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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. 79/25-6005

13 **HIPOLITO PADILLA ANGUIANO, JR.,**  
14 **DBA BEST COAST AUTO SMOG**

**ACCUSATION**

839 E. Market St., Unit B  
15 Long Beach, CA 90805

16 Automotive Repair Dealer Registration No.  
ARD 290163  
17 Smog Check, Test Only, Station License No.  
TC 290163

18 **HIPOLITO PADILLA ANGUIANO, JR.**  
19 517 W. Caldwell St.  
Compton, CA 90220

20 Smog Check Inspector License No. EO 631102  
21 Smog Check Repair Technician License No. EI  
22 631102

23 **STEVEN NIETO ILLESCAS**  
24 249 E. 76<sup>th</sup> St., Apt. 2  
Los Angeles, CA 90003

25 Smog Check Inspector License No. EO 644362

26 Respondents.  
27 \_\_\_\_\_  
28

**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.

2. On or about April 13, 2018, Bureau issued Automotive Repair Dealer Registration Number ARD 290163 to Hipolito Padilla Anguiano, Jr. (“Respondent Anguiano Jr.”) doing business as Best Coast Auto Smog. The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2026, unless renewed.

3. On or about September 27, 2018, Bureau issued Smog Check, Test Only, Station License Number TC 290163 to Respondent Anguiano Jr. dba Best Coast Auto Smog. The Smog Check, Test Only, Station License was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2026, unless renewed.

4. On or about February 11, 2013, Bureau issued Smog Check Inspector License Number EO 631102 to Respondent Anguiano Jr. The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on February 28, 2027, unless renewed.

5. On or about February 11, 2013, Bureau issued Smog Check Repair Technician License Number EI 631102 to Respondent Anguiano Jr. The Smog Check Repair Technician License expired on February 28, 2025, and has not been renewed.

6. On or about May 24, 2023, Bureau issued Smog Check Inspector License Number EO 644362 to Steven Nieto Illescas (“Respondent Illescas”). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2026, unless renewed.

**JURISDICTION**

7. This Accusation is brought before the Director of the Department of Consumer Affairs (“Director”) for the Bureau under the authority of the following laws.

8. Business and Professions Code section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Director of

jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

9. Business and Professions Code section 477 provides, in pertinent part, that “Board” includes “bureau,” “commission,” “committee,” “department,” “division,” “examining committee,” “program,” and “agency.” “License” includes certificate, registration or other means to engage in a business or profession regulated by the Business and Professions Code.

10. Business and Professions Code section 9884.7 provides that the Director may revoke an automotive repair dealer registration.

11. Business and Professions Code section 9884.13 provides, in pertinent part, that the expiration of a valid registration shall not deprive the Director of jurisdiction to proceed with a disciplinary proceeding against an automotive repair dealer or to render a decision temporarily or permanently invalidating (suspending or revoking) a registration.

12. Health and Safety Code section 44002 provides, in pertinent part, that the Director has all the powers and authority granted under the Automotive Repair Act for enforcing the Motor Vehicle Inspection Program.

13. Health and Safety Code section 44072.6 provides, in pertinent part, that the expiration or suspension of a license by operation of law, or by order or decision of the Director of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director of jurisdiction to proceed with any investigation of, or action or disciplinary proceedings against the licensee, or to render a decision suspending or revoking the license.

### **STATUTORY PROVISIONS**

14. Business and Professions Code section 9884.7 states, in pertinent part:

(a) The director, if 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 that constitutes fraud.

...

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

...

(b) Except as provided for in subdivision (c), if an automotive repair dealer operates more than one place of business in this state, the director pursuant to subdivision (a) shall only suspend, revoke, or place on probation 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 the automotive repair dealer's other places of business.

(c) Notwithstanding subdivision (b), the director may suspend, revoke, or place on probation 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.

...

(e) For purposes of this section, "fraud" includes, but is not limited to, violations of this chapter involving misrepresentations and all of the following:

(1) Any act or omission that is included within the definition of either "actual fraud" or "constructive fraud," as those terms are defined in Sections 1572 and 1573 of the Civil Code.

(2) A misrepresentation in any manner, whether intentionally false or due to gross negligence, of a material fact.

(3) A promise or representation not made honestly and in good faith.

(4) An intentional failure to disclose a material fact.

(5) Any act in violation of Section 484 of the Penal Code.

15. Health and Safety Code section 44012 provides:

The test at the smog check stations shall be performed in accordance with procedures prescribed by the department and may require loaded mode dynamometer testing in enhanced areas, two-speed idle testing, testing utilizing a vehicle's onboard diagnostic system, or other appropriate test procedures as determined by the department in consultation with the state board. The department shall implement testing using onboard diagnostic systems, in lieu of loaded mode dynamometer or two-speed idle testing, on model year 2000 and newer vehicles only, beginning no earlier than January 1, 2013. However, the department, in consultation with the state board, may prescribe alternative test procedures that include loaded mode dynamometer or two-speed idle testing for vehicles with onboard diagnostic systems

1 that the department and the state board determine exhibit operational problems. The  
2 department shall ensure, as appropriate to the test method, the following:

3 (a) Emission control systems required by state and federal law are reducing  
4 excess emissions in accordance with the standards adopted pursuant to subdivisions  
5 (a) and (c) of Section 44013.

6 (b) Motor vehicles are preconditioned to ensure representative and stabilized  
7 operation of the vehicle's emission control system.

8 (c) For other than diesel-powered vehicles, the vehicle's exhaust emissions of  
9 hydrocarbons, carbon monoxide, carbon dioxide, and oxides of nitrogen in an idle  
10 mode or loaded mode are tested in accordance with procedures prescribed by the  
11 department. In determining how loaded mode and evaporative emissions testing shall  
12 be conducted, the department shall ensure that the emission reduction targets for the  
13 enhanced program are met.

14 (d) For other than diesel-powered vehicles, the vehicle's fuel evaporative  
15 system and crankcase ventilation system are tested to reduce any nonexhaust sources  
16 of volatile organic compound emissions, in accordance with procedures prescribed by  
17 the department.

18 (e) For diesel-powered vehicles, a visual inspection is made of emission  
19 control devices and the vehicle's exhaust emissions are tested in accordance with  
20 procedures prescribed by the department, that may include, but are not limited  
21 to, onboard diagnostic testing. The test may include testing of emissions of any or all  
22 of the pollutants specified in subdivision (c) and, upon the adoption of applicable  
23 standards, measurement of emissions of smoke or particulates, or both.

24 (f) A visual or functional check is made of emission control devices specified  
25 by the department, including the catalytic converter in those instances in which the  
26 department determines it to be necessary to meet the findings of Section 44001. The  
27 visual or functional check shall be performed in accordance with procedures  
28 prescribed by the department.

(g) A determination as to whether the motor vehicle complies with the  
emission standards for that vehicle's class and model-year as prescribed by the  
department.

(h) An analysis of pass and fail rates of vehicles subject to an onboard  
diagnostic test and a tailpipe test to assess whether any vehicles passing their  
onboard diagnostic test have, or would have, failed a tailpipe test, and whether any  
vehicles failing their onboard diagnostic test have or would have passed a tailpipe  
test.

(i) The test procedures may authorize smog check stations to refuse the  
testing of a vehicle that would be unsafe to test, or that cannot physically be  
inspected, as specified by the department by regulation. The refusal to test a vehicle  
for those reasons shall not excuse or exempt the vehicle from compliance with all  
applicable requirements of this chapter.

16. Health and Safety Code section 44014, subdivision (a), provides:

Except as otherwise provided in this chapter, the testing and repair portion of the program shall be conducted by smog check stations licensed by the department, and by smog check technicians who have qualified pursuant to this chapter.

17. Health and Safety Code section 44015, subdivision (b), provides:

If a vehicle meets the requirements of Section 44012, a smog check station licensed to issue certificates shall issue a certificate of compliance or a certificate of noncompliance.

