beginning January 1, 2013, all directed and gross-polluting vehicles must be certified by STAR-certified Smog Check stations. To become STAR-certified, stations must apply for certification and meet the inspection-based performance standards. Applications to the STAR Program are currently being accepted. Here is an overview of the STAR application process.

Step 1: Verify that your station meets STAR-Certification requirements

Stations are eligible if:

- They have been in business for at least one quarter.
- They do not have any applicable enforcement actions against the station owners, partners, corporate officers, members, managers, or any employed inspectors.
- They pass the STAR performance measures found at: http://www.smogcheck.ca.gov/Pubwebquery/STAR_demo/STAR_application_requirements.pdf.

Note that depending upon when you apply for certification, new scores may be published between the time your application is submitted and the time BAR reviews the application.

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DEPARTMENT OF CONSUMER AFFAIRS

BAR

Bureau of Automotive Repair

10949 N. Mather Blvd.
Rancho Cordova, CA 95670
www.bar.ca.gov

STAR Program improves *(continued from cover)*

Although we acknowledge that repairs may not last indefinitely, there is a clear correlation between the Smog Check data and the findings of the roadside audit, which were conducted within 180 days after the inspection. “This means that inspections were either being done improperly or tampering was involved,” said Wallauch. He added, “The STAR Program was introduced to ensure that inspection procedures are properly conducted to give technicians and station owners feedback regarding their performance.

“Skilled technicians are in demand and will continue to be an even greater commodity. A technician who has a history of high score performance will raise his or her own value in the marketplace,” said Wallauch.

Assembly Bill 2289 offers a glimpse into the future, forecasting that traditional auto repair will drastically change in the next 20 years. Changing to On Board Diagnostics II (OBD II) smog inspections will provide better data and eliminate large investments by smog stations as the fleet becomes newer and fewer vehicles will require current loaded tests.

“The new procedures will access real-world data collected and stored 24/7 by the vehicle’s processor,” Wallauch explained, “and utilize onboard data to eliminate static and load testing currently

used to simulate driving conditions. OBD II data provides a better picture of the overall condition of the vehicle.”

Interviewer Steve Sharp asked the Chief how OBD II systems might change over time. Wallauch responded, “OBD systems will continue to become increasingly intuitive. As a problem with a vehicle is identified, the owner could be contacted by onboard voice recordings, e-mail, or by text message regarding the problem and the need for its repair.”

Chief Wallauch comes to public service with a background in aerospace and automotive engineering. “I’m a car guy,” he said. “I’ve been working on cars since I was a teenager.”

Wallauch was California’s original “smog czar” under Governor Edmund G. Brown Jr., and helped create and implement the first smog program on March 17, 1984. Wallauch reported, “When we started the program 28 years ago, cars required many more repairs to keep them running in top form. Today, we sell service as required by the manufacturer rather than repair.” Wallauch added, “California’s biennial Smog Check inspection removes 380 tons of pollutants from vehicles every day — you’ve got to be proud of being connected to making that kind of a difference to California’s consumers and the air they breathe.” **B:R**

Inspection tips for difficult vehicles

Smog Check Inspectors can reduce the number of inspection problems they encounter by ensuring the vehicle information is entered correctly into the Emissions Inspection System including the year, make, model, engine size, emissions certificate type, fuel type, and transmission type. When correctly entered, the vehicle will receive alternate testing parameters from the Vehicle Identification Database (VID) when applicable.

Although the VID will automatically fill in the vehicle information, it is important to verify this data because incorrect information may have been entered by the previous inspector. If the previous inspector entered incorrect information, the vehicle will not be properly matched to the correct Vehicle Look-up Table (VLT) row, and will not receive any special testing parameters to address the following issues:

- OBD II Readiness Monitor completion.

- Throttle-by-wire equipped vehicles causing an aborted test from too many acceleration violations.
- Controller Area Network (CAN) protocol equipped vehicles failing for noncommunication with the BAR-97 analyzer.
- Four-wheel drive ABS vehicles that set an OBD II fault code when completing an ASM test.

The BAR-97 analyzer uses the VLT to control the number of OBD II monitors requiring completion; the ASM test acceleration violation limits; the OBD II test disable for some known CAN vehicles, type of tailpipe test type (ASM, TSI) and emissions pass/fail standards. Over the past two years, BAR has updated thousands of VLT rows to make problem vehicles more testable as well as to improve the VLT process by simplifying vehicle model name look-up. **B:R**

How to apply to the STAR Program *(continued from cover)*

When BAR processes the application, it will use the most recent quarterly data available. For initial STAR certifications, BAR will use scores from third quarter 2012.

Step 2: Determine your station type when applying for STAR

Once you have verified that your station is eligible for STAR certification, you will need to determine which station type is appropriate for your station: Test-Only or Test-and-Repair.

If you wish to change your station's type from Test-Only to Test-and-Repair or vice versa or want to become a Smog Check station for the first time, you must submit a Smog Check License application with the \$100 application fee and pass a station inspection. Read and complete all requirements identified on the application.

If you do not want a change in the station type to go into effect until the STAR Program begins January 1, 2013, write the date you want the change to become effective on your Smog Check Station License application. If you don't indicate the date on the application, the station type will be changed when we receive your application.

