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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. 79/20-11381

13 **EDGAR REGALADO, OWNER, T & R**
AUTOMOTIVE REPAIR
14 **1617 S. Main Street,**
Santa Ana, CA 92707

ACCUSATION

15 **Automotive Repair Dealer Registration No.**
16 **ARD 203264**
Smog Check Station License No. RC 203264,

17 **EDGAR ROLANDO REGALADO**
18 **609 W. Bell Avenue**
Santa Ana, CA 92707

19 **Smog Check Inspector License No. EO**
20 **315180**
Smog Check Repair Technician License No.
21 **EI 315180**

22 **and**

23 **ROLANDO EDGAR REGALADO**
TURCIOS
24 **1617 S. Main Street,**
Santa Ana, CA 92707

25 **Smog Check Inspector License Number EO**
26 **639995**

27 Respondents.
28

PARTIES

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

2. In or about 1999, the Bureau of Automotive Repair issued Automotive Repair Dealer Registration Number ARD 203264 to Edgar Regalado, owner, T&R Automotive Repair; (Respondent). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2022, unless renewed.

3. On or about March 11, 1999, the Bureau of Automotive Repair issued Smog Check Station License Number RC 203264 to Edgar Regalado, owner, T&R Automotive Repair; (Respondent). The Smog Check Station License was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2022, unless renewed.

4. On or about February 17, 2017, the Bureau of Automotive Repair issued a STAR Station Certification to T&R Automotive Repair.

5. On or about August 22, 2013, the Bureau of Automotive Repair issued Smog Check Inspector License Number EO 315180 to Edgar Rolando Regalado; (Regalado). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2021, unless renewed.

6. On or about August 22, 2013, the Bureau of Automotive Repair issued Smog Check Repair Technician License Number EI 315180 to Edgar Rolando Regalado. The Smog Check Repair Technician License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2021, unless renewed.

7. On or about January 27, 2017, the Bureau of Automotive Repair issued Smog Check Inspector License Number EO 639995 to Rolando Edgar Regalado Turcios (Turcios). The Smog Check Inspector License will expire on October 31, 2022, unless renewed.

JURISDICTION

8. This Accusation is brought before the Director of the Department of Consumer Affairs ("Director") for the Bureau, under the authority of the following laws.

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9. Section 9884.7 of the Business and Professions Code¹ provides that the Director may revoke an ARD registration.

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

STATUTORY PROVISIONS

11. Section 9884.7 of the Code states:

(a) The director, where the automotive repair dealer cannot show there was a bona fide error, may deny, suspend, revoke, or place on probation the registration of an automotive repair dealer for any of the following acts or omissions related to the conduct of the business of the automotive repair dealer, which are done by the automotive repair dealer or any automotive technician, employee, partner, officer, or member of the automotive repair dealer.

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

• • •

(4) Any other conduct which constitutes fraud.

• • •

(6) Failure in any material respect to comply with the provisions of this chapter or regulations adopted pursuant to it.

12. Section 44072.2 of the Health and Safety Code states:

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

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

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

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¹ All statutory references herein shall be to the Business and Professions Code unless specifically stated otherwise.

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

3 13. Section 44072.10 of the Health and Safety Code states, in pertinent part:

4 . . .

5 (c) The department shall revoke the license of any smog check technician or
6 station license who fraudulently certifies vehicles or participates in the fraudulent
7 inspection of vehicles. A fraudulent inspection includes, but is not limited to, all of
8 the following:

8 . . .

9 (2) Tampering with a vehicle emission control system or test analyzer system.

10 (3) Tampering with a vehicle in a manner that would cause the vehicle to
11 falsely pass or falsely fail an inspection.

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

13 **REGULATORY PROVISIONS**

14 14. California Code of Regulations, title 16, section 3340.24, subdivision (c), states:

15 The bureau may suspend or revoke the license of or pursue other legal action
16 against a licensee, if the licensee falsely or fraudulently issues or obtains a certificate
17 of compliance or a certificate of noncompliance.