18. Health and Safety Code section 44032 provides:

No person shall perform, for compensation, tests or repairs of emission control devices or systems of motor vehicles required by this chapter unless the person performing the test or repair is a qualified smog check technician and the test or repair is performed at a licensed smog check station. Qualified technicians shall perform tests of emission control devices and systems in accordance with Section 44012.

19. Health and Safety Code section 44059 provides:

The willful making of any false statement or entry with regard to a material matter in any oath, affidavit, certificate of compliance or noncompliance, or application form which is required by this chapter or Chapter 20.3 (commencing with Section 9880) of Division 3 of the Business and Professions Code, constitutes perjury and is punishable as provided in the Penal Code.

20. Health and Safety Code section 44072.2 states, in pertinent part:

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.

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

...

(h) Violates or attempts to violate the provisions of this chapter relating to the particular activity for which he or she is licensed.

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1           21. Health & Safety Code section 44072.10 states, in pertinent part:

2           ...

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

7                   (1) Clean piping, clean plugging, clean glassing, clean tanking, or any  
8 other fraudulent inspection practice, as defined by the department.

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

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

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

15           22. Health and Safety Code section 44072.8 states that “[w]hen a license has been  
16 revoked or suspended following a hearing under this article, any additional license issued under  
17 this chapter in the name of the licensee may be likewise revoked or suspended by the director.”

18                                   **REGULATORY PROVISIONS**

19           23. California Code of Regulations, title 16, section 3340.24, subdivision (c), states that  
20 the Bureau “may suspend or revoke the license of or pursue other legal action against a licensee,  
21 if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a certificate  
22 of noncompliance.”

23           24. California Code of Regulations, title 16, section 3340.30, states, in pertinent part:

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

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

...  
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1           25. California Code of Regulations, title 16, section 3340.35, subdivision (c), states that a  
2 licensed smog check station “shall issue a certificate of compliance or noncompliance to the  
3 owner or operator of any vehicle that has been inspected in accordance with the procedures  
4 specified in section 3340.42 of this article and has all the required emission control equipment  
5 and devices installed and functioning correctly.”

6           26. California Code of Regulations, title 16, section 3340.41, states, in pertinent part:

7           ...

8           (b) No person shall enter any access or qualification number other than as  
9 authorized by the Bureau into the EIS or OIS, nor in any way tamper with the EIS or  
OIS.

10           (c) No person shall enter any vehicle identification information or emission  
11 control system identification data for any vehicle other than the one being tested into  
the EIS or OIS. Nor shall any person enter into the EIS or OIS any false information  
12 about the vehicle being tested.

13           27. California Code of Regulations, title 16, section 3340.42, states:

14           Smog check inspection methods are prescribed in the Smog Check Manual,  
15 referenced by section 3340.45.

16           (a) All vehicles subject to a smog check inspection, shall receive one of the  
17 following test methods:

18           (1) A loaded-mode test shall be the test method used to inspect 1976-1999  
19 model-year vehicle, except diesel-powered, registered in the enhanced program areas  
of the state. The loaded-mode test shall measure hydrocarbon, carbon monoxide,  
20 carbon dioxide and oxides of nitrogen emissions, as contained in the bureau's  
specifications referenced in subsection (a) of Section 3340.17 of this article. The  
loaded-mode test shall use Acceleration Simulation Mode (ASM) test equipment,  
21 including a chassis dynamometer, certified by the bureau.

22           On and after March 31, 2010, exhaust emissions from a vehicle subject to  
23 this inspection shall be measured and compared to the emissions standards shown in  
the Vehicle Look-up Table (VLT) Row Specific Emissions Standards (Cutpoints)  
24 Table, dated March 2010, which is hereby incorporated by reference. If the emissions  
standards for a specific vehicle are not included in this table then the exhaust  
25 emissions shall be compared to the emissions standards set forth in TABLE I or  
TABLE II, as applicable. A vehicle passes the loaded-mode test if all of its measured  
26 emissions are less than or equal to the applicable emission standards specified in the  
applicable table.  
27  
28



1 (2) A two-speed idle mode test shall be the test method used to inspect  
2 1976-1999 model-year vehicles, except diesel-powered, registered in all program  
3 areas of the state, except in those areas of the state where the enhanced program has  
4 been implemented. The two-speed idle mode test shall measure hydrocarbon, carbon  
5 monoxide and carbon dioxide emissions at high RPM and again at idle RPM, as  
6 contained in the bureau's specifications referenced in subsection (a) of Section  
7 3340.17 of this article. Exhaust emissions from a vehicle subject to this inspection  
8 shall be measured and compared to the emission standards set forth in this section and  
9 as shown in TABLE III. A vehicle passes the two-speed idle mode test if all of its  
10 measured emissions are less than or equal to the applicable emissions standards  
11 specified in Table III.

12 (3) An OBD-focused test, shall be the test method used to inspect gasoline-  
13 powered vehicles 2000 model-year and newer, and diesel-powered vehicles 1998  
14 model-year and newer. The OBD test failure criteria are specified in section  
15 3340.42.2.

16 (b) In addition to subsection (a), all vehicles subject to the smog check  
17 program shall receive the following:

18 (1) A visual inspection of emission control components and systems to  
19 verify the vehicle's emission control systems are properly installed.

20 (2) A functional inspection of emission control systems as specified in the  
21 Smog Check Manual, referenced by section 3340.45, which may include an OBD  
22 test, to verify their proper operation.

23 (c) The bureau may require any combination of the inspection methods in  
24 sections (a) and (b) under any of the following circumstances:

25 (1) Vehicles that the department randomly selects pursuant to Health and  
26 Safety Code section 44014.7 as a means of identifying potential operational  
27 problems with vehicle OBD systems.

28 (2) Vehicles identified by the bureau as being operationally or physically  
incompatible with inspection equipment.

(3) Vehicles with OBD systems that have demonstrated operational  
problems.

(d) Pursuant to section 39032.5 of the Health and Safety Code, gross polluter  
standards are as follows:

(1) A gross polluter means a vehicle with excess hydrocarbon, carbon  
monoxide, or oxides of nitrogen emissions pursuant to the gross polluter emissions  
standards included in the tables described in subsection (a), as applicable.

(2) Vehicles with emission levels exceeding the emission standards for  
gross polluters during an initial inspection will be considered gross polluters and the

provisions pertaining to gross polluting vehicles will apply, including, but not limited to, sections 44014.5, 44015, and 44081 of the Health and Safety Code.

(3) A gross polluting vehicle shall not be passed or issued a certificate of compliance until the vehicle's emissions are reduced to or below the applicable emissions standards for the vehicle included in the tables described in subsection (a), as applicable. However, the provisions described in section 44017 of the Health and Safety Code may apply.

(4) This subsection applies in all program areas statewide to vehicles requiring inspection pursuant to sections 44005 and 44011 of the Health and Safety Code.

28. California Code of Regulations, title 16, section 3340.45, states:

All Smog Check inspections shall be performed in accordance with requirements and procedures prescribed in the Smog Check Manual, dated January 2021, which is hereby incorporated by reference.

29. California Code of Regulations, title 16, section 3373 states:

No automotive repair dealer or individual in charge shall, in filling out an estimate, invoice, or work order, or record required to be maintained by section 3340.15(e) of this chapter, withhold therefrom or insert therein any statement or information which will cause any such document to be false or misleading, or where the tendency or effect thereby would be to mislead or deceive customers, prospective customers, or the public.

### **COST RECOVERY**

30. Business and Professions Code section 125.3 provides, in pertinent part, that a Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

### **CALIFORNIA'S SMOG CHECK PROGRAM**

31. California's Smog Check Program requires most vehicles in the State to undergo a smog check inspection every two years when renewing their registration and when the vehicle's title is transferred. The Smog Check Program is designed and intended to reduce air pollution by identifying and requiring the repair of polluting motor vehicles.

