

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 THOMAS L. RINALDI
Deputy Attorney General
4 State Bar No. 206911
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2541
6 Facsimile: (213) 897-2804
Attorneys for Complainant

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

<p>11 In the Matter of the Accusation Against:</p> <p>12 WEST COAST SMOG 2643 Crenshaw Blvd 13 Los Angeles, CA 90016 ROBERT RUVALCABA, OWNER 14 Automotive Repair Dealer Registration No. ARD 241213 15 Smog Check Test Only Station License No. TC 241213</p> <p>16 and</p> <p>17 FREDERICK E. QUINTERO 18 1306 West 60th Street Los Angeles, CA 90044 19 Advanced Emission Specialist Technician License No. EA 630221</p> <p>20 Respondents.</p>	<p>Case No. 79/11-57</p> <p>A C C U S A T I O N</p> <p>S M O G C H E C K</p>
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22 Complainant alleges:

23 **PARTIES**

24 1. Sherry Mehl ("Complainant") brings this Accusation solely in her official capacity as
25 the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.

26 **Automotive Repair Dealer Registration**

27 2. On or about November 30, 2005, the Bureau issued Automotive Repair Dealer
28 Registration Number ARD 241213 ("registration") to Robert Ruvalcaba ("Respondent West

1 Coast”) doing business as West Coast Smog. The registration was in full force and effect at all
2 times relevant to the charges brought herein and expired on August 31, 2010.

3 **Smog Check Test Only Station License**

4 3. On or about December 22, 2005, the Bureau issued Smog Check Test Only Station
5 License Number TC 241213 (“station license”) to Respondent West Coast. The station license
6 was in full force and effect at all times relevant to the charges brought herein and expired on
7 August 31, 2010.

8 **Advanced Emission Specialist Technician License**

9 4. On or about May 22, 2008, the Bureau issued Advanced Emission Specialist
10 Technician License Number EA 630221 (“technician license”) to Frederick E. Quintero
11 (“Respondent Quintero”). The technician license was in full force and effect at all times relevant
12 to the charges brought herein and will expire on December 31, 2011, unless renewed.

13 **STATUTORY PROVISIONS**

14 5. Section 9884.7 of the Business and Professions Code (“Code”) states, in pertinent
15 part:

16 (a) The director, where the automotive repair dealer cannot show there
17 was a bona fide error, may refuse to validate, or may invalidate temporarily or
18 permanently, the registration of an automotive repair dealer for any of the following
19 acts or omissions related to the conduct of the business of the automotive repair
20 dealer, which are done by the automotive repair dealer or any automotive technician,
21 employee, partner, officer, or member of the automotive repair dealer.

22 (1) Making or authorizing in any manner or by any means whatever any
23 statement written or oral which is untrue or misleading, and which is known, or which
24 by the exercise of reasonable care should be known, to be untrue or misleading.

25 (4) Any other conduct which constitutes fraud.

26 (b) Except as provided for in subdivision (c), if an automotive repair
27 dealer operates more than one place of business in this state, the director pursuant to
28 subdivision (a) shall only invalidate temporarily or permanently the registration of the
specific place of business which has violated any of the provisions of this chapter.
This violation, or action by the director, shall not affect in any manner the right of the
automotive repair dealer to operate his or her other places of business.

(c) Notwithstanding subdivision (b), the director may invalidate temporarily or permanently, the registration for all places of business operated in this state by an automotive repair dealer upon a finding that the automotive repair dealer has, or is, engaged in a course of repeated and willful violations of this chapter, or regulations adopted pursuant to it.

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

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

9 8. Section 44002 of the Health and Safety Code provides, in pertinent part, that the
10 Director has all the powers and authority granted under the Automotive Repair Act for enforcing
11 the Motor Vehicle Inspection Program.

12 9. Section 44072.2 of the Health and Safety Code states, in pertinent part:

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

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

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

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

20 10. Section 44072.6 of the Health and Safety Code provides, in pertinent part, that the
21 expiration or suspension of a license by operation of law, or by order or decision of the Director
22 of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive
23 the Director of jurisdiction to proceed with disciplinary action.

