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

11
12 In the Matter of the Accusation Against:

Case No. 79/12-119

13 **NIGEL EDWARD WRIGHT**
41608 Valor Dr.
14 Murrieta, CA 92562
Advanced Emission Specialist Technician
15 License No. EA632610

A C C U S A T I O N
S M O G C H E C K

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

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

22 **Advanced Emission Specialist Technician License**

23 2. On or about October 20, 2010, the Bureau issued Advanced Emission Specialist
24 Technician License Number EA632610 ("technician license") to Nigel Edward Wright,
25 ("Respondent"). On July 19, 2011, the technician license was suspended and will expire on
26 September 30, 2012.

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1 **CAUSE FOR DISCIPLINE**

2 **(Failure to Complete Training)**

3 9. Respondent has subjected his technician license to discipline pursuant to Health and
4 Safety Code section 44050, subdivision (e), in that on or about March 18, 2011, the Bureau issued
5 Citation No. M2011-1096 to Respondent against his technician license for violations of Health
6 and Safety Code section 44032, (qualified technicians shall perform tests of emission control
7 systems and devices in accordance with section 44012 of that Code) and California Code of
8 Regulations, title 16, ("Regulation") section 3340.30, subdivision (a) (qualified technicians shall
9 inspect, test, and repair vehicles in accordance with sections 44012 and 44035 of the Health and
10 Safety Code, and Regulation section 3340.42). On April 5, 2011, the Bureau served Respondent
11 with the citation. The Bureau required that Respondent complete an 8-hour training course.
12 However, Respondent did not appeal the citation within thirty (30) days of service of the citation
13 nor has Respondent completed the required training.

14 **OTHER MATTERS**

15 10. Under Health and Safety Code section 44072.8, if Advanced Emission Specialist
16 Technician License Number EA 632610, issued to Nigel Edward Wright, is revoked or
17 suspended, any additional license issued under this chapter in the name of said licensee may be
18 likewise revoked or suspended by the director.

19 **PRAYER**

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

22 1. Revoking or suspending Advanced Emission Specialist Technician License Number
23 EA 632610, issued to Nigel Edward Wright;

24 2. Revoking or suspending any additional license issued under Chapter 5 of the Health
25 and Safety Code in the name of Nigel Edward Wright;

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3. Ordering Nigel Edward Wright to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

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

DATED: April 17, 2012



JOHN WALLAUCH
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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