

**BEFORE THE DIRECTOR  
DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF AUTOMOTIVE REPAIR  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**TULARE SMOG CHECK**  
**JOE L. MAZON,**  
**aka JOE LOUIS MAZON, OWNER**  
2047 E. Tulare Avenue  
Tulare, CA 93275

Automotive Repair Dealer Reg. No. ARD 225833  
Smog Check, Test Only, Station License No.  
TC 225833

and

**JOE LOUIS MAZON**  
P.O. Box 318  
Tulare, CA 93275

Smog Check Inspector License No. EO  
631116 (formerly Advanced Emission Specialist  
Technician License No. EA 631116)

Respondents.

Case No. 79/14-92

OAH No. 2014030775

**DECISION**

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter; except that the following typographical error is corrected as follows:

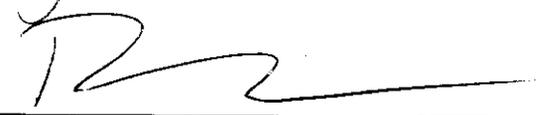
1. Page 3, line 2: The expiration date of "December 31, 2015" is corrected to "December 31, 2016."

This Decision shall become effective

July 16, 2015

DATED:

June 25, 2015

  
\_\_\_\_\_  
TAMARA COLSON  
Assistant General Counsel  
Department of Consumer Affairs

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 GEOFFREY S. ALLEN  
Deputy Attorney General  
4 State Bar No. 193338  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-4455  
Facsimile: (510) 622-2270  
7 E-mail: Geoffrey.Allen@doj.ca.gov  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**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. 79/14-92

13 **TULARE SMOG CHECK**  
**JOE L. MAZON,**  
14 **aka JOE LOUIS MAZON, OWNER**  
**2047 E. Tulare Avenue**  
15 **Tulare, CA 93274**

OAH No. 2014030775

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

16 **Automotive Repair Dealer Reg. No. ARD**  
**225833**  
17 **Smog Check, Test Only, Station License No.**  
**TC 225833**

18 **and**

19 **JOE LOUIS MAZON**  
20 **P.O. Box 318**  
**Tulare, CA 93275**

21 **Smog Check Inspector License No. EO**  
22 **631116 (formerly Advanced Emission**  
23 **Specialist Technician License No. EA**  
**631116)**

24 Respondents.

25 ///

26 ///

27 ///

28

1 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
2 entitled proceedings that the following matters are true:

3 PARTIES

4 1. Patrick Dorais ("Complainant") is the Chief of the Bureau of Automotive Repair. He  
5 brought this action solely in his official capacity and is represented in this matter by Kamala D.  
6 Harris, Attorney General of the State of California, by Geoffrey S. Allen, Deputy Attorney  
7 General.

8 **Tulare Smog Check; Joe L. Mazon aka Joe Louis Mazon, Owner**

9 2. In or about 2003, the Director of Consumer Affairs ("Director") issued Automotive  
10 Repair Dealer Registration Number ARD 225833 ("Registration") to Joe L. Mazon, also known  
11 as Joe Louis Mazon ("Respondent"), owner of Tulare Smog Check. Respondent's Registration  
12 was in full force and effect at all times relevant to the charges brought in Accusation No. 79/14-  
13 92 and will expire on January 31, 2016, unless renewed.

14 3. On or about April 1, 2003, the Director issued Smog Check, Test Only, Station  
15 License Number TC 225833 ("Smog Check Station License") to Respondent. Respondent's  
16 Smog Check Station License was in full force and effect at all times relevant to the charges  
17 brought in Accusation No. 79/14-92 and will expire on January 31, 2016, unless renewed.

18 **Joe L. Mazon aka Joe Louis Mazon**

19 4. On or about June 22, 2009, the Director issued Advanced Emission Specialist  
20 Technician License Number EA 631116 to Respondent. Respondent's advanced emission  
21 specialist technician license was due to expire on December 31, 2012. Pursuant to California  
22 Code of Regulations, title 16, section 3340.28, subdivision (e), the license was renewed, pursuant  
23 to Respondent's election, as Smog Check Inspector License Number EO 631116 ("Inspector  
24 License") effective December 31, 2012.<sup>1</sup> Respondent's Inspector License was in full force and  
25

26 <sup>1</sup> Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28,  
27 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced  
28 Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog  
Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

1 effect at all times relevant to the charges brought in Accusation No. 79/14-92 and will expire on  
2 December 31, 2015, unless renewed.