32. A smog check inspection in certain Enhanced areas of the State is an Acceleration Simulation Mode (ASM) test performed using an Emission Inspection System (EIS), also known

1 as a BAR 97. This is a computer based five-gas analyzer that measures Hydrocarbons (HC),  
2 Carbon Monoxide (CO), Oxides of Nitrogen (NO<sub>x</sub>), Carbon Dioxide (CO<sub>2</sub>) and Oxygen (O<sub>2</sub>). The  
3 first part of the test is a loaded mode test of the vehicle's tailpipe emissions on a dynamometer.  
4 The vehicle's drive wheels are placed on rollers and the vehicle is driven to simulate driving  
5 conditions while the emissions are sampled by the EIS.

6 33. In Basic areas of the State, or depending on a vehicle's configuration, a similar test  
7 called a Two Speed Idle test is performed, but instead of applying a load to the vehicle's drive  
8 wheels with a dynamometer, the EIS measures the emissions of HC, CO, O<sub>2</sub>, and CO<sub>2</sub> at idle as  
9 well as 2500 revolutions per minute (rpm).

10 34. In the visual portion of a smog check, the technician inspects the emission control  
11 components to verify that the required emission control devices are present and properly  
12 connected.

13 35. An On-Board Diagnostics (OBD II) functional test is also performed on most 1996 to  
14 1999 model year vehicles. The EIS retrieves information through the Diagnostic Link Connector  
15 from the vehicle's on-board computer about its ability to communicate, the status of the I/M  
16 readiness monitors and the MIL light command. The I/M readiness monitors tell whether or not  
17 the OBD II system has run a sufficient number of self-tests on the vehicle's emission and engine  
18 control systems. A failure of one or more of the OBD II functional criteria, depending on model  
19 year, will result in the vehicle failing its smog check inspection. In addition to reporting the  
20 outcome of the OBD II functional test, the smog check inspection results also show Diagnostic  
21 Trouble Codes if there are any in the vehicle's on-board computer memory.

22 36. The inspector enters the results of the visual and functional inspections into the EIS.  
23 The EIS unit makes the determination whether or not the vehicle passes the inspection based on  
24 the results of the tailpipe, visual, and functional tests.

25 37. The EIS is connected by internet connection to Bureau's Vehicle Information  
26 Database (VID). If the vehicle passes the visual, functional and tailpipe tests, it passes the overall  
27 inspection. A Certificate of Compliance is issued and transmitted electronically to the VID.

28 38. Beginning March 9, 2015, California's Smog Check Program was updated to require

the use of an On-Board Diagnostic Inspection System (BAR-OIS). BAR-OIS is the smog check equipment required in all areas of the State when inspecting most model-year 2000 and newer gasoline and hybrid vehicles. The system consists of a certified Data Acquisition Device, computer, bar code scanner, and printer. The Data Acquisition Device is an OBD scan tool that, when requested by the BAR-OIS software, retrieves OBD data from the vehicle. All OBD data that the vehicle indicates it supports is requested by the BAR-OIS software and will be retrieved. The Data Acquisition Device connects between the BAR-OIS computer and the vehicle's diagnostic link connector. The bar code scanner is used to input inspector information, the vehicle identification number (VIN), and Department of Motor Vehicles renewal information. The printer provides a Vehicle Inspection Report (VIR) containing inspection results for motorists and a Smog Check Certificate of Compliance number for passing vehicles.

39. During an OIS inspection, engine operating parameters (PIDs) are retrieved from the vehicle's OBD II system and recorded to the VID. This is accomplished during the functional portion of the OIS Smog Check inspection by plugging the Data Acquisition Device into the vehicle's diagnostic link connector when prompted by the OIS analyzer screen prompt. Some of the parameters recorded are:

- Engine speed in revolutions per minute (RPM)
- Throttle position as measured by a throttle position sensor (TPS) mounted onto the throttle shaft. Measured in a percentage of opening from 0% at idle and near or up to 100% at full throttle.
- Manifold absolute pressure as measured by a manifold air pressure sensor (MAP) connected to an intake manifold source, measured in kilo pascals (kpa). Typical readings for a normally aspirated vehicle as follows: 0 kpa being absolute vacuum, 25 to 45 kpa at idle, 101 kpa at full throttle, same as atmospheric pressure at sea level.
- Mass air flow as measured by a mass air flow sensor (MAF) mounted in the engine's air intake tract. Measured in grams per second (gps).
- Ignition timing is when the spark plug is ignited in relation to the position of the engine's moving pistons. It is measured in degrees before top dead center (BTDC). The ignition

1 timing will constantly change based on engine operating conditions such as RPM, engine load,  
2 and throttle position.

3 40. During normal engine operation at idle, engine speed is relatively steady around its  
4 target idle speed. With the engine idling, the TPS is steady and at or near 0%. The MAP and/or  
5 MAF readings are also steady. For the engine speed to increase, the throttle would have to be  
6 opened in order to increase airflow through the engine. The engine's management systems  
7 supply fuel and spark timing appropriate to any changes in throttle position and engine speed.  
8 An increase in throttle, measured by the TPS, which increases engine RPM, would result in a  
9 corresponding increases in MAF as well as a change in MAP. Any movement in the throttle from  
10 the idle position will result in an increase of airflow through the engine with corresponding  
11 increases RPM and MAF along with changes in MAP.

12 41. During an OIS Smog Check inspection, along with other visual and functional  
13 inspections, there is an OBD II query portion of the inspection. The OBD II query is performed  
14 with the engine idling and, when requested by the OIS analyzer, and an elevated or increased  
15 engine speed. The increase in engine speed is performed by the inspector by stepping on the  
16 throttle pedal or manually opening the throttle resulting in a corresponding increase in engine  
17 RPMs by allowing an increase in airflow into the engine.

18 42. The Bureau has become aware of methods that some Smog Check stations and Smog  
19 Check inspectors use to fraudulently issue smog certificates to vehicles that may not pass a smog  
20 check test on their own, or in some instances, are not even present during the time the test is  
21 performed. "Clean plugging" is a method by which another vehicle's OBD II system, or another  
22 source such as defeat devices, are used to generate passing data readings or diagnostic  
23 information for the purpose of fraudulently issuing smog certificates to vehicles that are not in  
24 smog compliance, and or not present for testing. Defeat devices attempt to simulate engine  
25 operation during a smog check inspection by transmitting OBD II data to the VID which has been  
26 modified or replaced entirely for the purportedly inspected vehicle during the functional portion  
27 of the OIS inspection.

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**APRIL 7, 2025 VID DATA REVIEW**

43. On or about April 7, 2025, a Bureau Representative conducted a detailed review of the VID data for smog check inspections performed at Best Coast Auto Smog, which showed a pattern of vehicles being certified with engine operating parameters that did not correspond to normal engine operation. The Bureau's review of the smog check activities at Best Coast Auto Smog confirmed 17 smog check Certificates of Compliance were fraudulently issued to vehicles after inspections performed at Best Coast Auto Smog.

**Clean Plug Number 1 – 2005 Toyota Camry LE (Respondent Illescas)**

44. OIS Test data for Best Coast Auto Smog indicated that on August 2, 2024, a 2005 Toyota Camry LE, VIN # 4T1BE32K25U090614, CA license # "N" was tested and Smog Certificate of Compliance #UA508044C was issued by Best Coast Auto Smog under Respondent Illescas' Smog Check Technician License No. 644362.

45. The Dynamic PID charts and data for the 2005 Toyota Camry LE show that between time stamp 209 and 17867, engine speed was steady at approximately 775 RPM. During this time, the throttle was fluctuating erratically between 13.7% and 18% opening and the MAF was fluctuating erratically between 0.2 grams/sec and 1.94 grams/sec. After time stamp 18229, the engine RPM was increased to and then held steady at around 1750 RPM. During this time, the data shows that the throttle was fluctuating erratically between 13.3% and 16.9% opening and the MAF was fluctuating erratically between 0.25 grams/sec and 2.24 grams/sec.