Step 3: Make an appointment for a station visit

After BAR processes your Smog Check license application, you will be contacted by the BAR field office to set an appointment for a visit by a BAR representative. The representative will verify compliance with all station requirements as well as change the EIS units over to the new station type and number. Stations may visit BAR's Web site for helpful station checklists by going to the Industry tab, click on "forms" under the Quick Hits, and scroll down to the Smog Check Station Checklists.

Typically, this process takes a few days to complete. During that time, you will be unable to perform Smog Check inspections. BAR will work with station owners to minimize the impact on the station's business.

Step 4: Complete the STAR application

The STAR application is available online and can be printed from the Web page at: http://www.smogcheck.ca.gov/80_BARResources/03_Standards&Training/STAR/AppForm.html.

Mail the completed application to the address shown at the top of the application. There are no fees or station inspection associated with applying to the STAR Program, unless you are a new Smog Check station or are requesting a change in station type.

Step 5: Await notification from BAR

BAR began reviewing the first STAR applications in October 2012. BAR will notify the applicant once the application has been evaluated. If an application has obvious deficiencies, the station owner will be notified.

If the application is approved, the station owner will need to order new signs, letterhead, etc. so that the materials will be available in time for program start-up. The sign specifications can be found under "Hot Topics" on BAR's Web site, www.autorepair.ca.gov. If the application is denied, appeal procedures will be provided.

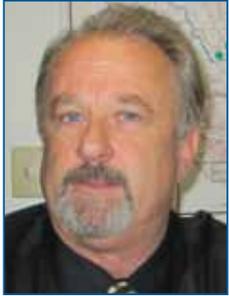
Step 6: Applying for CAP (STAR Test-and-Repair)

STAR Test-and-Repair stations are required to participate in the Consumer Assistance Program. For this reason, there are additional documents that must be completed by STAR Test-and-Repair station applicants. The documents will be mailed to applicants when BAR Licensing has approved a STAR Test-and-Repair station application. These documents, a Station Questionnaire and a Payee Data form, must be completed and returned to CAP. CAP will use these forms to create a Standard Agreement. Once the Standard Agreement has been completed and required training has been verified, BAR will notify the station owner.

Conclusion

BAR is looking forward to the STAR Program rollout and the air quality benefits that will follow. BAR encourages all eligible stations to apply for the STAR Program as soon as possible to allow sufficient time to complete the certification process by January 1st. For stations converting from Test-Only to Test-and-Repair while applying for STAR, applications should be received by BAR as soon as possible. For stations maintaining the same station type (e.g., Test-Only, Test-and-Repair), applications must be received by mid December, 2012. So, don't delay; submit your application today! **BAR**

Sacramento Field Office gets new supervisor



Promoted to Program Representative III-Supervisor in May 2012, Carl Holmes oversees a staff of 17 and is responsible for co-supervising field operations and investigations in the Sacramento Field Office. Carl has his sights set on creating a productive and satisfying work environment with his new team.

Holmes spent 14 years as an automotive technician before joining BAR more than 24 years ago as a Program Representative I. Certified as a licensed Smog Check Technician and certified by the National Institute for Automobile Service Excellence (ASE), he has worked in Southern and Northern California investigating and mediating complaints. He also devoted five years of his career to the Department of Consumer Affairs' Complaint Mediation Center, managing a team of 29 employees.

Holmes returned to BAR in 2001 and continued his work handling the most complex consumer complaints and investigations. **B:R**

New manager for CAP Program



Tim Corcoran was recently named manager of the Consumer Assistance Program (CAP). He joined BAR in December of 2000 as a Program Representative I in the Sacramento Field Office, and has earned three promotions since then. During his tenure as Program Manager I, Tim successfully managed BAR's Case Management Unit

where he supervised the review of investigative cases for filing with the Attorney General's Office.

His goal is to develop the program into a recognized model for emerging programs in other jurisdictions. His eye is always on BAR's mission, which is to continuously reduce vehicular emissions and raise the standard for customer service excellence. **B:R**

New Deputy Chief for Compliance and Enforcement Division



"When I worked for the Attorney General's Office, I expected that to be the pinnacle of my career," said Brian Newman, BAR's new Deputy Chief. "As a prosecutor, I was able to assist people and make a difference, but it was one case at a time and one victim at a time. Here [at BAR] I have the potential to help make a difference for many consumers and the

automotive industry throughout the State."

Armed with 10 years of legal experience that lends itself to analyzing the enforcement part of preparing cases for administrative hearings, civil and criminal prosecution, Newman seeks to find new and efficient ways to identify those who engage in defrauding the public and those who are not doing their job properly so that BAR can take effective corrective action. Educating licensees continues to be an important function at BAR, but when there is evidence of serious wrongdoing, BAR will take appropriate action. "District attorneys are looking

for an agency to bring them well-investigated cases, and I am looking forward to bringing those cases to them," said Newman. By identifying and prosecuting those businesses that defraud consumers, BAR is not only protecting consumers but also supporting the majority of businesses that are honest and expect a fair and competitive marketplace.