3 5. Respondent is representing himself in this proceeding and has chosen not to exercise  
4 his right to be represented by counsel.

5 JURISDICTION

6 6. Accusation No. 79/14-92 ("Accusation") was filed before the Director of Consumer  
7 Affairs ("Director"), for the Bureau of Automotive Repair ("Bureau"), and is currently pending  
8 against Respondent. The Accusation and all other statutorily required documents were properly  
9 served on Respondent on February 18, 2014. Respondent timely filed his Notice of Defense  
10 contesting the Accusation.

11 7. A copy of the Accusation is attached as exhibit A and incorporated herein by  
12 reference.

13 ADVISEMENT AND WAIVERS

14 8. Respondent has carefully read, and understands the charges and allegations in the  
15 Accusation. Respondent has also carefully read, and understands the effects of this Stipulated  
16 Settlement and Disciplinary Order.

17 9. Respondent is fully aware of his legal rights in this matter, including the right to a  
18 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
19 his own expense; the right to confront and cross-examine the witnesses against him; the right to  
20 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
21 the attendance of witnesses and the production of documents; the right to reconsideration and  
22 court review of an adverse decision; and all other rights accorded by the California  
23 Administrative Procedure Act and other applicable laws.

24 10. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
25 every right set forth above.

26 CULPABILITY

27 11. Respondent admits the truth of each and every charge and allegation in the  
28 Accusation.



1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 225833;  
3 Smog Check, Test Only, Station License No. TC 225833; and Smog Check Inspector License No.  
4 EO 631116 issued to Respondent are revoked. However, the revocations are stayed and  
5 Respondent is placed on probation for five (5) years on the following terms and conditions.

6 1. **Obey All Laws.** Comply with all statutes, regulations and rules governing  
7 automotive inspections, estimates and repairs.

8 2. **Reporting.** Respondent or Respondent's authorized representative must report in  
9 person or in writing as prescribed by the Bureau, on a schedule set by the Bureau, but no more  
10 frequently than each quarter, on the methods used and success achieved in maintaining  
11 compliance with the terms and conditions of probation.

12 3. **Report Financial Interest.** Within 30 days of the effective date of this action, report  
13 any financial interest which any partners, officers, or owners of the Respondent facility may have  
14 in any other business required to be registered pursuant to Section 9884.6 of the Business and  
15 Professions Code.

16 4. **Random Inspections.** Provide Bureau representatives unrestricted access to inspect  
17 all vehicles (including parts) undergoing repairs, up to and including the point of completion.

18 5. **Jurisdiction.** If an accusation is filed against Respondent during the term of  
19 probation, the Director shall have continuing jurisdiction over this matter until the final decision  
20 on the accusation, and the period of probation shall be extended until such decision.

21 6. **Violation of Probation.** Should the Director of Consumer Affairs determine that  
22 Respondent has failed to comply with the terms and conditions of probation, the Department may,  
23 after giving notice and opportunity to be heard permanently invalidate the Registration and  
24 revoke the Smog Check Station License, and Inspector License.

25 7. **Continuing Education Courses.** During the period of probation, Respondent shall  
26 attend and successfully complete a Bureau-certified Licensed Inspector Training course (level I,  
27 68 hours), applicable to the (EO) Inspector License held by Respondent. This course shall be  
28 completed and proof of completion submitted to the Bureau within 180 days of the effective date

1 of this decision and order. If proof of completion of the course is not furnished to the Bureau  
2 within the 180-day period, Respondent's (EO) Inspector License shall be immediately suspended  
3 until such proof is received.

4       8.    **Restrictions.** During the period of probation, Respondent shall not perform any form  
5 of smog inspection, or emission system diagnosis or repair, until Respondent has purchased,  
6 installed, and maintained the diagnostic and repair equipment prescribed by BAR necessary to  
7 properly perform such work, and BAR has been given 10 days notice of the availability of the  
8 equipment for inspection by a BAR representative.

9       9.    **Cost Recovery.** Payment to the Bureau of the full amount of cost recovery in the  
10 amount of \$12,125.00 shall be received no later than 12 months before probation terminates.  
11 Failure to complete payment of cost recovery within this time frame shall constitute a violation of  
12 probation which may subject Respondent's Registration, Smog Check Station License, and  
13 Inspector License to outright revocation; however, the Director or the Director's Bureau of  
14 Automotive Repair designee may elect to continue probation until such time as reimbursement of  
15 the entire cost recovery amount has been made to the Bureau.

