

1 ROB BONTA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 KEVIN J. SCHETTIG
Deputy Attorney General
4 State Bar No. 234240
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6272
6 Facsimile: (916) 731-2126
E-mail: Kevin.Schettig@doj.ca.gov
7 *Attorneys for Complainant*

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. 79/25-18452

13 **GT HORIZON SMOG CHECK LLC, DBA**
14 **GT HORIZON SMOG CHECK, ANGEL D.**
15 **CAMACHO, MEMBER, AKA ANGEL**
16 **DAVID CAMACHO**
17 **850 E. Jefferson Blvd.**
18 **Los Angeles, CA 90011**

ACCUSATION

19 **Automotive Repair Dealer Registration No.**
20 **ARD 307955**
21 **Smog Check, Test-and-Repair, Station**
22 **License No. RC 307955**

23 **and**

24 **LILIAN HUERTA**
25 **222 N. Herbert Ave.**
26 **Los Angeles, CA 90063**

27 **Smog Check Inspector License No. EO**
28 **631873**
Smog Check Repair Technician License No.
EI 631873

Respondents.

PARTIES

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

4 2. On or about January 4, 2024, the Bureau issued Automotive Repair Dealer
5 Registration Number ARD 307955 to GT Horizon Smog Check LLC, dba GT Horizon Smog
6 Check, Angel D. Camacho, Member (Respondent GT Horizon Smog Check). The Automotive
7 Repair Dealer Registration was in full force and effect at all times relevant to the charges brought
8 herein and was set to expire on January 31, 2026, however, was cancelled on December 29, 2025.

9 3. On or about May 10, 2024, the Bureau issued Smog Check, Test-and-Repair, Station
10 License Number RC 307955 to Respondent GT Horizon Smog Check. The Smog Check, Test-
11 and-Repair, Station License was in full force and effect at all times relevant to the charges
12 brought herein and was set to expire on January 31, 2026, however, was cancelled on December
13 29, 2025.

14 4. On or about July 18, 2024, the Bureau issued STAR Station Certification to
15 Respondent GT Horizon Smog Check. The STAR Station Certification was in full force and
16 effect at all times relevant to the charges brought herein and was terminated as of December 30,
17 2025 due to Respondent GT Horizon Smog Check’s Automotive Dealer Registration and Smog
18 Check, Test and Repair, Station License being cancelled on December 29, 2025.

19 5. In 2010, Advanced Emission Specialist License Number EA 631873 was issued to
20 Lilian Huerta (Respondent Huerta). License Number EA 641873 was due to expire on May 31,
21 2014, however, was canceled on May 27, 2014. On or about May 27, 2014, pursuant to
22 California Code of Regulations, title 16 section 3340.28, subdivision (e), the license was renewed
23 pursuant to Respondent Huerta’s election as Smog Check Inspector (EO) License number 631873
24 and Smog Check Repair Technician (EI) 631873. The Smog Check Inspector License was in full
25 force and effect at all times relevant to the charges brought herein and will expire on May 31,
26 2026, unless renewed. The Smog Check Repair Technician License expired on May 31, 2016,
27 and has not been renewed.

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1 **OTHER LICENSES**

2 6. On or about November 23, 2020, the Bureau issued Smog Check Inspector License
3 Number EO 642683 to Angel David Camacho (Respondent Camacho). The Smog Check
4 Inspector License was in full force and effect at all times relevant to the charges brought herein
5 and will expire on November 30, 2026, unless renewed.

6 7. On or about September 25, 2020, the Bureau issued Smog Check Repair Technician
7 License Number EI 642683 to Respondent Camacho. The Smog Check Repair Technician
8 License was in full force and effect at all times relevant to the charges brought herein and will
9 expire on November 30, 2026, unless renewed.

10 **JURISDICTION**

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

13 9. Section 9884.7 of the Code provides that the Director may revoke an automotive
14 repair dealer registration.

15 10. Section 9884.13 of the Code provides, in pertinent part, that the expiration of a valid
16 registration shall not deprive the Director of jurisdiction to proceed with a disciplinary proceeding
17 against an automotive repair dealer or to render a decision temporarily or permanently
18 invalidating (suspending or revoking) a registration.

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

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

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STATUTORY PROVISIONS

13. Section 9884.7 of the Code provides, 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.

...

14. Section 9889.22 of the Code 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 5 (commencing with Section 44000) of Part 5 of Division 26 of the Health and Safety Code constitutes perjury and is punishable as provided in 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, and on model-year 1996-99, inclusive, vehicles only, beginning no earlier than January 1, 2025. 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 that the department and the state board determine exhibit operational problems. The department shall ensure, as appropriate to the test method, the following:

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

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

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

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

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

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

15 (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.

16 (h) An analysis of pass and fail rates of vehicles subject to an onboard
17 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
18 failing their onboard diagnostic test have or would have passed a tailpipe test.

19 (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
20 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
21 requirements of this chapter.

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

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

25 17. Health and Safety Code section 44032 provides:

26 No person shall perform, for compensation, tests or repairs of emission control
27 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
28 repair is performed at a licensed smog check station. Qualified smog check
technicians shall perform tests of emission control devices and systems in accordance

with Section 44012.

18. 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.

19. Health and Safety Code section 44072.2 provides, 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 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.

...

20. Health and Safety Code section 44072.10, subdivision (c), provides:

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

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

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

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

REGULATORY PROVISIONS

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

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

22. California Code of Regulations, title 16, section 3340.30 provides, in pertinent part:

A licensed smog check inspector and/or repair technician shall comply with the

following requirements at all times while licensed:

(a) Inspect, test and repair vehicles, as applicable, in accordance with section 44012 of the Health and Safety Code, section 44035 of the Health and Safety Code, and section 3340.42 of this article.

...

