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

11 In the Matter of the Accusation Against:

Case No. 79/14-99

12 **PEDRO ANTONIO SALAZAR JR.**  
13 **dba SUPER SMOG**  
14 **350 N. Fresno**  
**Fresno, CA 93701**  
15 **Automotive Repair Dealer Registration No. ARD 269764**

**ACCUSATION**

16 **PEDRO ANTONIO SALAZAR JR.**  
17 **4832 E. Pico**  
**Fresno, CA 93726**  
18 **Smog Check Inspector No. EO 631380**  
**Smog Check Repair Technician No. EI 631380 (formerly**  
19 **Advanced Emission Specialist Technician License No. EA**  
**631380)**

20 Respondent.

21  
22 Patrick Dorais ("Complainant") alleges:

23 **PARTIES**

- 24 1. Complainant brings this Accusation solely in his official capacity as the Chief of the  
25 Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.  
26 2. On or about July 30, 2012, the Bureau issued Automotive Repair Dealer Registration  
27 Number ARD 269764 ("registration") to Pedro Antonio Salazar Jr. ("Respondent"), doing  
28

1 business as Super Smog. The registration was in full force and effect at all times relevant to the  
2 charges brought herein. The registration expired on July 31, 2013, and has not been renewed.

3 3. On September 29, 2009, the Bureau issued Advanced Emission Specialist Technician  
4 License No. EA 631380 ("technician license") to Respondent. Respondent's technician license  
5 expired on June 30, 2013. Pursuant to California Code of Regulations, title 16, section 3340.28,  
6 subdivision (e), the license was renewed pursuant to Respondent's election as a Smog Check  
7 Inspector License No. EO 631380 and Smog Check Repair Technician License No. EI 631380,  
8 effective August 30, 2013. The licenses will expire on June 30, 2015, unless renewed.

### 9 STATUTORY AND REGULATORY PROVISIONS

10 4. Section 9884.7 of the Business and Professions Code ("Code") states, in pertinent  
11 part:

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

18 5. Section 490(a) of the Code states:

19 In addition to any other action that a board is permitted to take against a  
20 licensee, a board may suspend or revoke a license on the ground that the licensee has  
21 been convicted of a crime, if the crime is substantially related to the qualifications,  
22 functions, or duties of the business or profession for which the license was issued.

23 6. Section 44002 of the Health and Safety Code provides, in pertinent part, that the  
24 Director has all the powers and authority granted under the Automotive Repair Act for enforcing  
25 the Motor Vehicle Inspection Program.

26 7. Section 44072.2 of the Health and Safety Code states, in pertinent part:

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

(b) Is convicted of any crime substantially related to the qualifications,  
functions, or duties of the licenseholder in question.

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





1           3.     Revoking, suspending, or placing on probation Smog Check Inspector Number EO  
2 631380, issued to Pedro Antonio Salazar Jr.;

3           4.     Revoking, suspending, or placing on probation Smog Check Repair Technician  
4 Number EI 631380, issued to Pedro Antonio Salazar Jr.;

5           5.     Revoking or suspending any additional license issued under Chapter 5 of the  
6 Health and Safety Code in the name of Pedro Antonio Salazar Jr.;

7           6.     Ordering Pedro Antonio Salazar Jr. to pay the Director of Consumer Affairs the  
8 reasonable costs of the investigation and enforcement of this case, pursuant to Code section  
9 125.3; and,

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

11 DATED: March 4, 2014                      Patrick Dorais

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

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