16 ///

17 ///

18 ///

19

20

21

22

23

24

25

26

27

28

ACCEPTANCE

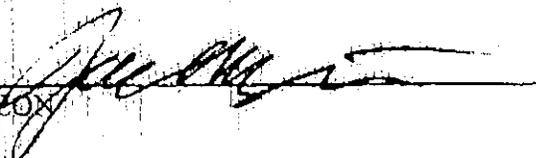
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration; Smog Check, Test Only, Station License; and Smog Check Inspector License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED:

3-18-2015

JOE L. MAZON  
Respondent



ENDORSEMENT

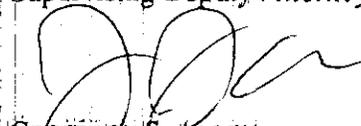
The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Director of Consumer Affairs

Dated:

3/18/15

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General



GEOFFREY S. ALLEN  
Deputy Attorney General  
*Attorneys for Complainant*

SA2013112870  
90492512.doc

**Exhibit A**

**Accusation No. 79/14-92**

1 KAMALA D. HARRIS  
Attorney General of California  
2 KENT D. HARRIS  
Supervising Deputy Attorney General  
3 GEOFFREY S. ALLEN  
Deputy Attorney General  
4 State Bar No. 193338  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5341  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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. 79/14-92

13 **TULARE SMOG CHECK**  
14 **JOE L. MAZON,**  
15 **aka JOE LOUIS MAZON, OWNER**  
16 **2047 E. Tulare Avenue**  
17 **Tulare, CA 93274**

18 **A C C U S A T I O N**  
19 **(Smog Check)**

20 **Automotive Repair Dealer Reg. No. ARD 225833**  
21 **Smog Check, Test Only, Station License No.**  
22 **TC 225833**

23 and

24 **JOE LOUIS MAZON**  
25 **P.O. Box 318**  
26 **Tulare, CA 93275**

27 **Smog Check Inspector License No. EO 631116**  
28 **(formerly Advanced Emission Specialist**  
**Technician License No. EA 631116)**

Respondents.

Complainant alleges:

**PARTIES**

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

///

1           **Tulare Smog Check; Joe L. Mazon aka Joe Louis Mazon, Owner**

2           2.     In or about 2003, the Director of Consumer Affairs (“Director”) issued Automotive  
3     Repair Dealer Registration Number ARD 225833 (“registration”) to Joe L. Mazon, also known as  
4     Joe Louis Mazon (“Respondent”), owner of Tulare Smog Check. Respondent’s registration was  
5     in full force and effect at all times relevant to the charges brought herein and will expire on  
6     January 31, 2014, unless renewed.

7           3.     On or about April 1, 2003, the Director issued Smog Check, Test Only, Station  
8     License Number TC 225833 (“smog check station license”) to Respondent. Respondent’s smog  
9     check station license was in full force and effect at all times relevant to the charges brought herein  
10    and will expire on January 31, 2014, unless renewed.

11           **Joe L. Mazon aka Joe Louis Mazon**

12          4.     On or about June 22, 2009, the Director issued Advanced Emission Specialist  
13    Technician License Number EA 631116 to Respondent. Respondent’s advanced emission  
14    specialist technician license was due to expire on December 31, 2012. Pursuant to California  
15    Code of Regulations, title 16, section 3340.28, subdivision (e), the license was renewed, pursuant  
16    to Respondent’s election, as Smog Check Inspector License Number EO 631116 (“inspector  
17    license”) effective December 31, 2012.<sup>1</sup> Respondent’s inspector license will expire on December  
18    31, 2014, unless renewed.

19                           **JURISDICTION**

20          5.     Business and Professions Code (“Bus. & Prof. Code”) section 9884.7 provides that  
21    the Director may revoke an automotive repair dealer registration.

22          6.     Bus. & Prof. Code section 9884.13 provides, in pertinent part, that the expiration of a  
23    valid registration shall not deprive the Director of jurisdiction to proceed with a disciplinary  
24    proceeding against an automotive repair dealer or to render a decision temporarily or permanently  
25    invalidating (suspending or revoking) a registration

26                   <sup>1</sup> Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28,  
27    3340.29, and 3340.30 were amended to implement a license restructure from the Advanced  
28    Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog  
  Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.