23. California Code of Regulations, title 16, section 3340.35 provides, subdivision (c), provides, in pertinent part:

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

24. California Code of Regulations, title 16, section 3340.41 provides, in pertinent part:

...

(c) No person shall enter any vehicle identification information or emission 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 about the vehicle being tested.

...

(h) No licensed station shall have in the approved testing area at any time any electronic device or software capable of simulating the OBD data stream from a vehicle or manipulating OBD VIN, calibration identification, calibration verification number, MIL-status, readiness, or diagnostic trouble codes collected from a vehicle during a Smog Check Inspection.

...

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

26. California Code of Regulations, title 16, section 3373, provides:

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.

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1 **COST RECOVERY**

2 27. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee 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 licensee 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 **FACTUAL ALLEGATIONS**

9 28. 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 equipment
11 required in all areas of the State when inspecting most model-year 2000 and newer gasoline and
12 hybrid vehicles and most 1998 and newer diesel vehicles. The system consists of a certified Data
13 Acquisition Device (DAD), computer, bar code scanner, and printer. The DAD is an On-Board
14 Diagnostic (OBD) scan tool that, when requested by the California OIS software, retrieves OBD
15 data from the vehicle. All OBD data that the vehicle indicates it supports is requested by the
16 California OIS software and will be retrieved. The DAD connects between the OIS computer and
17 the vehicle’s Data Link Connector (DLC). The California OIS software requires a continuous
18 Internet connection when performing a Smog Check inspection and the OIS software
19 communicates with Bureau’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 Department of Motor Vehicles (DMV) renewal information. The printer provides a Vehicle
22 Inspection Report (VIR) containing inspection results for motorists and a Smog Check Certificate
23 of Compliance number for passing vehicles.

24 29. 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 30. During an OIS inspection, engine operating parameters are retrieved from the
2 vehicle's OBD II system and recorded to the VID. This is accomplished during the functional
3 portion of the OIS Smog Check inspection by plugging the DAD into the vehicle's DLC when
4 prompted by the OIS analyzer screen prompt. Some of the parameters recorded are: (1) engine
5 speed in revolutions per minute (RPM); (2) throttle position as measured by a throttle position
6 sensor (TPS) mounted onto the throttle shaft, measured in a percentage of opening from 0% at
7 idle and near or up to 100% at full throttle; (3) manifold absolute pressure as measured by a
8 manifold absolute pressure sensor (MAP) connected to an intake manifold source, measured in
9 kilo pascals (kpa). Typical readings for a normally aspirated vehicle are 0 kpa being absolute
10 vacuum, 25kpa to 45kpa at idle, 101 kpa at full throttle, same as atmospheric pressure at sea
11 level; and (4) mass air flow as measured by a mass air flow sensor (MAF) mounted in the
12 engine's air intake tract, measured in grams per second (gps).

13 31. During normal engine operation at idle, engine speed is relatively steady around its
14 target idle speed. With the engine idling, the TPS is steady and at or near 0%. The MAP and/or
15 MAF readings are also steady. In order for the engine speed to increase, the throttle would have
16 to be opened in order to increase airflow through the engine. The engine's management systems
17 supply fuel and spark timing appropriate to any changes in throttle position and engine speed. An
18 increase in throttle, measured by the TPS, which increases engine RPM, would result in
19 corresponding increases in MAF, as well as a change in MAP. Stated another way, any
20 movement in the throttle from the idle position will result in an increase of airflow through the
21 engine with corresponding increases RPM and MAF along with changes in MAP.

22 32. During an OIS Smog Check inspection, along with other visual and functional
23 inspections, there is an OBD II query portion of the inspection. The OBD II query is performed
24 with the engine idling and, when requested by the OIS analyzer, and an elevated or increased
25 engine speed. The increase in engine speed is performed by the inspector by stepping on the
26 throttle pedal or manually opening the throttle, resulting in a corresponding increase in engine
27 RPMs by allowing an increase in airflow into the engine.

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1 33. 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 VID.
3 Each Certificate of Compliance has a unique control number so that it can be tracked to determine
4 which Smog Check Station purchased the Certificate of Compliance and to which vehicle it was
5 issued.

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

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

23 36. The Bureau has become aware of methods some Smog Check stations and Smog
24 Check inspectors use to fraudulently issue smog certificates to vehicles that will not pass a Smog
25 Check test on their own, or in some instances, are not even present during the time the test is
26 performed. One method is known as "clean plugging." "Clean plugging" is a method by which
27 another vehicle's properly functioning OBD II system, or another source such as defeat devices,
28 are used to generate passing data readings or diagnostic information for the purpose of

1 fraudulently issuing smog certificates to vehicles that are not in smog compliance and or not
2 present for testing. Defeat devices attempt to simulate engine operation during a Smog Check
3 inspection by transmitting OBD II data to the VID which has been modified or replaced entirely
4 for the purportedly inspected vehicle during the functional portion of the OIS inspection. The use
5 of a defeat device during a Smog Check inspection is clean plugging and is strictly prohibited.

6 37. A Bureau representative investigated and reviewed OIS test data for the smog check
7 inspection performed at GT Horizon Smog Check from September 2025 through October 2025.
8 The investigation revealed that data related to certain vehicles certified by Respondents contained
9 a pattern of vehicles being certified with improbable engine operating parameters not
10 corresponding to normal engine operation, confirming the vehicles receiving smog certificates
11 were not tested during the OBD II functional test. This constitutes clean plugging, as follows:

12 **Clean Plug # 1**

13 38. On or about September 4, 2025, a 2003 Honda Accord EX, VIN
14 JHMCM56603C073669, CA License 5CRN109, was tested and smog certificate JH066648C was
15 issued by Respondent GT Horizon Smog Check, under licensed Smog Check Inspector EO
16 631873, Respondent Huerta.