46. The steady idle and steady elevated engine RPMs along with the improbable throttle positions and MAF readings are not characteristic or expected for normal engine operation. The throttle positions and MAF readings are expected to be stable at idle and at the elevated engine RPM, not fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected as required to the 2005 Toyota Camry LE being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

**Clean Plug Number 2 – 2004 Chevrolet Express G1500 (Respondent Illescas)**

47. OIS Test data for Best Coast Auto Smog indicated that on October 25, 2024, a 2004 Chevrolet Express G1500, VIN#1GCFG15T041126521, CA License #7H34651 was tested and

1 Smog Certificate of Compliance #UE910752C was issued by Best Coast Auto Smog under  
2 Respondent Illescas' Smog Check Technician License No. 644362.

3 48. The Dynamic PID charts and data for the 2004 Chevrolet Express G1500 show that  
4 between time stamp 118 and 19291, engine speed was steady at approximately 700 RPM. During  
5 this time, the data shows that the throttle was fixed at 0% opening, the MAP was fixed at 33 kPa,  
6 and the MAF was fixed at 4.14 grams/sec. After time stamp 19612, the engine RPM was  
7 increased to and then held steady at around 1650 RPM. During this time, the data shows that the  
8 throttle remained fixed at 0%, the MAP remained fixed at 33 kPa, and the MAF remained fixed at  
9 4.14 grams/sec.

10 49. The steady idle and steady elevated engine RPM data along with the improbable fixed  
11 throttle position, fixed MAP, and fixed MAF readings that never changed during the entire period  
12 the dynamic data was collected, are not characteristic or expected for normal engine operation.  
13 The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected  
14 as required to the 2004 Chevrolet Express G1500 being certified, causing the issuance of a  
15 fraudulent Smog Certificate of Compliance.

16 **Clean Plug Number 3 – 2006 Honda Odyssey EXL (Respondent Anguiano Jr.)**

17 50. OIS Test data for Best Coast Auto Smog indicated that on November 13, 2024, a  
18 2006 Honda Odyssey EXL, VIN#5FNRL38706B029641, CA License #5TXC818 was tested and  
19 Smog Certificate of Compliance #UE910778C was issued by Best Coast Auto Smog under  
20 Respondent Anguiano Jr.'s Smog Check Technician License No. 631102.

21 51. The Dynamic PID charts and data for the 2006 Honda Odyssey EXL show that  
22 between time stamp 162 and 18859, the engine RPM was steady at around 800 RPM. During this  
23 time, the data shows that the throttle was fluctuating erratically between 12.5% and 16.9%  
24 opening and the MAP was fluctuating erratically between 16 kPa and 28 kPa. After time stamp  
25 19201, the engine RPM was increased to and then held steady at around 1550 RPM. During this  
26 time, the data shows that the throttle was fluctuating erratically between 13.7% and 16.1%  
27 opening and the MAP was fluctuating erratically between 17 kPa and 26 kPa.

28 ///

52. The steady idle and steady elevated engine RPMs along with the improbable throttle positions and MAP readings are not characteristic or expected for normal engine operation. The throttle positions and MAP readings are expected to be stable at idle and at the elevated engine RPM, not fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected as required to the 2006 Honda Odyssey EXL being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

**Clean Plug Number 4 – 2002 Nissan Frontier King Cab XE (Respondent Anguiano Jr.)**

53. OIS Test data for Best Coast Auto Smog indicated that on November 13, 2024, a 2002 Nissan Frontier King Cab XE, VIN#1N6DD26S52C329995, CA License #6U98098 was tested and Smog Certificate of Compliance #UE910779C was issued by Best Coast Auto Smog under Respondent Anguiano Jr.'s Smog Check Technician License No. 631102.

54. The Dynamic PID charts and data for the 2002 Nissan Frontier King Cab XE show that between time stamp 285 and 25341, the engine RPM was steady at around 700 RPM. During this time, the data shows that the throttle was varying between 0% and 3.5% opening and the MAF was fluctuating erratically between 3.08 grams/sec and 5.09 grams/sec. After time stamp 25807, the engine RPM was increased to and then held steady at around 1575 RPM. During this time, the data shows that the throttle was fluctuating erratically between 0% and 3.5% opening and the MAF dropped from 4.69 grams/sec to 3.14 grams/sec.

55. The steady idle and steady elevated engine RPMs along with the improbable throttle positions and MAF readings are not characteristic or expected for normal engine operation. The throttle positions and MAF readings are expected to be stable at idle and at the elevated engine RPM, not varying, dropping unexpectedly, or fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected as required to the 2002 Nissan Frontier King Cab XE being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

**Clean Plug Number 5 – 2001 Ford F150 SuperCrew (Respondent Illescas)**

56. OIS Test data for Best Coast Auto Smog indicated that on November 16, 2024, a 2001 Ford F150 SuperCrew, VIN #1FTRW07L21KB89746, CA License #57223K3 was tested



1 and Smog Certificate of Compliance #UE910788C was issued by Best Coast Auto Smog under  
2 Respondent Illescas' Smog Check Technician License No. 644362.

3 57. The Dynamic PID charts and data for the 2001 Ford F150 SuperCrew show that  
4 between time stamp 157 and 17086, the engine RPM was steady at around 700 RPM. During this  
5 time, the data shows that the throttle was fixed at 19.2% opening and the MAF was fixed at 5.49  
6 grams/sec. After time stamp 17434, the engine RPM was increased to and held above 1465 RPM.  
7 During this time, the data shows that the throttle remained fixed at 19.2% and the MAF remained  
8 fixed at 5.49 grams/sec.

9 58. The steady idle and elevated engine RPM data along with the improbable fixed  
10 throttle position and fixed MAF readings that never changed during the entire period the dynamic  
11 data was collected, are not characteristic or expected for normal engine operation. The  
12 discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected as  
13 required to the 2001 Ford F150 Super Crew being certified, causing the issuance of a fraudulent  
14 Smog Certificate of Compliance.

15 **Clean Plug Number 6 – 2000 Toyota Camry CE (Respondent Anguiano Jr.)**

16 59. OIS Test data for Best Coast Auto Smog indicated that on November 16, 2024, a  
17 2000 Toyota Camry CE, VIN#JT2BG22K2Y0407546, CA License #4J1J398 was tested and  
18 Smog Certificate of Compliance #UE910789C was issued by Best Coast Auto Smog under  
19 Respondent Anguiano Jr.'s Smog Check Technician License No. 631102.

20 60. The Dynamic PID charts and data for the 2000 Toyota Camry CE show that between  
21 time stamp 218 and 17600, the engine RPM was steady at around 750 RPM. During this time, the  
22 data shows that the throttle was fluctuating erratically between 6.3% and 9.8% opening and the  
23 MAP was fluctuating erratically between 19 kPa and 29 kPa. After time stamp 18125, the engine  
24 RPM was increased to and then held steady at around 1800 RPM. During this time, the data  
25 shows that the throttle was fluctuating erratically between 6.3% and 11% opening and the MAP  
26 was fluctuating erratically between 17 kPa and 30 kPa.

27 61. The steady idle and steady elevated engine RPMs along with the improbable throttle  
28 positions and MAP readings are not characteristic or expected for normal engine operation. The

throttle positions and MAP readings are expected to be stable at idle and at the elevated engine RPM, not fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected as required to the 2000 Toyota Camry CE being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

**Clean Plug Number 7 – 2002 Honda Accord LX (Respondent Anguiano Jr.)**

62. OIS Test data for Best Coast Auto Smog indicated that on December 7, 2024, a 2002 Honda Accord LX, VIN #3HGCG66592G701277, CA License #5YRL450 was tested and Smog Certificate of Compliance #UG846312C was issued by Best Coast Auto Smog under Respondent Anguiano Jr.'s Smog Check Technician License No. 631102.

63. The Dynamic PID charts and data for the 2002 Honda Accord LX show that between time stamp 315 and 17401, the engine RPM is steady at around 700 RPM. During this time, the data shows that the throttle was fluctuating erratically between 8.2% and 11.4% opening and the MAP was fluctuating erratically between 34 kPa and 43 kPa. After time stamp 17793, the engine RPM was increased to and then held around 1850 RPM. During this time, the data shows that the throttle was varying between 6.3% and 10.2% opening and the MAP was fluctuating erratically between 33 kPa and 44 kPa.