18 15. California Code of Regulations, title 16, section 3340.30, states:

19 A smog check technician shall comply with the following requirements at all
20 times while licensed.

21 (a) A licensed technician shall inspect, test and repair vehicles in accordance
22 with section 44012 of the Health and Safety Code, section 44035 of the Health and
23 Safety Code, and section 3340.42 of this article. . . .”

24 16. California Code of Regulations, title 16, section 3340.35, states, in pertinent part:

25

26 (c) A licensed station shall issue a certificate of compliance or noncompliance
27 to the owner or operator of any vehicle that has been inspected in accordance with the
28 procedures specified in section 3340.42 of this article and has all the required
emission control equipment and devices installed and functioning correctly. . . .

17 17. California Code of Regulations, title 16, section 3340.42, sets forth specific emissions
18 test methods and procedures which apply to all vehicles inspected in the State of California.

1 **COST RECOVERY**

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

8 **VID DATA REVIEW**

9 19. Beginning March 9, 2015, California's Smog Check Program was updated to require
10 the use of an On-Board Diagnostic Inspection System ("OIS"). OIS is the Smog Check
11 equipment required in all areas of the State when inspecting most model-year 2000 and newer
12 gasoline and hybrid vehicles and most 1998 and newer diesel vehicles. The system consists of a
13 certified Data Acquisition Device ("DAD"), computer, bar code scanner, and printer. The DAD
14 is an On Board Diagnostic ("OBD") scan tool that, when requested by the California OIS
15 software, retrieves OBD data from the vehicle. All OBD data that the vehicle indicates it
16 supports is requested by the California OIS software and will be retrieved. The DAD connects
17 between the OIS computer and the vehicle's DLC. The California OIS software requires a
18 continuous Internet connection when performing a Smog Check inspection and the OIS software
19 communicates with BAR's central database through the Internet connection. The bar code
20 scanner is used to input technician information, the vehicles identification number ("VIN"), and
21 DMV renewal information. The printer provides a Vehicle Inspection Report ("VIR") containing
22 inspection results for motorists and a Smog Check Certificate of Compliance number for passing
23 vehicles.

24 20. Data retrieved and recorded during an OIS smog check includes; the eVIN, which is
25 the digitally stored VIN programmed into the vehicle's Powertrain Control Module ("PCM"); the
26 communication protocol, which is the manufacturer/vehicle specific language the PCM uses to
27 relay information; and the number of Parameter Identifications ("PIDs"), which is the number of
28 specific data values each PCM uses related to emissions controls.

1 21. If the vehicle passes the visual, functional and tailpipe tests, it passes the overall
2 inspection and a Certificate of Compliance is issued and transmitted electronically to the Vehicle
3 Information Database (“VID”). These Certificates of Compliance are purchased in blocks of fifty
4 (50) through the EIS or OIS from the VID, using a pre-arranged electronic bank account debit
5 system or by check, via mail, from Bureau Headquarters in Sacramento. Each Certificate of
6 Compliance has a unique control number so that it can be tracked to determine which Smog
7 Check Station purchased the Certificate of Compliance and to which vehicle it was issued.

8 22. The VID contains registration data from Department of Motor Vehicles (“DMV”)
9 plus emission standards, vehicle smog check inspections, smog check stations and technicians,
10 and Certificates of Compliance. The VID receives the passing smog check results immediately
11 following the inspection. During the vehicle registration process, the DMV accesses the VID to
12 verify that the vehicle has been tested and certified. The Bureau can also access the VID to view
13 test data on smog check inspections performed at any Smog Check Station, or search for, retrieve,
14 and print a test record for a particular vehicle which has been tested. The EIS or OIS, depending
15 on the test type, also prints a Vehicle Inspection Report (“VIR”), which is a physical record of the
16 test results and shows the Certificate of Compliance number that was issued if the vehicle passed
17 the smog inspection.