17 39. The Dynamic PID charts and data for the 2003 Honda Accord EX shows that between
18 time stamp 104 and 34734, the engine RPM is steady at around 770 RPM. During this time, the
19 data shows that the throttle is fixed at 9.4% opening, the MAP is fixed at 29 kPa, and the MAF is
20 fixed at 2.9 grams/sec. After time stamp 34967, the engine RPM is increased and then held at no
21 less than 1402 RPM. During this time, the data shows that the throttle is fluctuating erratically
22 between 6.3% opening and 11.4% opening, the MAP is fluctuating erratically between 16 kPa
23 and 30 kPa, and the MAF is fluctuating erratically between 3.16 grams/sec and 4.6 grams/sec.

24 40. The steady idle and elevated engine RPMs along with the improbable throttle
25 positions, MAP and MAF readings are not characteristic or expected for normal engine operation.
26 The throttle positions, MAP and MAF readings are expected to be stable at idle and at the
27 elevated engine RPM, not fluctuate. Additionally, the throttle position readings are expected to
28 rise with the increase in engine RPM, not decrease to values less than idle readings. The

1 discrepancies in the OIS Test Data prove the OIS Data Acquisition Device (DAD) was not
2 connected as required to the 2003 Honda Accord EX being certified, causing the issuance of a
3 fraudulent Smog Certificate of Compliance.

4 **Clean Plug # 2**

5 41. On or about September 5, 2025, a 2005 Chevrolet Express G3500, VIN
6 1GAHG39U151111804, CA License 5WRC760, was tested and smog certificate US949359C
7 was issued by Respondent GT Horizon Smog Check, under licensed Smog Check Inspector EO
8 631873, Respondent Huerta.

9 42. The Dynamic PID charts and data for the 2005 Chevrolet Express G3500 shows that
10 between time stamp 18 and 43766, the engine RPM is steady at around 550 RPM. During this
11 time, the data shows that the throttle is fixed at 17.3% opening, the MAP is fixed at 41 kPa, and
12 the MAF is fixed at 6.86 grams/sec. After time stamp 44001, the engine RPM is increased and
13 then held steady at around 1630 RPM. During this time, the data shows that the throttle is
14 fluctuating erratically between 13.3% opening and 17.6% opening, the MAP is fluctuating
15 erratically between 34 kPa and 46 kPa, and the MAF is fluctuating erratically between 5.55
16 grams/sec and 7.64 grams/sec.

17 43. The steady idle and steady elevated engine RPM data along with the improbable
18 throttle positions, MAP and MAF readings are not characteristic or expected for normal engine
19 operation. The throttle positions, MAP and MAF readings are expected to be stable at idle and at
20 the elevated engine RPM, not fluctuate. Additionally, the throttle position and MAF readings are
21 expected to rise with the increase in engine RPM, not decrease to values less than idle readings,
22 The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device (DAD) was not
23 connected as required to the 2005 Chevrolet Express G3500 being certified, causing the issuance
24 of a fraudulent Smog Certificate of Compliance.

25 **Clean Plug # 3**

26 44. On or about September 6, 2025, a 2000 Toyota Tacoma Prerunner, VIN
27 5TENM92N1YZ718031, CA License 6K37931, was tested and smog certificate US949364C was
28

1 issued by Respondent GT Horizon Smog Check, under licensed Smog Check Inspector EO
2 631873, Respondent Huerta.

3 45. The Dynamic PID charts and data for the 2000 Toyota Tacoma Prerunner shows that
4 between time stamp 120 and 63793, the engine RPM is steady at around 660 RPM. During this
5 time, the data shows that the throttle is fixed at 10.6% opening and the MAF is fixed at 3.59
6 grams/sec. After time stamp 64036, the engine RPM is increased and then held steady at around
7 1780 RPM. During this time, the data shows that the throttle is fluctuating erratically between
8 6.3% opening and 11.4% opening and the MAF is fluctuating erratically between 2.81 grams/sec
9 and 5.06 grams/sec.

10 46. The steady idle and steady elevated engine RPMs along with the improbable throttle
11 positions and MAF readings are not characteristic or expected for normal engine operation. The
12 throttle positions and MAF readings are expected to be stable at idle and at the elevated engine
13 RPM, not fluctuate. Additionally, the throttle position and MAF readings are expected to rise
14 with the increase in engine RPM, not decrease to values less than idle readings. The
15 discrepancies in the OIS Test Data prove the OIS Data Acquisition Device (DAD) was not
16 connected as required to the 2000 Toyota Tacoma Prerunner being certified, causing the issuance
17 of a fraudulent Smog Certificate of Compliance.

18 47. On September 4, 2025, just two days earlier, Respondent GT Horizon Smog Check,
19 under licensed Smog Check Inspector EO 631873, Respondent Huerta, performed a Smog Check
20 Inspection on the same 2000 Toyota Tacoma Prerunner, VIN 5TENM92N1YZ718031, CA
21 License 6K37931. The vehicle failed for the following reasons: “Emission Control Systems
22 Functional Check Results – NOT READY OBDII”, “OBDII Monitors Not Ready – Evaporative
23 System, EGR and/or VVT System” as listed on the VIR.

24 48. The Dynamic PID charts and data for the 2000 Toyota Tacoma Prerunner shows that
25 between time stamp 126 and 184753, the engine RPM is steady at around 690 RPM. During this
26 time, the data shows that the throttle is fixed at 10.6% opening and the MAF is stable between
27 3.46 grams/sec and 3.51 grams/sec. After time stamp 185128, the engine RPM is increased and
28 then held above 1380 RPM. During this time, the data shows that the throttle increases to a fixed

1 12.9% opening and then rises to a fixed 13.3% opening and the MAF is stable between 6.29
2 grams/sec and 6.89 grams/sec.