Newman said his first impression of BAR is that it is staffed with highly professional, well-trained, and capable people. He is returning to the Bureau after a 14-year career span that began in 1988, working for various field offices in Northern California. While conducting investigations, handling complaints, and supervising field representatives, he also finished law school, graduating in 2001, passing the State Bar exam and becoming licensed as an attorney in 2002. Newman began his legal career as a deputy district attorney with Mendocino County before moving to the Attorney General's Office in San Francisco in 2011.

BAR and Newman are a perfect fit, and we are pleased to welcome him to the executive management team. **B:R**

New developments for the Consumer Assistance Program (CAP)

On July 1, 2012, the Bureau of Automotive Repair (BAR), Consumer Assistance Program (CAP) modified its program requirements for the Repair Assistance (RA) and Vehicle Retirement (VR) program options due to recent changes in regulation. In some cases, these changes directly impact costs to consumers and contracting stations. Below is a summary of the most significant changes that affect CAP consumers and CAP stations:

Consumer Co-Payment: Previously, the consumer co-payment for Repair Assistance was set at \$20. Consumers are now responsible for paying the total cost of testing and diagnosing the emissions-related failure for their vehicles as co-payment for participating in CAP. The payment is made directly to Gold Shield stations operating under an agreement with CAP to perform subsidized emissions-related repair work.

Elimination of the Co-Pay Credit: Previously, consumers could request a credit toward the amount of their co-payment. Consumers were allowed to submit receipts for emissions-related repairs performed before being approved for CAP. The credit is no longer available and the consumer is now responsible for paying the total cost associated with testing and diagnosis.

Non-Reimbursable Repair Items: The CAP Repair Assistance Operations Manual has been updated to reflect additional items for which CAP will not reimburse stations. In an effort to stay current with updates, BAR recommends stations thoroughly review the manual, as well as the tutorial training module CAP offers online. All of these resources provide more detailed information about the changes.

New CAP Application: CAP applications were revised to reflect program changes and distributed to Gold Shield stations and the Department of Motor Vehicle offices. Any applications that do not display "(01/12)" at the bottom of page two on the right-hand side should be discarded.

Online Resources: The CAP application and the CAP Operations Manual for Repair Assistance have been updated and are available online on BAR's Web site: www.autorepair.ca.gov.

Watch for Future Developments: Soon, consumers will be able to submit an application, receive an identifying confirmation number, and track the status of their application on BAR's Web site. It is anticipated that the regulatory changes and the new online application will streamline the application process; maximize the use of available funds; and help to reduce the need for future program suspensions, all of which will allow CAP to better assist more consumers. **B:R**

Vehicle retirement program expands eligibility

BAR offers vehicle retirement through its Consumer Assistance Program (CAP), which is an option for motorists who want to voluntarily retire their vehicle rather than repair it. Income-eligible consumers can receive up to \$1,500 for their vehicle.

Until August 2010, eligibility to participate in CAP's vehicle retirement option was limited to consumers whose vehicle had failed a Smog Check inspection. With the passage of Assembly Bill 118 (Chapter 750, Statutes of 2007), consumers can retire a vehicle at any time for any reason through the Enhanced Fleet Modernization Program (EFMP), as long as they meet program requirements. In addition, AB 787 (Chapter 23, Statutes of 2010) no longer requires a failed Smog Check inspection to participate in the EFMP.

Consumers who are interested in retiring a vehicle can find a CAP application online at www.autorepair.ca.gov. The vehicle owner should complete the application and mail it to the address on the application. If BAR approves the application, it will send the owner a letter with information and instructions on where to take the vehicle for retirement.

BAR has contracted with 30 auto dismantlers throughout the State to retire vehicles. A list of authorized dismantlers is available online at www.autorepair.ca.gov or by calling the Department of Consumer Affairs' Consumer Information Center at (800) 952-5210.

In addition, local vehicle retirement programs are available for people who live in certain areas of the State. Contact one of the following for information:

- Antelope Valley Air Quality Management District: (661) 723-8070.
- San Luis Obispo County Air Pollution Control District: (805) 781-5912.
- Santa Barbara County Air Pollution Control District: (805) 961-8800.
- Mojave Desert Air Quality Management District: (760) 245-1661.

B:R

Low Pressure Fuel Evaporative Testers

Ford Ranger LPFET Test and Repair issues

Early '90s Ford Rangers and early to mid-1990s Mazda pickups that used the Ranger chassis platform have a high failure rate for the LPFET portion of the Smog Check inspection.

Many of these failures are caused by a leak in the rubber filler hose. Some replacement filler neck hose assemblies include a new metal filler neck and fuel cap. BAR has found that the threads in some of these replacement filler neck assemblies do not match the original fuel cap threads. As a result, the LPFET adapter will not fit. Technically, this is considered a tampered emission control component and the vehicle will fail the LPFET portion of the Smog Check Inspection.

When replacing these hoses, BAR recommends attaching the new hoses to the old filler neck and cap assembly that

is in good working condition so the vehicle can be tested appropriately.

Consumers who own the 1988 through 1995 Ford Ranger or Mazda B-series pickups that have previously replaced the filler neck assembly and are no longer compatible with the LPFET, should be referred to the referee for inspection.