24 11. Section 44072.8 of the Health and Safety Code states:

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

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1 **COST RECOVERY**

2 12. 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.

6 **SURVEILLANCE OPERATION – MARCH 22, 2010**

7 13. On or about March 22, 2010, the Bureau performed a video-taped surveillance at
8 Respondent West Coast's facility. The surveillance operation and information obtained from the
9 Bureau's Vehicle Information Database ("VID") revealed that between 1134 hours and 1202
10 hours, Respondent Quintero, with the assistance of Doe 1, performed a smog inspection that
11 resulted in the issuance of electronic Certificate of Compliance No. WH919130C for a 1992
12 Honda Accord, certifying that he had tested and inspected that vehicle and that the vehicle was in
13 compliance with applicable laws and regulations. In fact, Respondent Quintero performed the
14 smog inspection using the clean piping method¹ by using the tail pipe emissions of a vehicle other
15 than the vehicle being certified in order to issue the electronic certificate of compliance.

16 14. On the same day, between 1313 hours and 1319 hours, the surveillance operation
17 further revealed that Respondent Quintero, with the assistance of Doe 2 and Doe 3, performed the
18 inspection of a 1987 Toyota Corolla. Respondent Quintero performed the inspection using the
19 clean piping method by using the tail pipe emissions of a 2000 Mitsubishi. The test was aborted
20 and no certificate of compliance was issued to the 1987 Toyota Corolla.

21 **FIRST CAUSE FOR DISCIPLINE**

22 **(Misleading Statements)**

23 15. Respondent West Coast has subjected his registration to discipline under Code
24 section 9884.7, subdivision (a)(1), in that on or about March 22, 2010, he made statements which
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26 ¹ "Clean piping" is sampling the (clean) tailpipe emissions and/or the RPM readings of
27 another vehicle for the purpose of illegally issuing smog certifications to vehicles that are not in
28 compliance or are not present in the smog check area during the time of the certification.

1 he knew or which by exercise of reasonable care he should have known were untrue or
2 misleading when he issued electronic Certificate of Compliance No. WH919130C for the 1992
3 Honda Accord, certifying that the vehicle was in compliance with applicable laws and regulations
4 when, in fact, the vehicle had been clean piped.

5 **SECOND CAUSE FOR DISCIPLINE**

6 **(Fraud)**

7 16. Respondent West Coast has subjected his registration to discipline under Code
8 section 9884.7, subdivision (a)(4), in that on or about March 22, 2010, he committed acts which
9 constitute fraud by issuing electronic Certificate of Compliance No. WH919130C for the 1992
10 Honda Accord without performing a bona fide inspection of the emission control devices and
11 systems on that vehicle, thereby depriving the People of the State of California of the protection
12 afforded by the Motor Vehicle Inspection Program.

13 **THIRD CAUSE FOR DISCIPLINE**

14 **(Violation of the Motor Vehicle Inspection Program)**

15 17. Respondent West Coast has subjected his station license to discipline under Health
16 and Safety Code section 44072.2, subdivision (a), in that on or about March 22, 2010, he violated
17 sections of that Code, as follows:

18 a. **Section 44012, subdivision (a):** Respondent West Coast failed to determine that all
19 emission control devices and systems required by law were installed and functioning correctly in
20 accordance with test procedures regarding the 1992 Honda Accord and 1987 Toyota Corolla.

21 b. **Section 44012, subdivision (f):** Respondent West Coast failed to perform emission
22 control tests on those vehicles in accordance with procedures prescribed by the department
23 regarding the 1992 Honda Accord and 1987 Toyota Corolla.

24 c. **Section 44015, subdivision (b):** Respondent West Coast issued electronic Certificate
25 of Compliance No. WH919130C, for the 1992 Honda Accord, without properly testing and
26 inspecting that vehicle to determine if it was in compliance with section 44012 of that Code.

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1 d. **Section 44059:** Respondent West Coast willfully made false entries for electronic
2 Certificate of Compliance No. WH919130C, for the 1992 Honda Accord, certifying that the
3 vehicle had been inspected as required when, in fact, it had not.