3 49. The steady idle and elevated engine RPMs along with the associated throttle positions
4 and MAF readings are characteristic and expected for normal engine operation. The throttle
5 position and MAF readings are expected to be stable at idle and increase with the elevated engine
6 RPM. These expected results were all present during this inspection.

7 **Clean Plug # 4**

8 50. On or about September 8, 2025, a 2003 Infiniti G35, VIN JNKCV51E03M019259,
9 CA License 9SCY443, was tested and smog certificate US949378C was issued by Respondent
10 GT Horizon Smog Check, under licensed Smog Check Inspector EO 631873, Respondent Huerta.

11 51. The Dynamic PID charts and data for the 2003 Infiniti G35 shows that between time
12 stamp 176 and 52819, the engine RPM is steady at around 750 RPM. During this time, the data
13 shows that the throttle is fixed at 0.8% opening and the MAF is fixed at 4.98 grams/sec. After
14 time stamp 53284, the engine RPM is increased and then held at no less than 1667 RPM. During
15 this time, the data shows that the throttle is fluctuating erratically between 1.6% opening and
16 5.1% opening and the MAF rises from 2.76 grams/sec to 3.42 grams/sec, drops to 3.24 grams/sec,
17 then rises again to 4.57 grams/sec.

18 52. The steady idle and elevated engine RPMs along with the improbable throttle
19 positions and MAF readings are not characteristic or expected for normal engine operation. The
20 throttle position and MAF readings are expected to be stable at idle and at the higher engine
21 RPM, not drop and rise unexpectedly and/or fluctuate. Additionally, the MAF readings are
22 expected to rise with the increase in engine RPM, not decrease to values less than idle readings.
23 The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device (DAD) was not
24 connected as required to the 2003 Infiniti G35 being certified, causing the issuance of a
25 fraudulent Smog Certificate of Compliance.

26 53. On September 2, 2025, just six days earlier, Respondent GT Horizon Smog Check,
27 under licensed Smog Check Inspector EO 631873, Respondent Huerta, performed a Smog Check
28 Inspection on the same 2003 Infiniti G35, VIN JNKCV51E03M019259, CA License 9SCY443,

1 The vehicle failed for the following reasons: “Emission Control Systems Functional Check
2 Results – FAIL OBD Bulb Check and FAIL OBDII”, “Service Fault Codes – P0327
3 Knock/Combustion Vibration Sensor 1 Circuit Low Bank 1 or Single Sensor, P0507 Idle Control
4 System RPM Higher Than Expected, P1574, and U1001” as listed on the VIR.

5 54. The Dynamic PID charts and data for the 2003 Infiniti G35 shows that between time
6 stamp 169 and 32257, the engine RPM is steady at around 1025 RPM. During this time, the data
7 shows that the throttle is fixed at 0.8% opening and the MAF is stable between 5.52 grams/sec
8 and 5.61 grams/sec. After time stamp 32707, the engine RPM is increased and then held steady
9 at around 1970 RPM. During this time, the data shows that the throttle increases ultimately to a
10 fixed 1.6% opening and the MAF is stable between 8.37 grams/sec and 8.64 grams/sec.

11 55. The steady idle and elevated engine RPMs along with the associated throttle positions
12 and MAF readings are characteristic and expected for normal engine operation. The throttle
13 position and MAF readings are expected to be stable at idle and increase with the elevated engine
14 RPM. These expected results were all present during this inspection.

15 **Clean Plug # 5**

16 56. On or about September 12, 2025, a 2003 Toyota Corolla CE, VIN
17 1NXBR32E33Z075227, CA License 7GUN096, was tested and smog certificate UU210751C
18 was issued by Respondent GT Horizon Smog Check, under licensed Smog Check Inspector EO
19 631873, Respondent Huerta.

20 57. The Dynamic PID charts and data for the 2003 Toyota Corolla CE shows that
21 between time stamp 127 and 34388, the engine RPM is steady at around 710 RPM. During this
22 time, the data shows that the throttle is fixed at 11.8% opening and the MAF is fixed at 2.5
23 grams/sec. After time stamp 34771, the engine RPM is increased and held steady at around 1720
24 RPM. During this time, the data shows that the throttle drops from 8.6% opening to 7.8%
25 opening, rises to 11% opening, then eventually drops to 7.5% opening and the MAF is fluctuating
26 erratically between 0.65 grams/sec and 2.48 grams/sec.

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

1 throttle position and MAF readings are expected to be stable at idle and at the higher engine
2 RPM, not drop and rise unexpectedly and/or fluctuate. Additionally, the throttle position and
3 MAF readings are expected to rise with the increase in engine RPM, not decrease to values less
4 than idle readings. The discrepancies in the OIS Test Data prove the OIS Data Acquisition
5 Device (DAD) was not connected as required to the 2003 Toyota Corolla CE being certified,
6 causing the issuance of a fraudulent Smog Certificate of Compliance.

7 59. On August 13, 2024, another licensed Smog Check station performed a prior Smog
8 Check inspection on the same 2003 Toyota Corolla CE, VIN 1NXBR32E33Z075227, CA
9 License 7GUN096. The Dynamic PID charts and data for the 2003 Toyota Corolla CE shows
10 that between time stamp 870 and 25858, the engine RPM is steady at around 750 RPM. During
11 this time, the data shows that the throttle is fixed at 11.8% opening and the MAF is stable
12 between 2.06 grams/sec and 2.12 grams/sec. After time stamp 26746, the engine RPM is
13 increased and ultimately held at around 2241 RPM. During this time, the data shows that the
14 throttle increases to a fixed 14.9% opening and the MAF increases and is stable between 5.71
15 grams/sec and 5.76 grams/sec.