64. The steady idle and steady elevated engine RPMs along with the improbable throttle positions and MAP readings are not characteristic or expected for normal engine operation. The throttle positions and MAP readings are expected to be stable at idle and at the elevated engine RPM, not varying or fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected as required to the 2002 Honda Accord LX being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

**Clean Plug Number 8 – 2002 GMC New Sierra C1500 (Respondent Anguiano Jr.)**

65. OIS Test data for Best Coast Auto Smog indicated that on December 7, 2024, a 2002 GMC New Sierra C1500, VIN #2GTEC19V321364325, CA License #67231C2 was tested and Smog Certificate of Compliance #UG846313C was issued by Best Coast Auto Smog under Respondent Anguiano Jr.'s Smog Check Technician License No. 631102.

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1           66. The Dynamic PID charts and data for the 2002 GMC New Sierra C1500 show that  
2 between time stamp 147 and 21338, the engine RPM was steady at around 650 RPM. During this  
3 time, the data shows that the throttle was fixed at 0% opening, the MAP was fixed at 37 kPa, and  
4 the MAF was fixed at 5.14 grams/sec. After time stamp 21695, the data shows the engine RPM  
5 was increased to and held above 1538 RPM. During this time, the data shows that the throttle  
6 remained fixed at 0%, the MAP remained fixed at 37 kPa, and the MAF remained fixed at 5.14  
7 grams/sec.

8           67. The steady idle and elevated engine RPM data along with the improbable fixed  
9 throttle position, fixed MAP and MAF readings that never changed during the entire period the  
10 dynamic data was collected, are not characteristic or expected for normal engine operation. The  
11 discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected as  
12 required to the 2002 GMC New Sierra C1500 being certified, causing the issuance of a fraudulent  
13 Smog Certificate of Compliance.

14           **Clean Plug Number 9 – 2002 Chevrolet Silverado C1500 (Respondent Anguiano Jr.)**

15           68. OIS Test data for Best Coast Auto Smog indicated that on December 9, 2024, a 2002  
16 Chevrolet Silverado C1500, VIN #1GCEC14V72Z159217, CA License #6V22174 was tested and  
17 Smog Certificate of Compliance #UG846316C was issued by Best Coast Auto Smog under  
18 Respondent Anguiano Jr.'s Smog Check Technician License No. 631102.

19           69. The Dynamic PID charts and data for the 2002 Chevrolet Silverado C1500 show that  
20 between time stamp 165 and 16839, the engine RPM is steady at around 675 RPM. During this  
21 time, the data shows that the throttle was fixed at 0.4% opening, the MAP was fixed at 42 kPa,  
22 and the MAF was fixed at 5.96 grams/sec. After time stamp 17157, the engine RPM was  
23 increased and held above 1602 RPM. During this time, the data shows that the throttle remained  
24 fixed at 0.4% opening, the MAP remained fixed at 42 kPa, and the MAF remained fixed at 5.96  
25 grams/sec.

26           70. The steady idle and elevated engine RPM data along with the improbable fixed  
27 throttle position, fixed MAP, and fixed MAF readings that never changed during the entire period  
28 the dynamic data was collected, are not characteristic or expected for normal engine operation.

1 The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected  
2 as required to the 2002 Chevrolet Silverado C1500 being certified, causing the issuance of a  
3 fraudulent Smog Certificate of Compliance.

4 **Clean Plug Number 10 – 2006 Toyota Camry LE (Respondent Anguiano Jr.)**

5 71. OIS Test data for Best Coast Auto Smog indicated that on December 12, 2024, a  
6 2006 Toyota Camry LE, VIN #4T1BE32K16U681454, CA License #8BNT704 was tested and  
7 Smog Certificate of Compliance #UG846323C was issued by Best Coast Auto Smog under  
8 Respondent Anguiano Jr.'s Smog Check Technician License No. 631102.

9 72. The Dynamic PID charts and data for the 2006 Toyota Camry LE show that between  
10 time stamp 347 and 21615, the engine RPM was steady at around 700 RPM. During this time, the  
11 data shows that the throttle was fluctuating erratically between 12.9% and 18% opening and the  
12 MAF was fluctuating erratically between 0.25 grams/sec and 2.44 grams/sec. After time stamp  
13 22031, the engine RPM was increased to and then held steady at around 1900 RPM. During this  
14 time, the data shows that the throttle was fluctuating erratically between 12.9% and 18% opening  
15 and the MAF was fluctuating erratically between 0.26 grams/sec and 1.86 grams/sec.

16 73. The steady idle and steady elevated engine RPMs along with the improbable throttle  
17 positions and MAF readings are not characteristic or expected for normal engine operation. The  
18 throttle positions and MAF readings are expected to be stable at idle and at the elevated engine  
19 RPM, not fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data  
20 Acquisition Device was not connected as required to the 2006 Toyota Camry LE being certified,  
21 causing the issuance of a fraudulent Smog Certificate of Compliance.

22 **Clean Plug Number 11 – 2000 Nissan Sentra Base (Respondent Anguiano Jr.)**

23 74. OIS Test data for Best Coast Auto Smog indicated that on December 12, 2024, a  
24 2000 Nissan Sentra Base, VIN #3N1CB51D5YL349694, CA License #8GBZ184 was tested and  
25 Smog Certificate of Compliance #UG846324C was issued by Best Coast Auto Smog under  
26 Respondent Anguiano Jr.'s Smog Check Technician License No. 631102.

27 75. The Dynamic PID charts and data for the Nissan Sentra Base show that between time  
28 stamp 350 and 19572, the engine RPM is steady at around 750 RPM. During this time, the data

1 shows that the throttle was varying between 0.8% and 2.4% opening and the MAF was  
2 fluctuating erratically between 3.44 grams/sec and 5.09 grams/sec. After time stamp 20170, the  
3 engine RPM was increased to and then held steady around 1950 RPM. During this time, the data  
4 shows that the throttle was fluctuating erratically between 0% and 4.3% opening and the MAF  
5 was fluctuating erratically between 2.97 grams/sec and 5.07 grams/sec.

6 76. The steady idle and steady elevated engine RPMs along with the improbable throttle  
7 positions and MAF readings are not characteristic or expected for normal engine operation. The  
8 throttle positions and MAF readings are expected to be stable at idle and at the elevated engine  
9 RPM, not varying or fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS  
10 Data Acquisition Device was not connected as required to the 2000 Nissan Sentra Base being  
11 certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

12 **Clean Plug Number 12 – 2002 GMC Yukon (Respondent Illescas)**

13 77. OIS Test data for Best Coast Auto Smog indicated that on December 21, 2024, a  
14 2002 GMC Yukon, VIN #1GKEK13T52R203593, CA License #7PAY335 was tested and Smog  
15 Certificate of Compliance #UG846337C was issued by Best Coast Auto Smog under Respondent  
16 Illescas' Smog Check Technician License No. 644362.

17 78. The Dynamic PID charts and data for the 2002 GMC Yukon show that between time  
18 stamp 114 and 16005, the engine RPM was steady at around 750 RPM. During this time, the data  
19 shows that the throttle was fixed at 0% opening, the MAP was fixed at 34 kPa, and the MAF was  
20 fixed at 4.75 grams/sec. After time stamp 16356, the engine RPM was increased to and held  
21 above 1455 RPM. During this time, the data shows that the throttle remained fixed at 0%, the  
22 MAP remained fixed at 34 kPa, and the MAF remained fixed at 4.75 grams/sec.

23 79. The steady idle and elevated engine RPM data along with the improbable fixed  
24 throttle position, fixed MAP, and fixed MAF readings that never changed during the entire period  
25 the dynamic data was collected, are not characteristic or expected for normal engine operation.  
26 The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected  
27 as required to the 2002 GMC Yukon being certified, causing the issuance of a fraudulent Smog  
28 Certificate of Compliance.