18 23. The smog check technician must sign the VIR under penalty of perjury to indicate
19 that the inspection was done within Bureau guidelines. Smog Check Stations are required by law
20 to maintain a copy of the VIR along with a copy of the repair invoice for three years. The
21 consumer’s VIR serves as a receipt and proof that the VID was updated and a Certificate of
22 Compliance was issued. Licensed Smog Check Technicians are the only persons authorized by
23 the Bureau to perform official inspections. They are issued a personal access code and a license,
24 which are used to gain access to the EIS and OIS to perform smog check inspections.
25 Unauthorized use of another technician’s access code or license is prohibited.

26 24. Respondents have engaged in numerous acts or omissions constituting violations of
27 the Automotive Repair Act (Business and Professions Code section 9880 *et seq.*) and Motor
28 Vehicle Inspection Program (Health and Safety Code section 44000 *et seq.*) through their practice

of “clean plugging.”² The OIS Test Data available on the State database indicated that Respondent Edgar Regalado, owner, T&R Automotive Repair is involved in fraudulent smog inspection activities. A Bureau representative initiated an investigation based on information transmitted to the VID for smog check inspections performed by Respondent Edgar Regalado, owner, T&R Automotive Repair and Respondent Turcios. The investigation revealed that the data related to certain vehicles certified by Respondent Edgar Regalado, owner, T&R Automotive Repair contained a pattern of unmistakable discrepancies between the information transmitted during the inspections and documented information known about the vehicles at issue. Specifically, the representative compared the data received from the certified vehicles to data from vehicles of the same year, make, and model and determined that the data from at least thirteen (13) of the certified vehicles contained two or more of the following unmistakable discrepancies: (1) incorrect eVINs; (2) incorrect vehicle communication protocols; and (3) incorrect PID counts. These documented discrepancies confirm that the vehicles receiving smog certificates from Respondent Edgar Regalado, owner, T&R Automotive Repair were fraudulently tested during the smog inspection using the “clean plugging” method. The following chart (“Table 1”) illustrates the documented clean plugging activities of Respondents between May 15, 2019 and September 8, 2020.

TABLE 1

	Vehicle Year	Vehicle Make	Vehicle Model	License or VIN #	eVIN Transmitted	Reported Protocol	Expected Protocol	Reported PIDs	Expected PIDs	Certificate Issued	Smog Check Inspector
1.	2006	Subaru	Impreza WRX Sport	5VYE286	Reported Incorrect	ICAN11bt5	KWPF	47 3	20	QS505702C	Rolando Edgar Regalado Turcios, EO 639995
2.	2001	GMC	New Sierra C1500	81459J2	Reported Incorrect	JVPW	JVPW	22	22, or 23	QW293973C	Edgar Rolando Regalado, EO 315180
3.	2007	Chevrolet	Tahoe C1500	5UNW268	Reported Incorrect	ICAN11bt5	ICAN11bt5	44 7 8	44 7	QW293985C	Rolando Edgar Regalado, Turcios, EO 639995

² “Clean plugging” refers to the use of another vehicle’s properly functioning On Board Diagnostic, generation II, (OBD II) system, or another source, to generate passing diagnostic readings for the purpose of issuing fraudulent smog Certificates of Compliance to vehicles that are not in smog compliance and/or not present for testing.