16 60. The steady idle and elevated engine RPMs along with the associated throttle positions
17 and MAF readings are characteristic and expected for normal engine operation. The throttle
18 position and MAF readings are expected to be stable at idle and increase with the elevated engine
19 RPM. These expected results were all present during this inspection.

20 **Clean Plug # 6**

21 61. On or about September 15, 2025, a 2002 Honda Civic LX, VIN
22 2HGES16562H502438, CA License 7DWA906, was tested and smog certificate UU210778C
23 was issued by Respondent GT Horizon Smog Check, under licensed Smog Check Inspector EO
24 631873, Respondent Huerta.

25 62. The Dynamic PID charts and data for the 2002 Honda Civic LX shows that between
26 time stamp 98 and 36139, the engine RPM is steady at around 675 RPM. During this time, the
27 data shows that the throttle is fixed at 9.4% opening and the MAP is fixed at 30 kPa. After time
28 stamp 36369, the engine RPM is increased then held steady at around 1670 RPM. During this

1 time, the data shows that the throttle is fluctuating erratically between 6.3% opening and 11.4%
2 opening and the MAP rises from 21 kPa to 28 kPa, drops to 19 kPa, then rises to 25 kPa.

3 63. The steady idle and steady elevated engine RPMs along with the improbable throttle
4 positions and MAP readings are not characteristic or expected for normal engine operation. The
5 throttle positions and MAP readings are expected to be stable at idle and at the elevated engine
6 RPM, not drop and rise unexpectedly and/or fluctuate. Additionally, the throttle position readings
7 are expected to rise with the increase in engine RPM, not decrease to values less than idle
8 readings. The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device (DAD)
9 was not connected as required to the 2002 Honda Civic LX being certified, causing the issuance
10 of a fraudulent Smog Certificate of Compliance.

11 64. On September 5, 2025, ten days earlier, Respondent GT Horizon Smog Check, under
12 licensed Smog Check Inspector EO 631873, Lilian Huerta, performed a Smog Check Inspection
13 on the same 2002 Honda Civic LX, VIN 2HGES16562H502438, CA License 7DWA906. The
14 vehicle failed for the following reasons: “Emission Control Systems Functional Check Results –
15 FAIL OBD Bulb Check and FAIL OBDII”, “Service Fault Codes – P0740 Torque Converter
16 Clutch Circuit/Open” as listed on the VIR.

17 65. The Dynamic PID charts and data for the 2002 Honda Civic LX shows that between
18 time stamp 99 and 124736, the engine RPM is steady at around 700 RPM. During this time, the
19 data shows that the throttle is fixed at 9.4% opening and the MAP is varying between 27 kPa and
20 29 kPa. After timestamp 124970 the engine RPM is held at no less than 781 RPM. During this
21 time, the data shows that the throttle rises from 11.8% opening to 12.2% opening and the MAP is
22 varying between 25 kPa and 26 kPa. After timestamp 144794, the engine RPM drops, then rises
23 to no less than 1871 RPM. During this time, the data shows that the throttle increases to a fixed
24 13.3% opening and the MAP is fixed at 26 kPa.

25 66. The steady idle and elevated engine RPMs along with the associated throttle positions
26 and MAP readings are characteristic and expected for normal engine operation. The throttle
27 position and MAP readings are expected to be stable at idle and at the elevated engine RPM.
28 These expected results were all present during this inspection.

1 **Clean Plug # 7**

2 67. On or about September 19, 2025, a 2003 Toyota Sequoia SR5, VIN
3 5TDZT34A73S198936, CA License 5DER596, was tested and smog certificate UU210799C was
4 issued by Respondent GT Horizon Smog Check, under licensed Smog Check Inspector #EO
5 631873, Respondent Huerta.

6 68. The Dynamic PID charts and data for the 2003 Toyota Sequoia SR5 shows that
7 between time stamp 127 and 24779, the engine RPM is steady at around 700 RPM. During this
8 time, the data shows that the throttle is fixed at 18.8% opening, and the MAF is fixed at 4.89
9 grams/sec. After time stamp 25041, the engine RPM is increased then held steady at around 1700
10 RPM. During this time, the data shows that the throttle drops from 23.1% opening to 19.2%
11 opening, rises to 22.7% opening, then eventually drops to 20% opening, and the MAF is
12 fluctuating erratically between 3 grams/sec and 4.86 grams/sec.

13 69. The steady idle and steady elevated engine RPMs along with the improbable throttle
14 positions and MAF readings are not characteristic or expected for normal engine operation. The
15 throttle positions and MAF readings are expected to be stable at idle and at the elevated engine
16 RPM, not drop and rise unexpectedly and/or fluctuate. Additionally, the MAF readings are
17 expected to rise with the increase in engine RPM, not decrease to values less than idle readings.
18 The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device (DAD) was not
19 connected as required to the 2003 Toyota Sequoia SR5 being certified, causing the issuance of a
20 fraudulent Smog Certificate of Compliance.

21 **Clean Plug # 8**

22 70. On or about September 26, 2025, a 2003 Chevrolet Tahoe K1500, VIN
23 1GNEK13T43R212175, CA License 5BKC693 was tested and smog certificate JH221674C was
24 issued by Respondent GT Horizon Smog Check, under licensed Smog Check Inspector EO
25 631873, Respondent Huerta.

26 71. The Dynamic PID charts and data for the 2003 Chevrolet Tahoe K1500 shows that
27 between time stamp 18 and 47257, the engine RPM is steady at around 550 RPM. During this
28 time, the data shows that the throttle is fixed at 10.6% opening, the MAP is fixed at 35 kPa, and

1 the MAF is fixed at 5.77 grams/sec. After time stamp 47490, the data shows the engine RPM is
2 increased and then held steady at around 1600 RPM. During this time, the data shows that the
3 throttle is fluctuating erratically between 6.3% opening and 11.4% opening, the MAP is
4 fluctuating erratically between 32 kPa and 45 kPa, and the MAF drops from 6.76 grams/sec to
5 6.53 grams, rises to 7.21 grams/sec, drops again to 5.92 grams/sec, then eventually rises to 6.8
6 grams/sec.