4 **FOURTH CAUSE FOR DISCIPLINE**

5 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)**

6 18. Respondent West Coast has subjected his station license to discipline under Health
7 and Safety Code section 44072.2, subdivision (c), in that on or about March 22, 2010, he violated
8 sections of the California Code of Regulations, title 16, as follows:

9 a. **Section 3340.24, subdivision (c):** Respondent West Coast falsely or fraudulently
10 issued electronic Certificate of Compliance No. WH919130C for the 1992 Honda Accord without
11 performing a bona fide inspection of the emission control devices and systems on that vehicle as
12 required by Health and Safety Code section 44012.

13 b. **Section 3340.35, subdivision (c):** Respondent West Coast issued electronic
14 Certificate of Compliance No. WH919130C for the 1992 Honda Accord even though that vehicle
15 had not been inspected in accordance with section 3340.42 of that Code.

16 c. **Section 3340.42:** Respondent West Coast failed to conduct the required smog tests
17 and inspections on the 1992 Honda Accord and 1987 Toyota Corolla in accordance with the
18 Bureau's specifications.

19 **FIFTH CAUSE FOR DISCIPLINE**

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

21 19. Respondent West Coast subjected his station license to discipline under Health and
22 Safety Code section 44072.2, subdivision (d), in that on or about March 22, 2010, regarding the
23 1992 Honda Accord, he committed acts involving dishonesty, fraud or deceit whereby another
24 was injured by issuing electronic Certificate of Compliance No. WH919130C without performing
25 a bona fide inspection of the emission control devices and system on that vehicle, thereby
26 depriving the People of the State of California of the protection afforded by the Motor Vehicle
27 Inspection Program.

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1 SIXTH CAUSE FOR DISCIPLINE

2 (Violations of the Motor Vehicle Inspection Program)

3 20. Respondent Quintero has subjected his technician license to discipline under Health
4 and Safety Code section 44072.2, subdivision (a), in that on or about March 22, 2010, regarding
5 the 1992 Honda Accord and 1987 Toyota Corolla, he violated sections of that Code, as follows:

6 a. **Section 44012, subdivision (a):** Respondent Quintero failed to determine that all
7 emission control devices and systems required by law were installed and functioning correctly in
8 accordance with test procedures.

9 b. **Section 44012, subdivision (f):** Respondent Quintero failed to perform emission
10 control tests on those vehicles in accordance with procedures prescribed by the department.

11 c. **Section 44032:** Respondent Quintero failed to perform tests of the emission control
12 devices and systems on the 1992 Honda Accord and the 1987 Toyota Corolla in accordance with
13 section 44012 of that Code.

14 d. **Section 44059:** Respondent Quintero willfully made false entries for electronic
15 Certificate of Compliance No. WH919130C, certifying that that vehicle had been inspected as
16 required when, in fact, it had not.

17 SEVENTH CAUSE FOR DISCIPLINE

18 (Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)

19 21. Respondent Quintero has subjected his technician license to discipline under Health
20 and Safety Code section 44072.2, subdivision (c), in that on or about March 22, 2010, he violated
21 sections of the California Code of Regulations, title 16, as follows:

22 a. **Section 3340.24, subdivision (c):** Respondent Quintero falsely or fraudulently issued
23 electronic Certificate of Compliance No. WH919130C for the 1992 Honda Accord without
24 performing a bona fide inspection of the emission control devices and systems on that vehicle as
25 required by Health and Safety Code section 44012.

26 b. **Section 3340.30, subdivision (a):** Respondent Quintero failed to inspect and test the
27 1992 Honda Accord and 1987 Toyota Corolla in accordance with Health and Safety Code section
28 44012.

1 c. **Section 3340.41, subdivision (c):** Respondent Quintero entered false information
2 into the Emission Inspection System (“EIS”) for electronic Certificate of Compliance No.
3 WH919130C by entering vehicle information or emissions control information for a vehicle other
4 than the 1992 Honda Accord actually being certified.

5 d. **Section 3340.42:** Respondent Quintero failed to conduct the required smog tests and
6 inspections on the 1992 Honda Accord and 1987 Toyota Corolla in accordance with the Bureau’s
7 specifications.