1	4.	2001	Chevrolet	Silverado C1500	8P57933	Reported Incorrect	JVPW	JVPW	22	22, or 23	QW293997C	Edgar Rolando Regalado, EO 315180
2	5.	2005	Honda	Accord EX	5LJY513	Reported Incorrect	ICAN11bt5	I914	42	21	RA495275C	Rolando Edgar Regalado, Turcios, EO 639995
3	6.	2004	GMC	New Sierra C1500	84313F2	Reported Incorrect	ICAN11bt5	JVPW	43 7	22	RE735474C	Rolando Edgar Regalado Turcios, EO 639995
4	7.	2005	Toyota	Scion TC	5MJA780	Reported Incorrect	ICAN11bt5	I914	39	17	RE735475C	Rolando Edgar Regalado, Turcios, EO 639995
5	8.	2001	Chevrolet	Silverado C1500	6N26197	Reported Incorrect	JVPW	JVPW	22	22, or 23	RE735493C	Rolando Edgar Regalado, Turcios, EO 639995
6	9.	2001	Chevrolet	Silverado C1500	6T01418	Reported Incorrect	JVPW	JVPW	22	22, or 23	RE735500C	Rolando Edgar Regalado Turcios, EO 639995
7	10.	2000	Chevrolet	Suburban C1500	4KSH761	Reported Incorrect	JVPW	JVPW	22	22	RG911272C	Rolando Edgar Regalado Turcios, EO 639995
8	11.	2005	Ford	Explorer XLT	6VIJ531	Reported Incorrect	ICAN11bt5	ICAN11bt5	47	47	RG911290C	Rolando Edgar Regalado, Turcios, EO 639995
9	12.	2002	Chevrolet	Silverado C1500	6W91713	Reported Incorrect	JVPW	JVPW	22	22	RI463707C	Rolando Edgar Regalado, Turcios, EO 639995
10	13.	2005	Toyota	Tundra Access Cab SR5	7Z78170	Expected Not Transmitted	I914	ICAN11bt5	20	45	RO844363C	Rolando Edgar Regalado Turcios, EO 639995

25. The above chart of Respondents' smog check activities between May 15, 2019, and September 8, 2020, shows that Respondents participated in a scheme to perform at least thirteen (13) fraudulent Smog Check inspections resulting in the issuance of thirteen (13) fraudulent electronic Smog Check Certificates of Compliance.

FIRST CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements - Respondent Edgar Regalado owner, T&R Automotive Repair)

26. Respondent Edgar Regalado owner, T&R Automotive Repair's registration is subject to disciplinary action pursuant to section 9884.7, subdivision (a)(1), in that between May 15,

2019 and September 8, 2020, Respondent Edgar Regalado owner, T&R Automotive Repair; made or authorized statements which he knew or in the exercise of reasonable care should have known to be untrue or misleading, as follows: Respondent Edgar Regalado owner, T&R Automotive Repair; certified that the vehicles set forth above in Table 1, had passed inspection and were in compliance with applicable laws and regulations. In fact, Respondent Edgar Regalado owner, T&R Automotive Repair; conducted the inspections on those vehicles using the clean plugging method in order to issue smog certificates of compliance, and did not test or inspect the vehicles as required by Health and Safety Code section 44012.

SECOND CAUSE FOR DISCIPLINE

(Fraud - Respondent Edgar Regalado owner, T&R Automotive Repair)

27. Respondent Edgar Regalado owner, T&R Automotive Repair's registration is subject to disciplinary action pursuant to section 9884.7, subdivision (a)(4), in that between May 15, 2019 and September 8, 2020, Respondent Edgar Regalado owner, T&R Automotive Repair; committed acts which constitute fraud by issuing electronic certificates of compliance for the vehicles set forth above in Table 1, without performing bona fide inspections of the emission control devices and systems on those vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

THIRD CAUSE FOR DISCIPLINE

(Failure to Comply with the Motor Vehicle Inspection Program – Respondent Edgar Regalado owner, T&R Automotive Repair.)

28. Respondent Edgar Regalado owner, T&R Automotive Repair's station license is subject to disciplinary action pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between May 15, 2019 and September 8, 2020, regarding the vehicles set forth above in Table 1, Respondent Edgar Regalado owner, T&R Automotive Repair; failed to comply with the following sections of the Health and Safety Code:

(a) **Section 44012:** Respondent Edgar Regalado owner, T&R Automotive Repair failed to ensure that the emission control tests were performed on the vehicles, in accordance with procedures prescribed by the department.

(b) **Section 44015:** Respondent Edgar Regalado owner, T&R Automotive Repair issued electronic certificates of compliance for the vehicles, without ensuring that the vehicles were properly tested and inspected to determine if they were in compliance with Health and Safety Code section 44012.

FOURTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program - Respondent Edgar Regalado owner, T&R Automotive Repair)

29. Respondent Edgar Regalado owner, T&R Automotive Repair's station license is subject to disciplinary action pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between May 15, 2019 and September 8, 2020, regarding the vehicles set forth above in Table 1, Respondent Edgar Regalado owner, T&R Automotive Repair failed to comply with the following provisions of the California Code of Regulations, Title 16, as follows:

(a) **Section 3340.35, subdivision (c):** Respondent Edgar Regalado owner, T&R Automotive Repair issued electronic certificates of compliance even though those vehicles had not been inspected in accordance with section 3340.42, Title 16, of the California Code of Regulations.

(b) **Section 3340.42:** Respondent Edgar Regalado owner, T&R Automotive Repair failed to conduct the required smog tests and inspections on those vehicles in accordance with the Bureau's specifications.

FIFTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit - Respondent Edgar Regalado owner, T&R Automotive Repair)

30. Respondent Edgar Regalado owner, T&R Automotive Repair's station license is subject to disciplinary action pursuant to Health and Safety Code section 44072.2, subdivision (d), in that between May 15, 2019 and September 8, 2020, regarding the vehicles set forth above in Table 1, Respondent Edgar Regalado owner, T&R Automotive Repair committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing electronic certificates of compliance for those vehicles without performing bona fide inspections of the

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

3 **SIXTH CAUSE FOR DISCIPLINE**

4 **(Violations of the Motor Vehicle Inspection Program – Respondent Turcios)**

5 31. Respondent Turcios’s smog check inspector license is subject to discipline pursuant
6 to Health and Safety Code section 44072.2, subdivision (a), in that between May 15, 2019 and
7 September 8, 2020, regarding the vehicles set forth above in Table 1, Respondent Turcios failed
8 to comply with section 44012 of the Health and Safety Code in a material respect, as follows:
9 Respondent Turcios failed to perform the emission control tests on those vehicles in accordance
10 with procedures prescribed by the department.

11 **SEVENTH CAUSE FOR DISCIPLINE**

12 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program –**
13 **Respondent Turcios)**

14 32. Respondent Turcios’s smog check inspector license is subject to discipline pursuant
15 to Health and Safety Code section 44072.2, subdivision (c), in that between May 15, 2019 and
16 September 8, 2020, regarding the vehicles set forth above in Table 1, Respondent Turcios failed
17 to comply with provisions of the California Code of Regulations, title 16, as follows:

18 (a) **Section 3340.30, subdivision (a):** Respondent Turcios failed to inspect and test those
19 vehicles in accordance with Health and Safety Code section 44012.

20 (b) **Section 3340.42:** Respondent Turcios failed to conduct the required smog tests and
21 inspections on those vehicles in accordance with the Bureau’s specifications.

22 **EIGHTH CAUSE FOR DISCIPLINE**

23 **(Dishonesty, Fraud or Deceit - Respondent Turcios)**

24 33. Respondent Turcios’s smog check inspector license is subject to discipline pursuant
25 to Health and Safety Code section 44072.2, subdivision (d), in that between May 15, 2019 and
26 September 8, 2020, regarding the vehicles set forth above in Table 1, Respondent Turcios
27 committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing
28 electronic certificates of compliance for those vehicles without performing bona fide inspections

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

NINTH CAUSE FOR DISCIPLINE

(Violations of the Motor Vehicle Inspection Program – Respondent Regalado)

34. Respondent Regalado’s smog check inspector license and smog check repair technician licenses are subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between May 15, 2019 and September 8, 2020, regarding the vehicles set forth above in Table 1, Respondent Regalado failed to comply with section 44012 of the Health and Safety Code in a material respect, as follows: Respondent Regalado failed to perform the emission control tests on those vehicles in accordance with procedures prescribed by the department.

TENTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program – Respondent Regalado)

35. Respondent Regalado’s smog check inspector license and smog check repair technician licenses are subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between May 15, 2019 and September 8, 2020, regarding the vehicles set forth above in Table 1, Respondent Regalado failed to comply with provisions of the California Code of Regulations, title 16, as follows:

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

(b) **Section 3340.42:** Respondent Regalado failed to conduct the required smog tests and inspections on those vehicles in accordance with the Bureau’s specifications.

ELEVENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit - Respondent Regalado)

36. Respondent Regalado’s smog check inspector license and smog check repair technician licenses are subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (d), in that between May 15, 2019 and September 8, 2020, regarding the vehicles set

1 forth above in Table 1, Respondent Regalado committed acts involving dishonesty, fraud or
2 deceit whereby another was injured by issuing electronic certificates of compliance for those
3 vehicles without performing bona fide inspections of the emission control devices and systems on
4 the vehicles., thereby depriving the People of the State of California of the protection afforded by
5 the Motor Vehicle Inspection Program.

6 **OTHER MATTERS**

7 37. Pursuant to Business & Professions Code section 9884.7, subdivision (c), the Director
8 may suspend, revoke, or place on probation the registration for all places of business operated in
9 this State by Respondent Edgar Regalado owner, T&R Automotive Repair upon a finding that
10 Respondent Edgar Regalado owner, T&R Automotive Repair has, or is, engaged in a course of
11 repeated and willful violations of the laws and regulations pertaining to an automotive repair
12 dealer.

13 38. Pursuant to Health & Safety Code section 44072.8, if Smog Check Station License
14 Number RC 203264 issued to Respondent Edgar Regalado owner, T&R Automotive Repair is
15 revoked or suspended following a hearing under this article, any additional license issued under
16 Chapter 5, Part 5, Division 26 in the name of said licensee may be likewise revoked or suspended
17 by the Director.

18 39. Pursuant to Health & Safety Code section 44072.8, if Smog Check Inspector License
19 Number EO 315180 issued to Respondent Regalado is revoked or suspended following a hearing
20 under this article, any additional license issued under Chapter 5, Part 5, Division 26 in the name
21 of said licensee may be likewise revoked or suspended by the Director.

22 40. Pursuant to Health & Safety Code section 44072.8, if Smog Check Repair Technician
23 License Number EI 315180 issued to Respondent Regalado is revoked or suspended following a
24 hearing under this article, any additional license issued under Chapter 5, Part 5, Division 26 in the
25 name of said licensee may be likewise revoked or suspended by the Director.

26 41. Pursuant to Health & Safety Code section 44072.8, if Smog Check Inspector License
27 Number EO 639995 issued to Respondent Turcios is revoked or suspended following a hearing
28

1 under this article, any additional license issued under Chapter 5, Part 5, Division 26 in the name
2 of said licensee may be likewise revoked or suspended by the Director.

3 **PRAYER**

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

6 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
7 203264, issued to Respondent Edgar Regalado owner, T&R Automotive Repair;

8 2. Revoking or suspending any other Automotive Repair Dealer registration license
9 issued to Respondent Edgar Regalado owner, T&R Automotive Repair;

10 3. Revoking or suspending Smog Check Station License Number RC 203264, issued to
11 Respondent Edgar Regalado owner, T&R Automotive Repair;

12 4. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
13 Division 26 of the Health and Safety Code in the name of Respondent Edgar Regalado;

14 5. Revoking or suspending Smog Check Inspector License No. EO 315180 issued to
15 Edgar Rolando Regalado;

16 6. Revoking or suspending Smog Check Repair Technician License No. EI 315180
17 issued to Edgar Rolando Regalado;

18 7. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
19 Division 26 of the Health and Safety Code in the name of Rolando Edgar Rolando Regalado;

20 8. Revoking or suspending Smog Check Inspector License No. EO 639995 issued to
21 Rolando Edgar Regalado Turcios;

22 9. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
23 Division 26 of the Health and Safety Code in the name of Rolando Edgar Regalado Turcios;

24 10. Ordering Respondent Edgar Regalado owner, T&R Automotive Repair; Edgar
25 Rolando Regalado and Rolando Edgar Regalado Turcios to pay the Bureau of Automotive Repair
26 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and
27 Professions Code section 125.3; and,

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

DATED: March 5, 2021

-Signature on File-

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

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