**Clean Plug Number 13 – 2006 GMC Yukon (Respondent Illescas)**

80. OIS Test data for Best Coast Auto Smog indicated that on December 21, 2024, a 2006 GMC Yukon, VIN #1GKEC13T56R122144, CA License #5SJH679 was tested and Smog Certificate of Compliance #UG846338C was issued by Best Coast Auto Smog under Respondent Illescas' Smog Check Technician License No. 644362.

81. The Dynamic PID charts and data for the 2006 GMC Yukon show that between time stamp 152 and 16526, the engine RPM was held steady at around 800 RPM. During this time, the data shows that the throttle was fixed at 12.5% opening, the MAP as fixed at 31 kPa, and the MAF was fixed at 4.48 grams/sec. After time stamp 16787, the engine RPM was increased to and held above 1401 RPM. During this time, the data shows that the throttle remained fixed at 12.5% opening, the MAP remained fixed at 31 kPa, and the MAF remained fixed at 4.48 grams/sec.

82. The steady idle and elevated engine RPM data along with the improbable fixed throttle position, fixed MAP, and fixed MAF readings that never changed during the entire period the dynamic data was collected, are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device was not connected as required to the 2006 GMC Yukon being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.<sup>1</sup>

**Clean Plug Number 14 – 2002 Toyota Tacoma Xtracab Prerunner (Respondent Illescas)**

83. OIS Test data for Best Coast Auto Smog indicated that on December 27, 2024, a 2002 Toyota Tacoma Xtracab Prerunner, VIN #5TESM92N42Z006431, CA License #6V43017 was tested and Smog Certificate of Compliance #UG846341C was issued by Best Coast Auto Smog under Respondent Illescas' Smog Check Technician License No. 644362.

84. The Dynamic PID charts and data for the 2002 Toyota Tacoma Xtracab Prerunner show that between time stamp 382 and 18592, the engine RPM was steady at around 700 RPM. During this time, the data shows that the throttle was fluctuating erratically between 7.5% and

<sup>1</sup> On December 10, 2022, a previous Smog Check inspection was performed on the 2006 GMC Yukon at a different, unrelated Smog Check station, during which the steady idle and elevated engine RPM data, along with the associated throttle positions, MAP and MAF readings, were characteristic and expected for normal engine operation.

1 11.4% opening and the MAF was fluctuating erratically between 2.91 grams/sec and 4.98  
2 grams/sec. After time stamp 18932, the engine RPM was increased to and then held steady at  
3 around 1750 RPM. During this time, the data shows that the throttle was fluctuating erratically  
4 between 8.6% and 11.8% opening and the MAF was fluctuating erratically between 3.34  
5 grams/sec and 4.96 grams/sec.

6 85. The steady idle and steady elevated engine RPMs along with the improbable throttle  
7 positions and MAF readings are not characteristic or expected for normal engine operation. The  
8 throttle position and MAF readings are expected to be stable at idle and at the elevated engine  
9 RPM, not fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data  
10 Acquisition Device was not connected as required to the 2002 Toyota Tacoma Xtracab Prerunner  
11 being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

12 **Clean Plug Number 15 – 2004 Toyota Sienna CE (Respondent Illescas)**

13 86. OIS Test data for Best Coast Auto Smog indicated that on December 27, 2024, a  
14 2004 Toyota Sienna CE, VIN#5TDZA23C74S106079, CA License #5FPJ120 was tested and  
15 Smog Certificate of Compliance #UG846343C was issued by Best Coast Auto Smog under  
16 Respondent Illescas' Smog Check Technician License No. 644362.

17 87. The Dynamic PID charts and data for the 2004 Toyota Sienna CE show that between  
18 time stamp 308 and 19240, the engine RPM was steady at around 800 RPM. During this time, the  
19 data shows that the throttle was fluctuating erratically between 12.9% and 16.5% opening and the  
20 MAF was fluctuating erratically between 3.51 grams/sec and 4.61 grams/sec. After time stamp  
21 19686, the engine RPM was increased to and then held steady at around 1550 RPM. During this  
22 time, the data shows that the throttle was fluctuating erratically between 12.5% and 16.9%  
23 opening and the MAF was fluctuating erratically between 3.96 grams/sec and 4.78 grams/sec.

24 88. The steady idle and steady elevated engine RPMs along with the improbable throttle  
25 positions and MAF readings are not characteristic or expected for normal engine operation. The  
26 throttle positions and MAF readings are expected to be stable at idle and at the elevated engine  
27 RPM, not fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data  
28

1 Acquisition Device was not connected as required to the 2004 Toyota Sienna CE being certified,  
2 causing the issuance of a fraudulent Smog Certificate of Compliance.

3 **Clean Plug Number 16 – 2000 Honda Odyssey EX (Respondent Anguiano Jr.)**

4 89. OIS Test data for Best Coast Auto Smog indicated that on February 7, 2025, a 2000  
5 Honda Odyssey EX, VIN#2HKRL1865YH555585, CA License #4KIM526 was tested and Smog  
6 Certificate of Compliance #UI498649C was issued by Best Coast Auto Smog under Respondent  
7 Anguiano Jr.'s Smog Check Technician License No. 631102.

8 90. The Dynamic PID charts and data for the 2000 Honda Odyssey EX show that  
9 between time stamp 254 and 17384, the engine RPM was steady at around 800 RPM. During this  
10 time, the data shows that the throttle was fluctuating erratically between 6.3% and 11.4% opening  
11 and the MAP was fluctuating erratically between 16 kPa and 30 kPa. After time stamp 17675, the  
12 engine RPM was increased to and then held steady at around 1650 RPM. During this time, the  
13 data shows that the throttle was fluctuating between 6.7% and 10.2% opening and the MAP was  
14 fluctuating between 22 kPa and 30 kPa.

15 91. The steady idle and steady elevated engine RPMs along with the improbable throttle  
16 positions and MAP readings are not characteristic or expected for normal engine operation. The  
17 throttle positions and MAP readings are expected to be stable at idle and at the elevated engine  
18 RPM, not fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS Data  
19 Acquisition Device was not connected as required to the 2000 Honda Odyssey EX being certified,  
20 causing the issuance of a fraudulent Smog Certificate of Compliance.

21 **Clean Plug Number 17 – 2002 Nissan Altima Base (Respondent Anguiano Jr.)**

22 92. OIS Test data for Best Coast Auto Smog indicated that on February 7, 2025, a 2002  
23 Nissan Altima Base, VIN#1N4AL11DX2C119202, CA License #8CDX775 was tested and Smog  
24 Certificate of Compliance #UI498650C was issued by Best Coast Auto Smog under Respondent  
25 Anguiano Jr.'s Smog Check Technician License No. 631102.

26 93. The Dynamic PID charts and data for the 2002 Nissan Altima Base show that  
27 between time stamp 290 and 17805, the engine RPM was steady at around 825 RPM. During this  
28 time, the data shows that the throttle was varying between 1.2% and 4.3% opening and the MAF



1 was fluctuating erratically between 2.86 grams/sec and 5.04 grams/sec. After time stamp 18327,  
2 the engine RPM was increased to and then held steady at around 1600 RPM. During this time, the  
3 data shows that the throttle was varying between 0% and 5.1% opening and the MAF was  
4 fluctuating between 3.35 grams/sec and 4.69 grams/sec.