8 **EIGHTH CAUSE FOR DISCIPLINE**

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

10 22. Respondent Quintero has subjected his technician license to discipline under Health
11 and Safety Code section 44072.2, subdivision (d), in that on or about March 22, 2010, he
12 committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing
13 electronic Certificate of Compliance No. WH919130C for the 1992 Honda Accord without
14 performing a bona fide inspection of the emission control devices and systems on that vehicle,
15 thereby depriving the People of the State of California of the protection afforded by the Motor
16 Vehicle Inspection Program.

17 **FACTUAL BACKGROUND**

18 23. On or about April 12, 2010, the Bureau conducted a detailed review of the VID for
19 all smog inspections performed at Respondent West Coast’s facility for the period January 12,
20 2010, through April 12, 2010. The VID showed a pattern of two different diagnostic trouble
21 codes stored in memory of the power train control module (“PCM”) on ten different vehicles.
22 Vehicles 1 through 10, set forth in Table 1, below, were all certified using one or the other of the
23 two pending codes stored in the PCM memory while the original equipment manufacturer
24 (“OEM”) service information shows these vehicles do not support the pending codes stored in the
25 PCM memory. The vehicles receiving smog certificates were not tested during the OBD II
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1 functional test² and other vehicles were used constituting clean plugging³. All of the following
2 inspections were performed by Respondent Quintero.

3 **TABLE 1**

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Date & Time of Inspection	Vehicle Certified & License No.	Certificate No.
5 1. 4/3/2010 1926 – 1937 hours	1996 Mercury Sable, License No. 121036W	WJ142902C
6 2. 4/3/2010 1855 – 1909 hours	2000 Chevrolet Tahoe, License No. 4LEM330	WJ142901C
7 3. 4/3/2010 1813 – 1825 hours	1997 Dodge Caravan, License No. 3UUZ666	WJ097099C
8 4. 4/3/2010 1441 – 1454 hours	1997 Nissan Altima, License No. 5EYB819	WJ097093C
9 5. 4/3/2010 1249 – 1301 hours	1997 Toyota RAV4, License No. 4NBC166	WJ097092C
10 6. 4/3/2010 1234 – 1246 hours	2001 Hyundai Santa Fe, License No. 4SFK504	WJ097091C
11 7. 4/2/2010 1311 – 1323 hours	2002 Lincoln LS, License No. 4XGG473	WJ097074C
12 8. 4/1/2010 1702 – 1713 hours	1996 Plymouth Voyager, License No. 4JMU230	WJ097063C
13 9. 3/30/2010 1655 – 1718 hours	1998 Chevrolet C3500, License No. 5S30444	WJ043772C
14 10. 1/18/2010 1725 – 1746 hours	1998 Lincoln Navigator, License No. 5ABD616	NQ398324C

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16 **TENTH CAUSE FOR DISCIPLINE**

17 **(Misleading Statements)**

18 24. Respondent West Coast has subjected his registration to discipline under Code
19 section 9884.7, subdivision (a)(1), in that on or about January 18, 2010, through April 3, 2010, he
20 made statements which he knew or which by exercise of reasonable care he should have known
21 were untrue or misleading as follows: Respondent certified that vehicles 1 through 10, identified

22 ² The On Board Diagnostics (OBD II) functional test is an automated function of the
23 BAR-97 analyzer. During the OBD II functional test, the technician is required to connect an
24 interface cable from the BAR-97 analyzer to a Diagnostic Link Connector (DLC) which is
25 located inside the vehicle. Through the DLC, the BAR-97 analyzer automatically retrieves
information from the vehicle's on-board computer about the status of the readiness indicators,
trouble codes, and the MIL (malfunction indicator light). If the vehicle fails the OBD II
functional test, it will fail the overall inspection.

26 ³ Clean plugging is the use of the OBD II readiness monitor status and stored fault code
27 (trouble code) status of a passing vehicle for the purpose of illegally issuing a smog certificate to
28 another vehicle that is not in compliance due to a failure to complete the minimum number of self
tests, known as monitors, or due to the presence of a stored fault code that indicates an emission
control system or component failure.