Please notify those consumers who schedule a referee inspection for this issue to bring their receipt for the purchase of the replacement filler neck assembly or the invoice for the installation of the noncompliant filler neck assembly.

To make an appointment with a referee, call (800) 622-7733. **B:R**

Authorized and prohibited services performed by Test-Only Stations

Test Only stations are permitted to perform oil changes on their premises, but they cannot do oil changes on vehicles that have failed an emissions test because that would be considered a repair.

Prior to a Smog Check inspection, oil change services by Test-Only Centers are limited to:

- Changing the crankcase oil;
- Changing the crankcase oil filter;
- Performing a chassis lubrication; and
- Changing the air induction air filter.

In addition, Test-Only stations may not diagnose or repair vehicles, road test them, or run a drive cycle trace in order to set or reset drive cycle monitors. Test-Only Stations may only test and retest vehicles submitted for smog inspections. Drive cycles are prohibited because they are not part of the official Smog Check inspection sequence, as defined in the

August 2009 Smog Check Inspection Procedures manual, which is incorporated by reference in California Code of Regulations, Title 16, section 3340.45. Performing a drive cycle requires expertise and specialized equipment outside the scope of a Test-Only station.

Title 16, section 3340.16 (d) of the California Code of Regulations states: "A smog check test-only station shall not engage in any automotive repair work." Business and Professions Code Section 9880.1 (e) states: "Repair of motor vehicles means all maintenance of and repairs to motor vehicles performed by an automotive repair dealer (ARD) including automotive repair work." BAR interprets "automotive repair work" as having the same meaning as "repair of motor vehicles."

*This article includes an excerpt regarding oil changes performed at Test-Only stations, from the September 1997 issue of BAR's newsletter. **B:R***

Standards and training update

Smog Check Technician Training for Licensing (Restructure)

As of August 1, 2012, the licensing restructure separates the Smog Check technician license into an Inspector's license and a Repair Technician's license. A technician may apply for either or both licenses; however, the training requirements differ. An individual who applies for an Inspector's license and has limited or no experience will be required to complete BAR's Level 1 (minimum 68 hours) and Level 2 training (minimum 28 hours) at a BAR-certified school. The outlines for these courses were developed specifically for the Inspector license by BAR, but the coursework will be developed by BAR certified instructors. (The previous course referred to as the Basic Clean Air Car Course is no longer available as of August 1, 2012.)

The requirements for a Repair Technician differ in that an applicant in possession of current ASE A6, A8, and L1 may apply directly for the Repair Technician's license. It is worth noting that ASE alternative training will not be acceptable for qualification for a Repair Technician license without additional experience and/or training requirements. Additional information may be found on BAR's Web site: (www.autorepair.ca.gov) or in Section 3340.28 of Title 16 of the California Code of Regulations.

In addition, the BAR Diagnosis and Repair training courses have been replaced with the alternative A6, A8, and L1 courses and will be fully implemented by the end of 2013. We will advise technicians and schools of the new course outline when it becomes available.

Smog Check Technician Update Training

In the past, BAR staff created the technician update training every two years. The class was taught to the BAR-certified instructors by BAR staff and all materials were distributed to the instructors to facilitate teaching to Smog Check technicians.

BAR's Standards and Training unit has created a new paradigm for technician update training. Beginning with update training required for licenses expiring on or after January 1, 2013, all update training will be created by the educational community. BAR certified instructors, employed by BAR-certified schools, will create the training and submit the material to BAR for review and approval. However, BAR will not directly approve the courses. Instead, BAR has contracted certified instructors as subject matter experts (SMEs) who will review all training courses submitted to BAR. If, in their expert opinion, the class contains all the required components and information for a class, then it will be approved. If not, the course may be rejected by the SMEs and resubmitted by the instructor after making any requested

changes. As of August 1, 2012, BAR has approved eight courses, and six are in the approval process.

In addition, unlike previous update courses that were 16 hours in length, the new courses may be four, eight, 12, or 16 hours in duration. The caveat is that the Smog Check licensees must complete a total of 16 hours of update training for license renewal every two years. The benefits of the new training structure are numerous but include the following:

- Technicians may select a topic of their choosing to better improve their weak areas of knowledge.
- The training may be taken in shorter segments to better accommodate the constraints of time.
- Instructors are free to develop training to accommodate all levels of technician expertise.
- The training materials will be updated by schools and instructors to better serve the technicians.
- Schools may have an unlimited number of update training classes.
- Instructors may sell their class materials to other schools and instructors.
- Instructors have the ability to keep their materials up-to-date with the latest technology.

We believe that this new training model will better serve technicians and schools to improve the skill level of all technicians.

Educational Advisory Group

In response to industry requests, BAR's Standards and Training unit recently created a new Educational Advisory Group comprised of five educators, five technicians and/or shop owners, and five BAR staff. This panel is chaired by Rocky Carlisle, BAR AQEII for Standards and Training, and will meet twice per year to discuss issues relative to Smog Check technician training.