5 94. The steady idle and steady elevated engine RPMs along with the improbable throttle  
6 positions and MAF readings are not characteristic or expected for normal engine operation. The  
7 throttle positions and MAF readings are expected to be stable at idle and at the elevated engine  
8 RPM, not varying or fluctuating erratically. The discrepancies in the OIS Test Data prove the OIS  
9 Data Acquisition Device was not connected as required to the 2002 Nissan Altima Base being  
10 certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

#### 11 **FIRST CAUSE FOR DISCIPLINE**

##### 12 **(Untrue or Misleading Statements – Respondent Anguiano Jr.)**

13 95. Respondent Anguiano Jr.'s Automotive Repair Dealer Registration is subject to  
14 disciplinary action under Business and Professions Code section 9884.7, subdivision (a)(1), in  
15 that he made statements which were known to be untrue or misleading or, which by exercise of  
16 reasonable care, should have been known to be untrue or misleading, by issuing electronic smog  
17 certificates of compliance for the vehicles identified above certifying that those vehicles were in  
18 compliance with applicable laws and regulations when, in fact, those vehicles had not been so  
19 inspected. Complainant refers to, and by this reference incorporates, the allegations contained in  
20 paragraphs 43 through 94, as though fully set forth here.

#### 21 **SECOND CAUSE FOR DISCIPLINE**

##### 22 **(Fraud – Respondent Anguiano Jr.)**

23 96. Respondent Anguiano Jr.'s Automotive Repair Dealer Registration is subject to  
24 disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(4),  
25 in that he committed acts that constitute fraud by issuing electronic certificates of compliance to  
26 the vehicles identified above without performing bone fide inspections of the emission control  
27 devices and systems on those vehicles, thereby depriving the People of the State of California of  
28 the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by

1 this reference incorporates, the allegations contained in paragraphs 43 through 94, above, as  
2 though set forth fully herein.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Material Violation of Automotive Repair Act – Respondent Anguiano Jr.)**

5 97. Respondent Anguiano Jr.’s Automotive Repair Dealer Registration is subject to  
6 disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(6),  
7 in that he failed in a material respect to comply with the provisions of this chapter or regulations  
8 adopted pursuant to it when she issued electronic certificates of compliance for the vehicles  
9 identified above without performing bona fide inspections of the emission control devices and  
10 systems on those vehicles, thereby depriving the People of the State of California of the  
11 protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this  
12 reference incorporates, the allegations contained in paragraphs 43 through 94, above, as though  
13 set forth fully herein.

14 **FOURTH CAUSE FOR DISCIPLINE**

15 **(Violations of the Motor Vehicle Inspection Program – Respondent Anguiano Jr.)**

16 98. Respondent Anguiano Jr.’s Smog Check, Test Only, Station License is subject to  
17 disciplinary action pursuant to Health & Safety Code section 44072.2, subdivision (a), in that he  
18 failed to comply with the following sections of that Code:

19 a. **Section 44012:** Respondent Anguiano Jr. failed to ensure that the emission  
20 control tests were performed on the vehicles identified above in accordance with procedures  
21 prescribed by the department.

22 b. **Section 44015, subdivision (b):** Respondent Anguiano Jr. issued electronic  
23 smog certificates of compliance to the vehicles identified above without properly testing and  
24 inspecting those vehicles to determine if they were in compliance with Health & Safety Code  
25 section 44012.

26 Complainant refers to, and by this reference incorporates, the allegations contained in  
27 paragraphs 43 through 94, above, as though set forth fully herein.

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**FIFTH CAUSE FOR DISCIPLINE**

**(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program –  
Respondent Anguiano Jr.)**

99. Respondent Anguiano Jr.'s Smog Check, Test Only, Station License is subject to disciplinary action pursuant to Health & Safety Code section 44072.2, subdivision (c), in that he failed to comply with provisions of California Code of Regulations, title 16, as follows:

a. **Section 3340.24, subdivision (c)**: Respondent Anguiano Jr. falsely or fraudulently issued electronic smog certificates of compliance for the vehicles identified above.

b. **Section 3340.30, subdivision (a)**: Respondent Anguiano Jr. failed to inspect and test the vehicles identified above in accordance with Health & Safety Code sections 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

c. **Section 3340.35, subdivision (c)**: Respondent Anguiano Jr. issued electronic smog certificates of compliance for the vehicles identified above even though those vehicles had not been inspected in accordance with section 3340.42.

d. **Section 3340.41, subdivision (c)**: Respondent Anguiano Jr. knowingly entered false information into the emissions inspection system for the vehicles identified above.

e. **Section 3340.42**: Respondent Anguiano Jr. failed to ensure that the smog inspections conducted on the vehicles identified above were done in accordance with the Bureau's specifications.

e. **Section 3373**: Respondent Anguiano Jr. withheld or inserted statements or information in an estimate, invoice, work order, or record required to be maintained by California Code of Regulations, title 16, section 3340.15, subdivision (e), which caused the document to be false or misleading for the vehicles identified above.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 43 through 94, above, as though set forth fully herein.

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1 **SIXTH CAUSE FOR DISCIPLINE**

2 **(Dishonesty, Fraud or Deceit – Respondent Anguiano Jr.)**

3 100. Respondent Anguiano Jr.'s Smog Check, Test Only, Station License is subject to  
4 disciplinary action pursuant to Health & Safety Code section 44072.2, subdivision (d), in  
5 conjunction with Health & Safety Code section 44072.10, subdivision (c), in that he committed  
6 dishonest, fraudulent, or deceitful acts whereby another was injured by issuing electronic smog  
7 certificates of compliance for the vehicles identified above without performing bona fide  
8 inspections of the emission control devices and systems on those vehicles, thereby depriving the  
9 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
10 Program. Complainant refers to, and by this reference incorporates, the allegations contained in  
11 paragraphs 43 through 94, above, as though set forth fully herein.

12 **SEVENTH CAUSE FOR DISCIPLINE**

13 **(Violations of the Motor Vehicle Inspection Program – Respondent Anguiano Jr.)**

14 101. Respondent Anguiano Jr.'s Smog Check Inspector License and Smog Check Repair  
15 Technician License are subject to disciplinary action pursuant to Health & Safety Code section  
16 44072.2, subdivision (a), in that he failed to comply with the following sections of that code:

17 a. **Section 44012, subdivision (a):** Respondent Anguiano Jr. failed to determine  
18 that all emission control devices and systems required by law were installed and functioning  
19 correctly on the vehicles identified above in accordance with test procedures prescribed by the  
20 Bureau.

21 b. **Section 44012, subdivision (f):** Respondent Anguiano Jr. failed to perform  
22 emission control tests on the vehicles identified above in accordance with procedures prescribed  
23 by the Bureau.

24 a. **Section 44032:** Respondent Anguiano Jr. failed to perform tests of emission  
25 control devices and systems of the vehicles identified above in accordance with Health & Safety  
26 Code section 44012.

27 b. **Section 44015, subdivision (b):** Respondent Anguiano Jr. caused electronic  
28 smog certificates of compliance to be issued for the subject vehicles identified above without

ensuring that they were properly tested and inspected to determine if they were in compliance with Health & Safety Code section 44012.

e. **Section 44059:** Respondent Anguiano Jr. willfully made false entries for the electronic certificates of compliance by certifying that the vehicles identified above had been inspected as required when, in fact, they had not.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 43, 50 through 55, 59 through 76, and 89 through 94, above, as though set forth fully herein.

### **EIGHTH CAUSE FOR DISCIPLINE**

#### **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program – Respondent Anguiano Jr.)**

102. Respondent Anguiano Jr.'s Smog Check Inspector License and Smog Check Repair Technician License are subject to disciplinary action pursuant to Health & Safety Code section 44072.2, subdivision (c), in that he failed to comply with provisions of California Code of Regulations, title 16, as follows:

a. **Section 3340.24, subdivision (c):** Respondent Anguiano Jr. falsely or fraudulently issued electronic smog certificates of compliance for the vehicles identified above.

b. **Section 3340.30, subdivision (a):** Respondent Anguiano Jr. failed to inspect and test the vehicles identified above in accordance with Health & Safety Code sections 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

c. **Section 3340.41, subdivision (c):** Respondent Anguiano Jr. knowingly entered false information into the emissions inspection system for the vehicles identified above.

d. **Section 3340.42:** Respondent Anguiano Jr. failed to ensure that the smog inspections conducted on the vehicles identified above were done in accordance with the Bureau's specifications.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 43, 50 through 55, 59 through 76, and 89 through 94, above, as though set forth fully herein.