1 in Table 1, above, had passed inspection and were in compliance with applicable laws and
2 regulations. In fact, Respondent conducted the inspections on those vehicles using clean plugging
3 methods by substituting or using different vehicles during the OBD II functional tests in order to
4 issue smog certificates of compliance for the 10 vehicles, and did not test or inspect those
5 vehicles as required by Health and Safety Code section 44012.

6 **ELEVENTH CAUSE FOR DISCIPLINE**

7 **(Fraud)**

8 25. Respondent West Coast has subjected his registration to discipline under Code
9 section 9884.7, subdivision (a)(4), in that on or about January 18, 2010, through April 3, 2010, he
10 committed acts which constitute fraud by issuing electronic certificates of compliance for
11 vehicles 1 through 10, identified in Table 1, above, without performing bona fide inspections of
12 the emission control devices and systems on those vehicles, thereby depriving the People of the
13 State of California of the protection afforded by the Motor Vehicle Inspection Program.

14 **TWELFTH CAUSE FOR DISCIPLINE**

15 **(Violation of the Motor Vehicle Inspection Program)**

16 26. Respondent West Coast has subjected his station license to discipline under Health
17 and Safety Code section 44072.2, subdivision (a), in that on or about January 18, 2010, through
18 April 3, 2010, regarding vehicles 1 through 10, identified in Table 1, above, he violated sections
19 of that Code, as follows:

20 a. **Section 44012:** Respondent West Coast failed to ensure that the emission control
21 tests were performed on those vehicles in accordance with procedures prescribed by the
22 department.

23 b. **Section 44015:** Respondent West Coast issued electronic certificates of compliance
24 for vehicles 1 through 10, without ensuring that the vehicles were properly tested and inspected to
25 determine if they were in compliance with Health and Safety Code section 44012.

26 a. **Section 44059:** Respondent West Coast willfully made false entries for the electronic
27 certificates of compliance by certifying that those vehicles had been inspected as required when,
28 in fact, they had not.

1 THIRTEENTH CAUSE FOR DISCIPLINE

2 (Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)

3 27. Respondent West Coast has subjected his station license to discipline under Health
4 and Safety Code section 44072.2, subdivision (c), in that on or about January 18, 2010, through
5 April 3, 2010, regarding vehicles 1 through 10, identified in Table 1, above, he violated sections
6 of the California Code of Regulations, title 16, as follows:

7 a. **Section 3340.24, subdivision (c):** Respondent West Coast falsely or fraudulently
8 issued electronic certificates of compliance for those vehicles without performing bona fide
9 inspections of the emission control devices and systems on the vehicles as required by Health and
10 Safety Code section 44012.

11 b. **Section 3340.35, subdivision (c):** Respondent West Coast issued electronic
12 certificates of compliance even though those vehicles had not been inspected in accordance with
13 section 3340.42 of that Code.

14 c. **Section 3340.42:** Respondent West Coast failed to conduct the required smog tests
15 and inspections on those vehicles in accordance with the Bureau's specifications.

16 FOURTEENTH CAUSE FOR DISCIPLINE

17 (Dishonesty, Fraud or Deceit)

18 28. Respondent West Coast has subjected his station license to discipline under Health
19 and Safety Code section 44072.2, subdivision (d), in that on or about January 18, 2010, through
20 April 3, 2010, regarding vehicles 1 through 10, identified in Table 1, above, he committed acts
21 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic
22 certificates of compliance for those vehicles without performing bona fide inspections of the
23 emission control devices and system on the vehicles, thereby depriving the People of the State of
24 California of the protection afforded by the Motor Vehicle Inspection Program.

25 FIFTEENTH CAUSE FOR DISCIPLINE

26 (Violations of the Motor Vehicle Inspection Program)

27 29. Respondent Quintero has subjected his technician license to discipline under Health
28 and Safety Code section 44072.2, subdivision (a), in that on or about, January 18, 2010, through

1 April 3, 2010, regarding vehicles 1 through 10, identified in Table 1, above, Respondent failed to
2 comply with section 44012 of that Code in a material respect, as follows: Respondent failed to
3 perform the emission control tests on vehicles 1 through 10, in accordance with procedures
4 prescribed by the department.