7 72. The steady idle and steady elevated engine RPMs along with the improbable throttle
8 positions, MAP and MAF readings are not characteristic or expected for normal engine operation.
9 The throttle positions, MAP and MAF readings are expected to be stable at idle and at the
10 elevated engine RPM, not drop and rise unexpectedly and/or fluctuate. Additionally, the throttle
11 position readings are expected to rise with the increase in engine RPM, not decrease to values less
12 than idle readings. The discrepancies in the OIS Test Data prove the OIS Data Acquisition
13 Device (DAD) was not connected as required to the 2003 Chevrolet Tahoe K1500 being certified,
14 causing the issuance of a fraudulent Smog Certificate of Compliance.

15 **Clean Plug # 9**

16 73. On or about October 3, 2025, a 2004 Chevrolet Express G2500, VIN
17 1GCGG25VX41234284, CA License 02862D1, was tested and smog certificate UU451411C was
18 issued by Respondent GT Horizon Smog Check, under licensed Smog Check Inspector EO
19 631873, Respondent Huerta.

20 74. The Dynamic PID charts and data for the 2004 Chevrolet Express G2500 shows that
21 between time stamp 19 and 21001, the engine RPM is steady at around 560 RPM. During this
22 time, the data shows that the throttle is fixed at 0% opening, the MAP is fixed at 36 kPa, and the
23 MAF is fixed at 4.78 grams/sec. After time stamp 21225, the engine RPM is increased and then
24 held at no less than 1364 RPM. During this time, the data shows that the throttle drops from 1.6%
25 opening to 0.8% opening, rises to 4.7% opening, then eventually drops to 1.6% opening, the
26 MAP is fluctuating erratically between 32 kPa and 46 kPa, and the MAF is fluctuating erratically
27 between 3.15 grams/sec and 5.03 grams/sec.

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1 75. The steady idle and elevated engine RPMs along with the improbable throttle
2 positions, MAP and MAF readings are not characteristic or expected for normal engine operation.
3 The throttle positions, MAP and MAF readings are expected to be stable at idle and at the
4 elevated engine RPM, not drop and rise unexpectedly and/or fluctuate. Additionally, the MAF
5 readings are expected to rise with the increase in engine RPM, not decrease to values less than
6 idle readings. The discrepancies in the OIS Test Data prove the OIS Data Acquisition Device
7 (DAD) was not connected as required to the 2004 Chevrolet Express G2500 being certified,
8 causing the issuance of a fraudulent Smog Certificate of Compliance.

9 **Clean Plug # 10**

10 76. On or about October 7, 2025, a 2000 Ford Econoline E350 Super Duty Cutaway Van,
11 VIN 1FDWE35L1YHA47756, CA License 37128P1, was tested and smog certificate
12 UU451425C was issued by Respondent GT Horizon Smog Check, under licensed Smog Check
13 Inspector EO 631873, Respondent Huerta.

14 77. The Dynamic PID charts and data for the 2000 Ford Econoline E350 Super Duty
15 Cutaway Van shows that between time stamp 12 and 16646, the engine RPM is steady at around
16 720 RPM. During this time, the data shows that the throttle is fixed at 18.4% opening and the
17 MAF is fixed at 7.36 grams/sec. After time stamp 16873, the engine RPM is increased and then
18 held at no less than 1508 RPM. During this time, the data shows that the throttle is fluctuating
19 erratically between 12.5% opening and 18% opening and the MAF is fluctuating erratically
20 between 5.3 grams/sec and 7.55 grams/sec.

21 78. The steady idle and elevated engine RPMs along with the improbable throttle
22 positions and MAF readings are not characteristic or expected for normal engine operation. The
23 throttle positions and MAF readings are expected to be stable at idle and at the elevated engine
24 RPM, not fluctuate. Additionally, the throttle position and MAF readings are expected to rise
25 with the increase in engine RPM, not decrease to values less than idle readings. The
26 discrepancies in the OIS Test Data prove the OIS Data Acquisition Device (DAD) was not
27 connected as required to the 2000 Ford Econoline E350 Super Duty Cutaway Van being certified,
28 causing the issuance of a fraudulent Smog Certificate of Compliance.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Untrue or Misleading Statements – Respondent GT Horizon Smog Check)**

3 79. Respondent GT Horizon Smog Check’s Automotive Repair Dealer Registration is
4 subject to disciplinary action under Code section 9884.7, subdivision (a)(1), in that, with respect
5 to the vehicles identified above, Respondent GT Horizon Smog Check made or authorized
6 statements which they knew, or in the exercise of reasonable care should have known to be untrue
7 or misleading, as follows: Respondent GT Horizon Smog Check certified that these vehicles had
8 passed inspection and were in compliance with applicable laws and regulations, when in fact,
9 Respondent GT Horizon Smog Check conducted the inspections on the vehicles using the clean
10 plugging method in order to issue smog certificates of compliance for the vehicles. Complainant
11 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 38-78,
12 as though fully set forth herein.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Fraud – Respondent GT Horizon Smog Check)**

15 80. Respondent GT Horizon Smog Check’s Automotive Repair Dealer Registration is
16 subject to disciplinary action under Code section 9884.7, subdivision (a)(4), in that, with respect
17 to the vehicles identified above, Respondent GT Horizon Smog Check committed acts which
18 constitute fraud by issuing electronic smog certificates of compliance for these vehicles without
19 performing bona fide inspections of the emissions control devices and systems on those vehicles,
20 thereby depriving the People of the State of California of the protection afforded by the Motor
21 Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the
22 allegations set forth above in paragraphs 38-78, as though fully set forth herein.