Citation Training

With the passage of Assembly Bill 2289, BAR is no longer constrained by the three citation levels previously issued to technicians and shops that violated Smog Check inspection procedures as evidenced through covert audits. Therefore, the Level 1, 2, and 3 citation training classes no longer apply. BAR's Enforcement Division may still use training as one remedy for improper inspection procedures — and to that end, BAR's Standards and Training is working with other units to create a new citation class. **B:R**

BAR receives awards for supporting Guard and Reserve

During an awards ceremony at BAR's headquarters this summer, the Employer Support of the Guard and Reserve (ESGR) Committee, an agency of the Department of Defense, recognized the Bureau of Automotive Repair for demonstrating outstanding support of the men and women of America's reserved fighting forces.

Troy Brimhall, representative of the ESGR, presented the Seven Seals Award to BAR Chief John Wallauch for BAR's patriotism, supportive actions, and commitment to the United States military. Program Managers Wayne Ramos, Jon Bilotta, and Supervising Program Representative Brian Schoenborn were each presented with the Patriot Award for accommodating their employee, USAF (Reserve) Sgt. Juliene Crisostomo by absorbing her work duties and keeping her position vacant while she served two tours of duty in Iraq, which amounted to nearly two years. In addition, BAR co-workers kept in touch with Crisostomo by e-mail and phone to lend their support while she served overseas.

Crisostomo has served 10 years in the military and has worked at BAR since 2008. She submitted the award nomination after



From left to right: PM II Jon Bilotta, PR III Brian Shoenborn, PM II Wayne Ramos, USAF (Reserve) Sgt. Juliene Crisostomo, Chief John Wallauch, and ESGR Outreach Coordinator Troy Brimhall.

receiving e-mails and packages from staff members of the Vehicle Documentation Lab, who she credits for helping her transition to a "normal civilian life" upon her return. **B:R**

The benefits of making that referee referral

Referee Centers are State-contracted vehicle emissions test centers that are authorized to offer specialized inspection services beyond the scope of California's licensed Smog Check Stations. Most of these facilities are located in community colleges throughout the state.

Smog Check stations sometimes forget the benefits they receive when they refer their customers to a referee. Just as the title implies, the referee is there to make those difficult calls regarding specialized vehicles and difficult-to-test vehicles.

Referee Centers also inspect vehicles that have received engine changes, direct import (gray market) vehicles, Specially Constructed Kit cars, and vehicles that need to be verified as exempt from Smog Check requirements such as electric vehicles or vehicles with engines that have two-cylinders or less.

Another benefit is the referee's ability to resolve differences when it comes to disputes between shops. When you refer your customers to the referee, you are offering your customers an objective third party to investigate the issue so that you can get on with your business.

Your customers benefit from your referrals as well. The referee will give your customers the most accurate and precise

information regarding the type of inspection needed for their vehicle.

To make a referee appointment, call (800) 622-7733. Referee Centers are located in the following cities:

- Redding
- Chico
- Sacramento (2 locations)
- Modesto
- Fairfield
- Alameda
- San Bruno
- Livermore
- San Jose
- Santa Rosa
- Fresno
- San Luis Obispo
- Bakersfield
- Santa Barbara
- Oxnard
- Monterey
- Woodland Hills
- Los Angeles
- Whittier
- Torrance
- Victorville
- Rancho Cucamonga
- Fullerton
- Palm Desert
- Huntington Beach
- San Jacinto
- Palm Desert
- San Diego
- El Cajon
- Chula Vista

B:R

Repair-only station license fills marketplace need

According to a recent edition of *Consumer Reports*, most car owners hold on to their vehicles for more than six years, and prefer to have their vehicles serviced by a repair facility that specializes in their make and model vehicle.

Often, the consumer and shop develop a relationship based upon successful service and repair. Over time, the shop becomes familiar with the service history of the vehicle and the consumer trusts the shop with needed services and repairs. The new Smog Check Repair-Only license provides a method for these shops to maintain their relationship with their customers for Smog Check-related repairs. The Repair-Only license also provides new opportunities for shops providing specialty repairs related to Smog Check (such as automatic transmission repairs or diesel engine repairs) to become licensed Smog Check repair facilities as well.

What are the market needs for consumers and Repair-Only Stations?

Advancements in technology have made vehicles more reliable and efficient while at the same time more complex. Repairs now require more in-depth knowledge and more sophisticated equipment than before. This advancement in technology has led the industry toward a more specialized repair market. While there are many good general auto repair shops, keeping pace with advancing technology for all vehicle makes and models under one roof has become more difficult. As a result, many

shops now specialize in a particular vehicle manufacturer or, in some cases, certain types of vehicles (e.g., diesel-powered vehicles). For the most part, these shops focus on repair, and the current Test-and-Repair station license does not fit their business model so they are not Smog Check licensed. For this reason, regular customers of these stations must go elsewhere when their vehicles fail a Smog Check inspection.

How does BAR's Licensing Restructure help resolve these market needs?

BAR's licensing restructure makes it easier for specialty repair facilities that are currently not affiliated with the Smog Check program to become licensed to perform Smog Check repairs. Not only does this give consumers more choices when seeking Smog Check repairs for their vehicles, but it also provides qualified repair technicians a clear and reasonable path toward becoming a licensed Smog Check technician.