1 12. Bus. & Prof. Code section 22, subdivision (a), states:

2 "Board" as used in any provision of this Code, refers to the board in  
3 which the administration of the provision is vested, and unless otherwise expressly  
4 provided, shall include "bureau," "commission," "committee," "department,"  
5 "division," "examining committee," "program," and "agency."

6 13. Bus. & Prof. Code section 477, subdivision (b), states, in pertinent part, that a  
7 "license" includes "registration" and "certificate."

8 14. Health & Saf. Code section 44072.2 states, in pertinent part:

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

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

15 . . . .

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

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

20 **COST RECOVERY**

21 15. Bus. & Prof. Code section 125.3 provides, in pertinent part, that a Board may request  
22 the administrative law judge to direct a licentiate found to have committed a violation or  
23 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
24 and enforcement of the case.

25 **UNDERCOVER OPERATION: 2000 PONTIAC**

26 16. On June 26, 2013, an undercover operator with the Bureau ("operator") took the  
27 Bureau's 2000 Pontiac to Respondent's facility and requested a smog inspection. The exhaust  
28 tubes and check valves had been removed from the air injection (AIR) system on the Bureau-  
documented vehicle. The operator signed and received a copy of a written estimate for the  
inspection. After the inspection was completed, the operator paid the facility \$41 and received  
copies of an invoice and a vehicle inspection report ("VIR"). The VIR indicated that Respondent

///

1 had performed the smog inspection on the vehicle. That same day, electronic smog Certificate of  
2 Compliance No. [REDACTED] was issued for the vehicle.

3 17. On June 27, 2013, the Bureau inspected the vehicle and found that the AIR system  
4 components were still missing.

5 **FIRST CAUSE FOR DISCIPLINE**

6 **(Untrue or Misleading Statements)**

7 18. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.  
8 Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized a statement which  
9 he knew or in the exercise of reasonable care should have known to be untrue or misleading, as  
10 follows: Respondent certified under penalty of perjury on the VIR that the Bureau's 2000 Pontiac  
11 had passed the inspection and was in compliance with applicable laws and regulations. In fact,  
12 the exhaust tubes and check valves had been removed from the AIR system and as such, the  
13 vehicle would not pass the inspection required by Health & Saf. Code section 44012.

14 **SECOND CAUSE FOR DISCIPLINE**

15 **(Fraud)**

16 19. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.  
17 Code section 9884.7, subdivision (a)(4), in that Respondent committed an act that constitutes  
18 fraud by issuing an electronic smog certificate of compliance for the Bureau's 2000 Pontiac  
19 without performing a bona fide inspection of the emission control devices and systems on the  
20 vehicle, thereby depriving the People of the State of California of the protection afforded by the  
21 Motor Vehicle Inspection Program.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Violations of the Motor Vehicle Inspection Program)**

3 20. Respondent's smog check station license is subject to disciplinary action pursuant to  
4 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with the  
5 following sections of that Code:

6 a. **Section 44012, subdivision (f)**: Respondent failed to perform the visual inspection  
7 of the emission control components on the Bureau's 2000 Pontiac in accordance with procedures  
8 prescribed by the department.

9 b. **Section 44015**: Respondent issued an electronic smog certificate of compliance for  
10 the Bureau's 2000 Pontiac without properly testing and inspecting the vehicle to determine if it  
11 was in compliance with Health & Saf. Code section 44012.

12 **FOURTH CAUSE FOR DISCIPLINE**

13 **(Failure to Comply with Regulations Pursuant**  
14 **to the Motor Vehicle Inspection Program)**

15 21. Respondent's smog check station license is subject to disciplinary action pursuant to  
16 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with  
17 provisions of California Code of Regulations, title 16, as follows:

18 a. **Section 3340.35, subdivision (c)**: Respondent issued an electronic smog certificate  
19 of compliance for the Bureau's 2000 Pontiac even though the vehicle had not been inspected in  
20 accordance with section 3340.42.

21 b. **Section 3340.42**: Respondent failed to conduct the required smog tests on the  
22 Bureau's 2000 Pontiac in accordance with the Bureau's specifications.

