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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. 79/25-17520

13 **KARINA DELGADILLO, AKA KARINA**  
14 **ANTUNEZ, DBA BLONTE SMOGS**  
3366 East Imperial Highway #8  
Lynwood, CA 90262  
15 **Automotive Repair Dealer Registration No.**  
16 **ARD 308822,**

**ACCUSATION**

17 **DANIEL MACIAS**  
1164 E. 60th St.  
Los Angeles, CA 90001  
18 **Smog Check Inspector License No.**  
19 **EO 644097,**

20 And

21 **CHRISTOPHER LAMAS**  
2722 Wynwood Lane  
Los Angeles, CA 90023  
22 **Smog Check Inspector License No.**  
23 **EO 635831.**

24 Respondents.

25 **PARTIES**

- 26 1. Patrick Dorais (complainant) brings this Accusation solely in his official capacity as  
27 the Chief of the Bureau of Automotive Repair (bureau), Department of Consumer Affairs.  
28 2. On or April 24, 2024, the bureau issued Automotive Repair Dealer Registration

1 number ARD 308822 to Karina Delgadillo, also known as Karina Antunez, doing business as  
2 Blonte Smogs (respondent Delgadillo or Blonte Smogs). The Automotive Repair Dealer  
3 Registration was in full force and effect at all times relevant to the charges brought herein but was  
4 cancelled on December 9, 2024.

5 3. On or about June 14, 2024, the bureau issued Smog Check Test Only Station License  
6 number TC 308822 to Blonte Smogs. The Smog Check Test Only Station License was in full  
7 force and effect at all times relevant to the charges brought herein but was cancelled on December  
8 9, 2024. On or about February 12, 2026, the bureau issued a decision, effective February 25,  
9 2026, revoking said Smog Check Test Only Station License in the matter entitled *In the Matter of*  
10 *the Accusation Against Leonel Penalzoza, AKA Leonel Penalzoza Duarte, DBA GT Smog Check*  
11 *[ARD 301850, TC 301850]; Leonel Penalzoza Duarte, AKA Leonel Penalzoza [EO 644078];*  
12 *Karina Antunez, AKA Karina Delgadillo [EO 643460]; Karina Antunez, AKA Karina Delgadillo,*  
13 *DBA Blonte Smogs [TC 308822], case number 79/23-6758.*

14 4. On or about July 15, 2024, the bureau certified Blonte Smogs as a STAR Station. The  
15 STAR Station Certification was terminated on December 9, 2024 because the Automotive Repair  
16 Dealer Registration and Smog Check Test Only Station License were cancelled.

17 5. On or about January 9, 2023, the bureau issued Smog Check Inspector License  
18 number EO 644097 to respondent Daniel Macias (respondent Macias). The Smog Check  
19 Inspector License was in full force and effect at all times relevant to the charges brought herein  
20 and will expire on April 30, 2027, unless renewed.

21 6. On or about August 5, 2013, the bureau issued Smog Check Inspector License  
22 number EO 635831 to respondent Christopher Lamas (respondent Lamas). The Smog Check  
23 Inspector License was in full force and effect at all times relevant to the charges brought herein  
24 and will expire on October 31, 2026, unless renewed.

### 25 **JURISDICTION**

26 7. This Accusation is brought before the Director of the Department of Consumer  
27 Affairs (director) for the Bureau of Automotive Repair, under the authority of the following laws.

28 8. Business and Professions Code section 118, subdivision (b), provides that suspension,

1 expiration, surrender, or cancellation of a license shall not deprive the director of jurisdiction to  
2 proceed with a disciplinary action during the period within which the license may be renewed,  
3 restored, reissued or reinstated.

4 9. Business and Professions Code section 9884.7 provides that the director may revoke  
5 an automotive repair dealer registration.

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

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

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

17 **STATUTORY PROVISIONS**

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

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

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

28 . . . .

(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.

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(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.

14. 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.

15. Health and Safety Code section 44012 provides, in pertinent part, that tests at smog check stations shall be performed in accordance with procedures prescribed by the department.

16. Health and Safety Code section 44015, subdivision (b), provides that a certificate of compliance shall be issued if a vehicle meets the requirements of Health and Safety Code section 40012.

17. Health and Safety Code section 44032 provides that qualified technicians shall perform tests of emissions control devices and systems in accordance with Health and Safety Code section 40012.

18. 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....

19. Health and Safety Code section 44072.10 states, in pertinent part:

(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, 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.

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

20. Health and Safety Code section 44072.8 states that when a license has been revoked or suspended following a hearing under this article, any additional license issued under this chapter in the name of the licensee may be likewise revoked or suspended by the director.

### **REGULATORY PROVISIONS**

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

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. CCR, title 16, section 3340.30, subdivision (a), states that a licensed smog technician shall at all times “[i]nspect, 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

1 3340.42 of this article.”