An important factor to note is that Repair-Only stations are required to have the same engine diagnostic equipment and repair tools that are required for Test-and-Repair stations, including ignition systems, fuel systems, emission control systems, computer engine controls systems, and other related components for each type of vehicle that they diagnose and repair. Repair-Only stations must also employ at least one Smog Check Repair Technician. **B:R**

BAR implements expanded cite and fine measures

Equipped with new and effective cite and fine enforcement measures, BAR has been able to take a more proactive role in preventing fraud and protecting California consumers from unlicensed and unscrupulous automotive repair practices.

From November 1, 2011, to September 30, 2012, BAR issued 467 citations containing orders of abatement for unlicensed activity. Of the 467 citations, only two individuals failed to comply with the order and therefore received a second citation carrying fines of \$1,000 and \$2,500.

During that same time, BAR issued 778 citations containing orders of abatement for delinquent Auto Repair Dealers (ARDs). Twelve of the delinquent ARDs failed to comply with the order, so they each received a second citation with a monetary fine, ranging from \$500 to \$2,000, based on the severity of the action.

BAR plans to continue its pursuit of educating, seeking compliance, using the cite and fine measures, as well as conducting investigations to ensure consumers are protected, and shops with "bad actors" are not evading consequences for their conduct. **B:R**

Regulatory update and licensing restructure

Regulation packages designed to improve California's Smog Check Program have been underway for the past two years.

Assembly Bill 2289 authorizes BAR to make changes to the program that include: developing alternative Smog Check inspection procedures for 2000 and newer model-year vehicles

and new OBD II inspection system equipment; directing high-polluting vehicles to stations that meet inspection-based performance standards; and issuing citations that may contain orders of abatement and/or administrative fines. Implementation of this bill required the drafting of new regulations to implement these changes.

STAR Program timeline

November 1, 2011	Regulations adopted.
July 2012	Applications accepted for the STAR Program: <ul style="list-style-type: none">• Licensing to conduct enforcement checks between July and November.• Tentative acceptance; deficiency letters sent to applicants.• New STAR scores released.
November 2012	STAR station signs become available. BAR begins final processing of STAR applications. Approval or denial letters will be sent to applicants.
January 1, 2013	Gold Shield Program ends and STAR Program begins.

AB 2289 penalties timeline to date

The AB 2289 penalties regulation broadens BAR's authority to issue citations for violations of California Smog Check laws and regulations. Additionally, it allows BAR to fine stations and technicians up to \$5,000 per incident.

March 2011	Workshops conducted in Northern and Southern California.
October 2011	Regulation package approved by State and Consumer Services Agency; filed with the Office of Administrative Law (OAL).
December 5, 2011	Public hearing held.
March 2012	Rulemaking package filed with OAL.
April 2012	BAR releases modified regulation text for industry's comments to clarify the rulemaking file.
June 2012	Final Statement of Reasons to OAL.
July 2012	OAL adopted rulemaking package.
August 2012	Implementation of citations with new penalties takes effect.

Inspection procedures and new equipment timeline

Summer 2012	Regulation package to State and Consumer Services Agency for review.
Fall 2012	Regulatory hearing and comment period.
Winter 2012	Final Statement of Reasons to OAL for approval.
Early 2013	Regulation adoption anticipated.

Regulatory update *(continued)*

Licensing restructure timeline

The licensing restructure regulatory package is a realignment of the program's licensing requirements with best practices in the automotive repair industry and marketplace. The restructure is designed to give individuals and businesses additional options when seeking licensure in the Smog Check industry.

- | | |
|-------------------------|---|
| February 1, 2012 | Regulations adopted. |
| May 1, 2012 | Repair-Only station application available on BAR's Web site. |
| July 2012 | Repair-Only station sign available. |
| August 1, 2012 | Technician applications under current licensing structure processed up to this date.

Licensing restructure implementation: <ul style="list-style-type: none">• Existing EA and EB licenses remain valid through their normal term. Upon renewal, the licensed individuals will choose the licensing option that meets their needs – Inspector, Repair Technician, or both.• Existing licenses do not need to requalify or take a new State licensing examination.• Inspector, Repair Technician, and Repair-Only station applications become effective. |
| August 2012 | New licensing examinations available. |
| Fall 2012 | Training to support new Inspector and Repair Technician licenses available:

Inspector License: <ul style="list-style-type: none">• Level 1 Engine and Emission Control Fundamentals is required for candidates with little or no experience. Experienced candidates may skip Level 1 Training.• Level 2 Smog Check Inspection Training is required for all Inspector candidates. Repair Technician License: <ul style="list-style-type: none">• The State licensing examination will include questions to test candidate knowledge of the program and consumer rights; no specific BAR training is required for the Repair Technician license.• BAR Specified Training (existing BAR Alternative Training) remains an option for experienced candidates and is one of four Repair Technician qualification options; new training is scheduled to become available in 2013. |

For more information about AB 2289 and the Licensing Restructure and associated regulations, please visit www.autorepair.ca.gov.