1 **NINTH CAUSE FOR DISCIPLINE**

2 **(Dishonesty, Fraud or Deceit – Respondent Anguiano Jr.)**

3 103. Respondent Anguiano Jr.'s Smog Check Inspector License and Smog Check Repair  
4 Technician License are subject to disciplinary action pursuant to Health & Safety Code section  
5 44072.2, subdivision (d), in conjunction with Health & Safety Code section 44072.10,  
6 subdivision (c), in that he committed dishonest, fraudulent, or deceitful acts whereby another was  
7 injured by issuing electronic smog certificates of compliance for the vehicles identified above  
8 without performing bona fide inspections of the emission control devices and systems on those  
9 vehicles, thereby depriving the People of the State of California of the protection afforded by the  
10 Motor Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the  
11 allegations contained in paragraphs 43, 50 through 55, 59 through 76, and 89 through 94, above,  
12 as though set forth fully herein.

13 **TENTH CAUSE FOR DISCIPLINE**

14 **(Violations of the Motor Vehicle Inspection Program – Respondent Illescas)**

15 104. Respondent Illescas's Smog Check Inspector License is subject to disciplinary action  
16 pursuant to Health & Safety Code section 44072.2, subdivision (a), in that he failed to comply  
17 with the following sections of that code:

18 a. **Section 44012, subdivision (a):** Respondent Illescas failed to determine that  
19 all emission control devices and systems required by law were installed and functioning correctly  
20 on the vehicles identified above in accordance with test procedures prescribed by the Bureau.

21 b. **Section 44012, subdivision (f):** Respondent Illescas failed to perform emission  
22 control tests on the vehicles identified above in accordance with procedures prescribed by the  
23 Bureau.

24 a. **Section 44032:** Respondent Illescas failed to perform tests of emission control  
25 devices and systems of the vehicles identified above in accordance with Health & Safety Code  
26 section 44012.

27 b. **Section 44015, subdivision (b):** Respondent Illescas caused electronic smog  
28 certificates of compliance to be issued for the subject vehicles identified above without ensuring

1 that they were properly tested and inspected to determine if they were in compliance with Health  
2 & Safety Code section 44012.

3 e. **Section 44059:** Respondent Illescas willfully made false entries for the  
4 electronic certificates of compliance by certifying that the vehicles identified above had been  
5 inspected as required when, in fact, they had not.

6 Complainant refers to, and by this reference incorporates, the allegations contained in  
7 paragraphs 43 through 49, 56 through 58, and 77 through 88 above, as though set forth fully  
8 herein.

9 **ELEVENTH CAUSE FOR DISCIPLINE**

10 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program –**  
11 **Respondent Illescas)**

12 105. Respondent Illescas's Smog Check Inspector License is subject to disciplinary action  
13 pursuant to Health & Safety Code section 44072.2, subdivision (c), in that he failed to comply  
14 with provisions of California Code of Regulations, title 16, as follows:

15 a. **Section 3340.24, subdivision (c):** Respondent Illescas falsely or fraudulently  
16 issued electronic smog certificates of compliance for the vehicles identified above.

17 b. **Section 3340.30, subdivision (a):** Respondent Illescas failed to inspect and  
18 test the vehicles identified above in accordance with Health & Safety Code sections 44012 and  
19 44035, and California Code of Regulations, title 16, section 3340.42.

20 c. **Section 3340.41, subdivision (c):** Respondent Illescas knowingly entered false  
21 information into the emissions inspection system for the vehicles identified above.

22 d. **Section 3340.42:** Respondent Illescas failed to ensure that the smog  
23 inspections conducted on the vehicles identified above were done in accordance with the  
24 Bureau's specifications.

25 Complainant refers to, and by this reference incorporates, the allegations contained in  
26 paragraphs 43 through 49, 56 through 58, and 77 through 88, above, as though set forth fully  
27 herein.

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1 **TWELFTH CAUSE FOR DISCIPLINE**

2 **(Dishonesty, Fraud or Deceit – Respondent Illescas)**

3 106. Respondent Illescas's Smog Check Inspector License is subject to disciplinary action  
4 pursuant to Health & Safety Code section 44072.2, subdivision (d), in conjunction with Health &  
5 Safety Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or  
6 deceitful acts whereby another was injured by issuing electronic smog certificates of compliance  
7 for the vehicles identified above without performing bona fide inspections of the emission control  
8 devices and systems on those vehicles, thereby depriving the People of the State of California of  
9 the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by  
10 this reference incorporates, the allegations contained in paragraphs 43 through 49, 56 through 58,  
11 and 77 through 88, above, as though set forth fully herein.

12 **OTHER MATTERS**

13 107. Pursuant to Business and Professions Code section 9884.7, subdivision (c), the  
14 Director may suspend, revoke, or place on probation the registration for all places of business  
15 operated in this state by Respondent Anguiano Jr., upon a finding that he has, or is, engaged in a  
16 course of repeated and willful violations of the laws and regulations pertaining to an automotive  
17 repair dealer.

18 108. Pursuant to Health & Safety Code section 44072.8, if Smog Check, Test Only,  
19 Station License No. TC 290163, issued to Respondent Anguiano Jr., is revoked or suspended, any  
20 additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Safety Code in  
21 the name of said licensee may be likewise revoked or suspended by the director.

22 109. Pursuant to Health & Safety Code section 44072.8, if Smog Check Inspector License  
23 No. EO 631102, issued to Respondent Anguiano Jr., is revoked or suspended, any additional  
24 license issued under Chapter 5 of Part 5 of Division 26 of the Health & Safety Code in the name  
25 of said licensee may be likewise revoked or suspended by the director.

26 110. Pursuant to Health & Safety Code section 44072.8, if Smog Check Repair Technician  
27 License No. EI 631102, issued to Respondent Anguiano Jr., is revoked or suspended, any  
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1 additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Safety Code in  
2 the name of said licensee may be likewise revoked or suspended by the director.

3 111. Pursuant to Health & Safety Code section 44072.8, if Smog Check Inspector License  
4 No. EO 644362, issued to Respondent Illescas, is revoked or suspended, any additional license  
5 issued under Chapter 5 of Part 5 of Division 26 of the Health & Safety Code in the name of said  
6 licensee may be likewise revoked or suspended by the director.

7 **PRAYER**

8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
9 and that following the hearing, the Director of the Department of Consumer Affairs issue a  
10 decision:

11 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD  
12 290163, issued to Hipolito Padilla Anguiano, Jr.;

13 2. Revoking or suspending any other automotive repair dealer registration issued to  
14 Hipolito Padilla Anguiano, Jr.;

15 3. Revoking or suspending Smog Check, Test Only, Station License Number TC  
16 290163, issued to Hipolito Padilla Anguiano, Jr.;

17 4. Revoking or suspending Smog Check Inspector License Number EO 631102, issued  
18 to Hipolito Padilla Anguiano, Jr.;

19 5. Revoking or suspending Smog Check Repair Technician License Number EI 631102,  
20 issued to Hipolito Padilla Anguiano, Jr.;

21 6. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of  
22 Division 26 of the Health & Safety Code in the name of Hipolito Padilla Anguiano, Jr.;

23 7. Revoking or suspending Smog Check Inspector License Number EO 644362, issued  
24 to Steven Nieto Illescas;

25 8. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of  
26 Division 26 of the Health & Safety Code in the name of Steven Nieto Illescas;

27 9. Ordering Hipolito Padilla Anguiano, Jr. and Steven Nieto Illescas to pay the Bureau  
28 of Automotive Repair the reasonable costs of the investigation and enforcement of this case,

1 pursuant to Business and Professions Code section 125.3 and if placed on probation, the costs of  
2 probation monitoring; and,

3 10. Taking such other and further action as deemed necessary and proper.  
4  
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6

7 DATED: As of digital signature date

8 PATRICK DORAIS  
9 Chief  
10 Bureau of Automotive Repair  
11 Department of Consumer Affairs  
12 State of California  
13 *Complainant*  
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