5 **FIFTEENTH CAUSE FOR DISCIPLINE**

6 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)**

7 30. Respondent has subjected his technician license to discipline under Health and Safety
8 Code section 44072.2, subdivision (c), in that on or about January 18, 2010, through April 3,
9 2010, regarding vehicles 1 through 10, identified in Table 1, above, he violated sections of the
10 California Code of Regulations, title 16, as follows:

11 a. **Section 3340.24, subdivision (c):** Respondent Quintero falsely or fraudulently issued
12 electronic certificates of compliance without performing bona fide inspections of the emission
13 control devices and systems on those vehicles as required by Health and Safety Code section
14 44012.

15 b. **Section 3340.30, subdivision (a):** Respondent Quintero failed to inspect and test
16 those vehicles in accordance with Health and Safety Code section 44012.

17 c. **Section 3340.42:** Respondent Quintero failed to conduct the required smog tests and
18 inspections on those vehicles in accordance with the Bureau's specifications.

19 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

21 31. Respondent Quintero has subjected his technician license to discipline under Health
22 and Safety Code section 44072.2, subdivision (d), in that on or about January 18, 2010, through
23 April 3, 2010, regarding vehicles 1 through 10, identified in Table 1, above, he committed acts
24 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic
25 certificates of compliance without performing bona fide inspections of the emission control
26 devices and systems on those vehicles, thereby depriving the People of the State of California of
27 the protection afforded by the Motor Vehicle Inspection Program.

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1 **PRIOR CITATIONS**

2 32. To determine the degree of penalty, if any, to be imposed upon Respondent,
3 Complainant alleges as follows:

4 a. On October 22, 2008, the Bureau issued Citation No. C09-0420 to Respondent West
5 Coast against his registration and station licenses for violations of Health and Safety Code section
6 44012, subdivision (f) (failure to perform a visual/functional check of emission control devices)
7 and California Code of Regulations, title 16, ("Regulation"), section 3340.35, subdivision (c)
8 (issuing a certificate of compliance to a vehicle improperly tested). Respondent West Coast
9 issued a certificate of compliance to a Bureau vehicle with a missing air system. The Bureau
10 assessed a civil penalty of \$500. Respondent West Coast complied with this citation on
11 December 5, 2008.

12 b. On February 10, 2009, the Bureau issued Citation No. C09-0907 to Respondent West
13 Coast against his registration and station licenses for violations of Health and Safety Code section
14 44012, subdivision (f) (failure to perform a visual/functional check of emission control devices)
15 and Regulation, section 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle
16 improperly tested). Respondent West Coast issued a certificate of compliance to a Bureau vehicle
17 with a missing PCV system. The Bureau assessed a civil penalty of \$1,000. Respondent West
18 Coast complied with this citation on March 19, 2009.

19 **OTHER MATTERS**

20 33. Under Code section 9884.7, subdivision (c), the director may invalidate temporarily
21 or permanently or refuse to validate, the registrations for all places of business operated in this
22 state by Robert Ruvalcaba doing business as West Coast Smog, upon a finding that he has, or is,
23 engaged in a course of repeated and willful violations of the laws and regulations pertaining to an
24 automotive repair dealer.

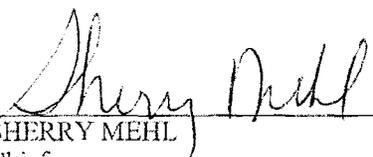
25 34. Under Health and Safety Code section 44072.8, if Smog Check Test Only Station
26 License Number TC 241213, issued to Robert Ruvalcaba doing business as West Coast Smog, is
27 revoked or suspended, any additional license issued under this chapter in the name of said
28 licensee may be likewise revoked or suspended by the director.

1 7. Ordering Robert Ruvalcaba and Frederick E. Quintero to pay the Bureau of
2 Automotive Repair the reasonable costs of the investigation and enforcement of this case,
3 pursuant to Business and Professions Code section 125.3; and,

4 8. Taking such other and further action as deemed necessary and proper.

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DATED: 1/31/11


SHERRY MEHL
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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