Disciplinary actions - Northern California

May 2012

Cisco's Automotive, Laton

Francisco J. Ramirez, Owner

Order: ARD Registration is revoked. (5/31/12)

El Bibul Auto Repair, Farmersville

Guillermo Vasquez Rios, Owner

Order: ARD Registration is revoked. (5/31/12)

Tim Jones Mobile Auto Repair, Redding

Timothy Tyrus Jones, Owner

Order: ARD Registration is issued and immediately revoked, stayed, and placed on probation for three years. Pay BAR \$3,290 for the costs of investigation and enforcement. (5/22/12)

Timothy Tyrus Jones, Redding

Technician

Order: Advanced Emission Specialist Technician license is revoked, stayed, and placed on probation for three years. Pay BAR \$3,290 for the costs of investigation and enforcement. (5/29/12)

Wimberly Mobile Truck Repair, Oroville

Alvin Lee Wimberly, Owner

Order: ARD Registration is revoked, stayed, and placed on probation for three years. Pay BAR \$3,361.79 for costs of investigation and prosecution. (5/29/12)

Mt. Smog Test Only, San Jose

Todd Trung Duong, Owner

Order: ARD and Smog Check Test Only Station licenses revoked. (5/11/12)

Winchester Sibuma Ordonez, Mountain View

Technician

Order: Advanced Emission Specialist Technician license is revoked. Pay BAR \$1,082.50 for cost of investigation and enforcement. (5/10/12)

June 2012

Advanced Smog Center, Fairfield

Kenneth F. Wuori, (a.k.a. Kenneth Floyd Wuori), Owner

Order: ARD and Smog Check Test Only Station licenses are revoked, stayed, suspended for 15 days, and placed on probation for three years. Pay BAR \$3,808 for the costs of investigation and enforcement. (6/28/12)

Kenneth Floyd Wuori, (a.k.a. **Kenneth F. Wuori**), Fairfield Technician

Order: Advanced Emissions Specialists Technician license is revoked, stayed, suspended for 15 days, and placed on probation for three years. Respondent Kenneth Floyd Wuori shall attend and successfully complete a Bureau-certified Licensed Inspector Training course that is equivalent to the Advanced Clean Air Car Course or the Type 2 course within 180 days of the effective date of this decision and order. (6/28/12)

In-N-Out Smog Test Only Center, San Francisco

Maher Yusef Gheith, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked. (6/11/12)

Pedro Garcia Meza, Visalia

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/29/12)

Pete's Stop Gas & Auto Services, San Jose

Son Truong Le, Owner

Order: ARD is revoked, stayed, and placed on probation for three years. Smog Check Station license, Lamp Station license, and Brake Station license are revoked. (6/8/12)

Son Truong Le, San Jose

Technician, Lamp & Brake Adjuster

Order: Advanced Emission Specialist Technician license, Lamp Adjuster license, and Brake Adjuster license are revoked. Pay BAR \$5,900 for cost recovery regarding the investigation and prosecution. (6/8/12)

Union 76 & Smog, Woodland (a.k.a. **Union 76 & U Haul**), Woodland

Norman Oscar Williams, President

Order: ARD and Smog Check Test Only Station licenses are revoked. Pay BAR \$4,464 for costs of investigation and enforcement. (6/18/12)

Christopher T. Wyble, Vacaville

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/26/12)

Disciplinary actions - Southern California

May 2012

AM Smog, Fontana

Hector M. Nunez, Owner

Order: ARD Registration and Smog Check Test Only Station licenses are revoked. Pay BAR \$4,482.18 for cost of investigation and enforcement. (5/10/12)

Hector M. Nunez, Fontana

Technician

Order: Advanced Emission Specialist license is revoked. Pay BAR \$4,842.18 for costs of investigation and enforcement. (5/10/12)

Atlantic Test Only Center, Los Angeles

Alex Sirani, Owner

Order: ARD Registration and Smog Check Test Only Station licenses are revoked. (5/14/12)

ATM Motors, Los Angeles

Jose Angel Torres Medrano, Owner

Order: ARD Registration and Smog Check Station licenses are revoked. Pay BAR \$22,123 for cost of investigation and enforcement. (5/25/12)

EZ Smog Check, San Clemente

Ezat Setayesh, Owner

Order: ARD Registration and Smog Check Test Only Station licenses are revoked, stayed, and suspended for 10 days and placed on probation for three years. Pay BAR \$11,986.96 for cost of investigation and prosecution. (5/25/12)

Magic Smog, Adelanto

Sultan S. Qotami, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked, stayed, and suspended for five days and placed on probation for three years. Pay BAR \$4,628.58 for cost of investigation and enforcement. (5/11/12)

Sultan S. Qotami, Victorville

Technician

Order: Advanced Emission Specialist Technician license is revoked, stayed, and placed on probation for five years. (5/11/12)

Javier Espinoza Parra, South Gate

Technician

Order: Advanced Emission Specialist Technician is revoked. (5/14/12)

United 1 Smog Check, Pasadena

Oscar Barrios, Jr., Owner

Order: ARD Registration and Smog Check Station licenses are revoked. (5/11/12)