23 **THIRD CAUSE FOR DISCIPLINE**

24 **(Material Violation of Automotive Repair Act – Respondent GT Horizon Smog Check)**

25 81. Respondent GT Horizon Smog Check’s Automotive Repair Dealer Registration is
26 subject to disciplinary action under Code section 9884.7, subdivision (a)(6), in that, with respect
27 to the vehicles identified above, Respondent GT Horizon Smog Check failed in a material respect
28 to comply with the provisions of this chapter or regulations adopted pursuant to it by issuing

1 electronic smog certificates of compliance for these vehicles without performing bona fide
2 inspections of the emissions control devices and systems on those vehicles, thereby depriving the
3 People of the State of California of the protection afforded by the Motor Vehicle Inspection
4 Program. Complainant refers to, and by this reference incorporates, the allegations set forth
5 above in paragraphs 38-78, as though fully set forth herein.

6 **FOURTH CAUSE FOR DISCIPLINE**

7 **(Violations of the Motor Vehicle Inspection Program – Respondent GT Horizon Smog
8 Check)**

9 82. Respondent GT Horizon Smog Check’s Smog Check, Test-and-Repair, Station
10 License is subject to disciplinary action under Health and Safety Code section 44072.2,
11 subdivision (a), in that, with respect to the vehicles identified above, Respondent GT Horizon
12 Smog Check failed to comply with the following sections of the Health and Safety Code:

13 a. **Section 44012:** Respondent GT Horizon Smog Check failed to ensure that the
14 emission control tests were performed on the vehicles in accordance with procedures prescribed
15 by the Bureau.

16 b. **Section 44015, subdivision (b):** Respondent GT Horizon Smog Check issued
17 electronic smog certificates of compliance for the vehicles without ensuring that the vehicles were
18 properly tested and inspected to determine if they were in compliance with Health and Safety
19 Code section 44012.

20 c. **Section 44059:** Respondent GT Horizon Smog Check willfully made false entries for
21 the electronic smog certificates of compliance for the vehicles by certifying that the vehicles had
22 been inspected as required when, in fact, they had not.

23 Complainant refers to, and by this reference incorporates, the allegations set forth above in
24 paragraphs 38-78, as though fully set forth herein.

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1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection**
3 **Program – Respondent GT Horizon Smog Check)**

4 83. Respondent GT Horizon Smog Check’s Smog Check, Test-and-Repair, Station
5 License is subject to disciplinary action under Health and Safety Code section 44072.2,
6 subdivision (c), in that, with respect to the vehicles identified above, Respondent GT Horizon
7 Smog Check failed to comply with provisions of the California Code of Regulations, title 16, as
8 follows:

9 a. **Section 3340.24, subdivision (c):** Respondent GT Horizon Smog Check issued false
10 or fraudulent certificates of compliance for the vehicles.

11 b. **Section 3340.35, subdivision (c):** Respondent GT Horizon Smog Check issued
12 electronic smog certificates of compliance for the vehicles even though the vehicles had not been
13 inspected in accordance with section 3340.42 of the California Code of Regulations, title 16.

14 c. **Section 3340.41, subdivision (c):** Respondent GT Horizon Smog Check knowingly
15 entered false information into the on-board diagnostic inspection system for the vehicles.

16 d. **Section 3340.42:** Respondent GT Horizon Smog Check failed to ensure that the
17 required smog tests were conducted on the vehicles in accordance with the Bureau’s
18 specifications.

19 e. **Section 3373:** Respondent GT Horizon Smog Check withheld or inserted statements
20 or information in an estimate, invoice, work order, or record required to be maintained by
21 California Code of Regulations, title 16, section 3340.15, subdivision (e), which caused the
22 document to be false or misleading for the vehicles.

23 Complainant refers to, and by this reference incorporates, the allegations set forth above in
24 paragraphs 38-78, as though fully set forth herein.

25 **SIXTH CAUSE FOR DISCIPLINE**

26 **(Dishonesty, Fraud, or Deceit – Respondent GT Horizon Smog Check)**

27 84. Respondent GT Horizon Smog Check’s Smog Check, Test-and-Repair, Station
28 License is subject to disciplinary action under Health and Safety Code section 44072.2,

1 subdivision (d), in conjunction with Health and Safety Code section 44072.10, subdivision (c), in
2 that, with respect to the vehicles identified above, Respondent GT Horizon Smog Check
3 committed dishonest, fraudulent, or deceitful acts whereby another was injured by issuing
4 electronic smog certificates of compliance for the vehicles without performing bona fide
5 inspections of the emission control devices and systems on those vehicles, thereby depriving the
6 People of the State of California of the protection afforded by the Motor Vehicle Inspection
7 Program. Complainant refers to, and by this reference incorporates, the allegations set forth
8 above in paragraphs 38-78, as though fully set forth herein.

9 **SEVENTH CAUSE FOR DISCIPLINE**

10 **(Violations of the Motor Vehicle Inspection Program – Respondent Huerta)**

11 85. Respondent Huerta’s Smog Check Inspector License and Smog Check Repair
12 Technician License are subject to disciplinary action under Health and Safety Code section
13 44072.2, subdivision (a), in that, with respect to the vehicles identified above, Respondent Huerta
14 violated the following Health and Safety Code sections:

15 a. **Section 44012, subdivision (a):** Respondent Huerta failed to determine that all
16 emission control devices and systems required by law were installed and functioning correctly on
17 the vehicles in accordance with test procedures prescribed by the Bureau.

18 b. **Section 44012, subdivision (f):** Respondent Huerta failed to perform emission
19 control tests on the vehicles in accordance with procedures prescribed by the Bureau.