23 **FIFTH CAUSE FOR DISCIPLINE**

24 **(Dishonesty, Fraud or Deceit)**

25 22. Respondent's smog check station license is subject to disciplinary action pursuant to  
26 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed a dishonest,  
27 fraudulent, or deceitful act whereby another is injured by issuing an electronic smog certificate of  
28 compliance for the Bureau's 2000 Pontiac without performing a bona fide inspection of the

1 emission control devices and systems on the vehicle, thereby depriving the People of the State of  
2 California of the protection afforded by the Motor Vehicle Inspection Program.

3 **SIXTH CAUSE FOR DISCIPLINE**

4 **(Violations of the Motor Vehicle Inspection Program)**

5 23. Respondent's inspector license is subject to disciplinary action pursuant to Health &  
6 Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with section  
7 44012, subdivision (f), of that Code, as follows: Respondent failed to perform the visual  
8 inspection of the emission control components on the Bureau's 2000 Pontiac in accordance with  
9 procedures prescribed by the department.

10 **SEVENTH CAUSE FOR DISCIPLINE**

11 **(Failure to Comply with Regulations Pursuant**  
12 **to the Motor Vehicle Inspection Program)**

13 24. Respondent's inspector license is subject to disciplinary action pursuant to Health &  
14 Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with provisions  
15 of California Code of Regulations, title 16, as follows:

16 a. **Section 3340.30, subdivision (a)**: Respondent failed to inspect and test the Bureau's  
17 2000 Pontiac in accordance with Health & Saf. Code sections 44012 and 44035, and California  
18 Code of Regulations, title 16, section 3340.42.

19 b. **Section 3340.42**: Respondent failed to conduct the required smog tests on the  
20 Bureau's 2000 Pontiac in accordance with the Bureau's specifications.

21 **EIGHTH CAUSE FOR DISCIPLINE**

22 **(Dishonesty, Fraud or Deceit)**

23 25. Respondent's inspector license is subject to disciplinary action pursuant to Health &  
24 Saf. Code section 44072.2, subdivision (d), in that Respondent committed a dishonest, fraudulent,  
25 or deceitful act whereby another is injured by issuing an electronic smog certificate of compliance  
26 for the Bureau's 2000 Pontiac without performing a bona fide inspection of the emission control  
27 devices and systems on the vehicle, thereby depriving the People of the State of California of the  
28 protection afforded by the Motor Vehicle Inspection Program.

**MATTERS IN AGGRAVATION**

26. To determine the degree of discipline, if any, to be imposed on Respondent, Complainant alleges as follows:

a. On or about October 7, 2010, the Bureau issued Citation No. C2011-0418 against Respondent, in his capacity as owner of Tulare Smog Check, for violations of Health & Saf. Code section 44012, subdivision (f) (failure to determine that emission control devices and systems required by State and Federal law are installed and functioning correctly in accordance with test procedures); and California Code of Regulations, title 16, section (“Regulation”) 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle that was improperly tested). On or about September 22, 2010, Respondent had issued a certificate of compliance to a Bureau undercover vehicle with the ignition timing adjusted beyond specifications. The Bureau assessed civil penalties totaling \$1,500 against Respondent for the violations. Respondent paid the fine on December 13, 2010.

b. On or about February 18, 2011, the Bureau issued Citation No. C2011-0929 against Respondent, in his capacity as owner of Tulare Smog Check, for violations of Health & Saf. Code section 44012, subdivision (f) (failure to determine that emission control devices and systems required by State and Federal law are installed and functioning correctly in accordance with test procedures); and Regulation 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle that was improperly tested). On or about February 2, 2011, Respondent had issued a certificate of compliance to a Bureau undercover vehicle with a non-functional check engine light. The Bureau assessed civil penalties totaling \$1,500 against Respondent for the violations. Respondent paid the fine on April 5, 2011.

c. On or about March 19, 2012, the Bureau issued Citation No. C2012-1234 against Respondent, in his capacity as owner of Tulare Smog Check, for violating Health & Saf. Code section 44012, subdivision (f) (failure to perform a visual/functional check of emission control devices according to procedures prescribed by the department). On or about February 21, 2012, Respondent had issued a certificate of compliance to a Bureau undercover vehicle with a missing

///

1 EGR system. The Bureau assessed civil penalties totaling \$1,500 against Respondent for the  
2 violations. Respondent paid the fine on or about May 7, 2012.