XSmog, Inc., San Diego

Tai Tan Ho, Chief Executive Officer, Secretary

Tao Tom Ho, Chief Financial Officer

Order: ARD Registration and Smog Check Test Only Station licenses are revoked, stayed, and suspended for 15 days and placed on probation for three years. Pay BAR \$6,942.45 for cost of investigation and enforcement. (5/11/12)

June 2012

Absolute Test, Van Nuys

Victor Kanevsky, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked. Pay BAR 44,226.30 for costs of investigation and enforcement. (6/11/12)

Victor Kanevsky, Tarzana

Technician

Order: Advanced Emission Specialist Technician is revoked. (6/11/12)

Aloha Smog Test Only Center, Redondo Beach

Sam Bill Samawi, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked, stayed, suspended for 14 days, and placed on probation for three years. Pay BAR \$7,224 for costs of investigation and enforcement. (6/28/12)

Chula Vista Smog, Chula Vista

Patricia Anaya Martin, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked, stayed, suspended for 14 days, and placed on probation for three years. Pay BAR \$4,226.30 for costs of investigation and enforcement. (6/27/12)

El Pareja Smog Check Test Only, Los Angeles

Ramon Elias, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked. (6/25/12)

Roberto A. Cardenas, Gardena

Ramos Elias, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked. (6/25/12)

Disciplinary actions - Southern California *(continued)*

June 2012 *(continued)*

Ronald E. Gary, Canyon Lake

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/29/12)

Hector's Smog Check (Hector's Smog Check, Inc.), Rialto

Maria Irene Trujillo, President

Order: ARD is revoked, stayed, and placed on probation for three years. Pay BAR \$8,000 for the costs of investigation and enforcement. (6/11/12)

Order: Smog Check Test Only Station license is revoked. (6/11/12)

Joaquin Ernesto Meza-Diveni, Perris

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/11/12)

Hector's Smog Check (Hector's Smog Check, Inc.), Ontario

Maria Irene Trujillo, President

Order: ARD is revoked, stayed, and placed on probation for three years. Pay BAR \$8,000 for the costs of investigation and enforcement. (6/11/12)

Order: Smog Check Test Only Station license is revoked. (6/11/12)

Salvador Olmos, Corona

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/11/12)

Linda F. Ingle, Apple Valley

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/26/12)

JP Smog Test Only, Ontario

Jean Pierre Bendezu, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked. (6/29/12)

Jean Pierre Bendezu, La Puente

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/29/12)

Victor Antonio Recendez, Ontario

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/29/12)

Randy's Test Only, Lawndale

Randy Scott Dickey, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked. Pay BAR \$6,170 for costs of investigation and enforcement. (6/18/12)

Smog Central (Smog Central, LLC), San Marcos

John Sidvers, Member

Gail Marie Sidvers, Member

Order: ARD and Smog Check licenses are revoked. Pay BAR \$500 for costs of investigation and enforcement. (6/18/12)

John Sidvers, Carlsbad

Technician

Order: Advanced Emission Specialist Technician license is revoked. (6/18/12)

Test Only Center, Rowland Heights

Leslie Allen Davis, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked. Pay BAR \$3,815.74 for costs of investigation and enforcement. (6/8/12)

VIP Smog Test Only, Pacoima

Erick Eliud Flores, Owner

Order: ARD and Smog Check Test Only Station licenses are revoked. Pay BAR \$2,940 for costs of investigation and enforcement. (6/11/12)

Erick Eliud Flores, Sylmar

Erick Eliud Flores, Owner

Order: Advanced Emission Specialist Technician license is revoked. (6/11/12)

Alexander Herrera Zambrano, Riverside

Technician

Order: Advanced Emission Specialist Technician license is revoked. Pay BAR \$24,725.21 for costs of investigation and enforcement. (6/28/12)

Fall 2012 Newsletter — last printing

In order to reduce costs and save resources, future editions of the BAR's *Automotive Repair and Smog Check News* will not be printed and mailed to Automotive Repair Dealers (ARDs). The *Automotive Repair and Smog Check News* will be a digital only newsletter posted on the Web site at www.autorepair.ca.gov. Special edition newsletters and other information may be printed and distributed on a case-by-case basis.

If you would like to be notified each time the BAR newsletter is posted on the BAR Web site, please complete the form below. You, as well as other interested parties, will receive an e-mail notification when each subsequent newsletter is posted.

If you are a licensed Smog Check technician or a registered Automotive Repair Dealer, you are automatically placed on BAR's mailing list.

You will need to complete the following form to receive any future newsletters:

> **Fax the form to:** (916) 464-3424 Attention: Samantha Lac

OR

> **E-mail the information to:** BAR.mailing.list@dca.ca.gov

OR

> **Mail the form to:** Bureau of Automotive Repair
Attn: Mailing Lists
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This is your last printed issue of the *Automotive Repair and Smog Check News!*

We will no longer be mailing printed copies of BAR's *Automotive Repair and Smog Check News* newsletters. All future issues will be available in digital format only. The newsletter will be posted on the BAR Web site at http://autorepair.ca.gov/70_SiteWideInfo/Library/02_Newsletters.html. Please see page 15 for details.