20 c. **Section 44032:** Respondent Huerta failed to perform tests of the emission control
21 devices and systems on the vehicles identified above in accordance with section 44012 of the
22 Health and Safety Code, in that the vehicles had been clean plugged.

23 d. **Section 44059:** Respondent Huerta willfully made false entries for the electronic
24 certificates of compliance by certifying that the vehicles had been inspected as required when, in
25 fact, they had not.

26 Complainant refers to, and by this reference incorporates, the allegations set forth above in
27 paragraphs 38-78, as though fully set forth herein.

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1 **EIGHTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection**
3 **Program – Respondent Huerta)**

4 86. Respondent Huerta’s Smog Check Inspector License and Smog Check Repair
5 Technician License are subject to disciplinary action under Health and Safety Code section
6 44072.2, subdivision (c), in that, with respect to the vehicles identified above, Respondent Huerta
7 failed to comply with provisions of the California Code of Regulations, title 16, as follows:

8 a. **Section 3340.24, subdivision (c):** Respondent Huerta issued false or fraudulent
9 electronic smog certificates of compliance for the vehicles.

10 b. **Section 3340.30, subdivision (a):** Respondent Huerta failed to inspect and test the
11 vehicles in accordance with Health and Safety Code sections 44012 and 44035 and California
12 Code of Regulations, title 16, section 3340.42.

13 c. **Section 3340.41, subdivision (c):** Respondent Huerta knowingly entered false
14 information into the on-board diagnostic inspection system for the vehicles.

15 d. **Section 3340.42:** Respondent Huerta failed to ensure that the required smog tests
16 were conducted on the vehicles identified above in accordance with the Bureau’s specifications.

17 Complainant refers to, and by this reference incorporates, the allegations set forth above in
18 paragraphs 38-78, as though fully set forth herein.

19 **NINTH CAUSE FOR DISCIPLINE**

20 **(Dishonesty, Fraud, or Deceit – Respondent Huerta)**

21 87. Respondent Huerta’s Smog Check Inspector License and Smog Check Repair
22 Technician License are subject to disciplinary action under Health and Safety Code section
23 44072.2, subdivision (d), in conjunction with Health and Safety Code section 44072.10,
24 subdivision (c), in that, with respect to the vehicles identified above, Respondent Huerta
25 committed acts involving dishonesty, fraud, or deceit when he issued electronic smog certificates
26 of compliance for the vehicles without performing bona 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 set forth above in paragraphs 38-78, as though fully set
2 forth herein.

3 **OTHER MATTERS**

4 88. Pursuant to Business and Professions Code section 9884.7, subdivision (c), the
5 Director may suspend, revoke, or place on probation the registration for all places of business
6 operated in this state by Respondent Angel D. Camacho aka Angel David Camacho upon a
7 finding that he has, or is, engaged in a course of repeated and willful violations of the laws and
8 regulations pertaining to an automotive repair dealer.

9 89. Pursuant to Health and Safety Code section 44072.8, if Smog Check, Test-and-
10 Repair, Station License Number RC 307955, issued to Respondent GT Horizon Smog Check
11 LLC, dba GT Horizon Smog Check, Angel D. Camacho, Member, is revoked or suspended
12 following a hearing under this article, any additional license issued under Chapter 5 of Part 5 of
13 Division 26 of the Health and Safety Code in the name of said licensee may be likewise revoked
14 or suspended by the Director.

15 90. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
16 License EO 642683 and Smog Check Repair Technician License Number EI 642683 issued to
17 Respondent Angel David Camacho are revoked or suspended following a hearing under this
18 article, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and
19 Safety Code in the name of said licensee may be likewise revoked or suspended by the Director.

20 91. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
21 License EO 631873 and Smog Check Repair Technician License Number EI 631873 issued to
22 Respondent Lilian Huerta are revoked or suspended following a hearing under this article, any
23 additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code
24 in the name of said licensee may be likewise revoked or suspended by the Director.

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PRAYER

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

1. Revoking or suspending Automotive Repair Dealer Registration Number ARD 307955, issued to GT Horizon Smog Check LLC, dba GT Horizon Smog Check, Angel D. Camacho, Member;

2. Revoking or suspending Smog Check, Test-and-Repair, Station License Number RC 307955, issued to GT Horizon Smog Check LLC, dba GT Horizon Smog Check, Angel D. Camacho, Member;

3. Revoking or suspending any other automotive repair dealer registration issued in the name of GT Horizon Smog Check LLC;

4. Revoking or suspending any additional license issued under Chapter 5, Part 5 of Division 26 of Health and Safety Code in the name of GT Horizon Smog Check LLC;

5. Revoking or suspending any additional license issued under Chapter 5, Part 5 of Division 26 of the Health and Safety Code in the name of Angel D. Camacho, aka Angel David Camacho;

6. Revoking or suspending Smog Check Inspector License Number EO 642683, issued to Angel David Camacho;

7. Revoking or suspending Smog Check Repair Technician License Number EI 642683, issued to Angel David Camacho;

8. Revoking or suspending Smog Check Inspector License Number EO 631873, issued to Lilian Huerta;

9. Revoking or suspending Smog Check Repair Technician License Number EI 631873, issued to Lilian Huerta;

10. Revoking or suspending any additional license issued under Chapter 5, Part 5 of Division 26 of the Health and Safety Code in the name of Lilian Huerta;

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1 11. Ordering GT Horizon Smog Check, Angel David Camacho, and Lilian Huerta to pay
2 the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of
3 this case, pursuant to Business and Professions Code section 125.3 and if placed on probation, the
4 costs of probation monitoring;

5 and,

6 12. Taking such other and further action as deemed necessary and proper.

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DATED: As of Digital Signature Date

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

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