3 d. On or about October 7, 2010, the Bureau issued Citation No. M2011-0419 against  
4 Respondent's technician license for violations of Health & Saf. Code section 44032 (qualified  
5 technicians shall perform tests of emission control systems and devices in accordance with Health  
6 & Saf. Code section 44012); and Regulation 3340.30, subdivision (a) (qualified technicians shall  
7 inspect, test and repair vehicles in accordance with Health & Saf. Code sections 44012 and 44035  
8 and Regulation 3340.42). On or about September 22, 2010, Respondent had issued a certificate  
9 of compliance to a Bureau undercover vehicle with the ignition timing adjusted beyond  
10 specifications. Respondent was directed to complete an 8 hour training course and to submit  
11 proof of completion to the Bureau within 30 days from receipt of the citation. Respondent  
12 completed the training on December 12, 2010.

13 e. On or about February 18, 2011, the Bureau issued Citation No. M2011-0930 against  
14 Respondent's technician license for violations of Health & Saf. Code section 44032 (qualified  
15 technicians shall perform tests of emission control systems and devices in accordance with Health  
16 & Saf. Code section 44012); and Regulation 3340.30, subdivision (a) (qualified technicians shall  
17 inspect, test and repair vehicles in accordance with Health & Saf. Code sections 44012 and 44035  
18 and Regulation 3340.42). On or about February 2, 2011, Respondent had issued a certificate of  
19 compliance to a Bureau undercover vehicle with a non-functional check engine light. Respondent  
20 was directed to complete a 16 hour training course and to submit proof of completion to the  
21 Bureau within 30 days from receipt of the citation. Respondent completed the training on May  
22 25, 2011.

23 f. On or about March 19, 2012, the Bureau issued Citation No. M2012-1235 against  
24 Respondent's technician license for violating Health & Saf. Code section 44032 (qualified  
25 technicians shall perform tests of emission control systems and devices in accordance with Health  
26 & Saf. Code section 44012). On or about February 21, 2012, Respondent had issued a certificate  
27 of compliance to a Bureau undercover vehicle with a missing EGR system. Respondent was

28 ///

1 directed to complete a 68 hour training course and to submit proof of completion to the Bureau  
2 within 30 days from receipt of the citation. Respondent completed the training on June 25, 2012.

3 **OTHER MATTERS**

4 27. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may  
5 suspend, revoke or place on probation the registration for all places of business operated in this  
6 state by Respondent Joe L. Mazon, also known as Joe Louis Mazon, owner of Tulare Smog  
7 Check, upon a finding that Respondent has, or is, engaged in a course of repeated and willful  
8 violations of the laws and regulations pertaining to an automotive repair dealer.

9 28. Pursuant to Health & Saf. Code section 44072.8, if Smog Check, Test Only, Station  
10 License Number TC 225833, issued to Respondent Joe L. Mazon, also known as Joe Louis  
11 Mazon, owner of Tulare Smog Check, is revoked or suspended, any additional license issued  
12 under this chapter in the name of said licensee may be likewise revoked or suspended by the  
13 Director.

14 29. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License  
15 Number EO 631116, issued to Respondent Joe Louis Mazon, also known as Joe L. Mazon, is  
16 revoked or suspended, any additional license issued under this chapter in the name of said  
17 licensee may be likewise revoked or suspended by the Director.

18 **PRAYER**

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

21 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD  
22 225833, issued to Joe L. Mazon, also known as Joe Louis Mazon, owner of Tulare Smog Check;

23 2. Revoking or suspending any other automotive repair dealer registration issued to Joe  
24 L. Mazon, also known as Joe Louis Mazon;

25 3. Revoking or suspending Smog Check, Test Only, Station License Number TC  
26 225833, issued to Joe L. Mazon, also known as Joe Louis Mazon, owner of Tulare Smog Check;

27 4. Revoking or suspending Smog Check Inspector License Number EO 631116, issued  
28 to Joe Louis Mazon, also known as Joe L. Mazon;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

5. Revoking or suspending any additional license issued under Chapter 5 of the Health and Safety Code in the name of Joe L. Mazon, also known as Joe Louis Mazon;

6. Ordering Joe L. Mazon, also known as Joe Louis Mazon, individually, and as owner of Tulare Smog Check, to pay the Director of Consumer Affairs the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

7. Taking such other and further action as deemed necessary and proper.

DATED: January 28, 2014

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

SA2013112870