2 23. CCR, title 16, section 3340.41 states, in pertinent part:

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

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

10 24. CCR, title 16, section 3340.42, sets forth specific emissions test methods and  
11 procedures which apply to all vehicles inspected in the State of California.

12 **COST RECOVERY**

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

17 **CALIFORNIA’S SMOG CHECK PROGRAM**

18 26. California’s Smog Check Program requires most vehicles in the State to undergo a  
19 smog check inspection every two years or when the vehicle’s title is transferred.

20 27. A smog check inspection in certain Enhanced areas of the State is an Acceleration  
21 Simulation Mode (ASM) test performed using an Emission Inspection System (EIS), also known  
22 as a BAR 97. This is a computer based five-gas analyzer that measures Hydrocarbons (HC),  
23 Carbon Monoxide (CO), Oxides of Nitrogen (NOx), Carbon Dioxide (CO<sup>2</sup>) and Oxygen (O<sup>2</sup>).  
24 The first part of the test is a loaded mode test of the vehicle’s tailpipe emissions on a  
25 dynamometer. The vehicle’s drive wheels are placed on rollers, and the vehicle is driven to  
26 simulate driving conditions while the emissions are sampled by the EIS.

27 28. In Basic areas of the State, or depending on a vehicle’s configuration, a similar test  
28 called a Two Speed Idle test is performed, but instead of applying a load to the vehicle’s drive  
wheels with a dynamometer, the EIS measures the emissions of HC, CO, O<sup>2</sup>, and CO<sup>2</sup> at idle as

1 well as 2500 revolutions per minute (rpm).

2 29. In the visual portion of a smog check, the technician inspects the emission control  
3 components to verify that the required emission control devices are present and properly  
4 connected.

5 30. An On-Board Diagnostics (OBD II) functional test is also performed on most 1996 to  
6 1999 model year vehicles. The EIS retrieves information through the Diagnostic Link Connector  
7 (DLC) from the vehicle's on-board computer about its ability to communicate, the status of the  
8 I/M readiness monitors and the MIL light command. The I/M readiness monitors tell whether or  
9 not the OBD II system has run a sufficient number of self-tests on the vehicle's emission and  
10 engine control systems. A failure of one or more of the OBD II functional criteria, depending on  
11 model year, will result in the vehicle failing its smog check inspection. In addition to reporting  
12 the outcome of the OBD II functional test, the smog check inspection results also show  
13 Diagnostic Trouble Codes (DTC) if there are any in the vehicle's on-board computer memory.

14 31. The inspector enters the results of the visual and functional inspections into the EIS.  
15 The EIS unit makes the determination whether or not the vehicle passes the inspection based on  
16 the results of the tailpipe, visual and functional tests.

17 32. The EIS is connected by internet connection to Bureau's Vehicle Information  
18 Database (VID). If the vehicle passes the visual, functional and tailpipe tests, it passes the overall  
19 inspection. A Certificate of Compliance is issued and transmitted electronically to the VID.  
20 Additionally, all data gathered during a Smog Check inspection, regardless of the type of  
21 inspection, is transmitted to and retained in the VID.

22 33. Beginning March 9, 2015, California's Smog Check Program was updated to require  
23 the use of an On-Board Diagnostic Inspection System (BAR-OIS). BAR-OIS is the smog check  
24 equipment required in all areas of the State when inspecting most model-year 2000 and newer  
25 gasoline and hybrid vehicles. The system consists of a certified Data Acquisition Device (DAD),  
26 computer, bar code scanner, and printer. The DAD is an OBD scan tool that, when requested by  
27 the BAR-OIS software, retrieves OBD data from the vehicle. All OBD data that the vehicle  
28 indicates it supports is requested by the BAR-OIS software and will be retrieved. The DAD

1 connects between the BAR-OIS computer and the vehicle's DLC. The bar code scanner is used to  
2 input inspector information, the vehicle identification number (VIN), and Department of Motor  
3 Vehicles renewal information. The printer provides a Vehicle Inspection Report (VIR) containing  
4 inspection results for motorists and a Smog Check Certificate of Compliance number for passing  
5 vehicles.

6 34. During an OIS inspection, engine operating parameters are retrieved from the  
7 vehicle's OBD II system and recorded to the VID. This is accomplished during the functional  
8 portion of the OIS Smog Check inspection by plugging the DAD into the vehicle's DLC when  
9 prompted by the OIS analyzer screen prompt.

10 35. Some of the parameters recorded are:

11 a. *RPM*: Engine speed in revolutions per minute (RPM);

12 b. *TPS*: Throttle position as measured by a throttle position sensor (TPS) mounted onto  
13 the throttle shaft, measured in a percentage of opening from 0% at idle and near or up to 100% at  
14 full throttle;

15 c. *MAP*: Manifold absolute pressure as measured by a manifold air pressure sensor  
16 (MAP) connected to an intake manifold source, measured in kilo pascals (kpa), with typical  
17 readings for a normally aspirated vehicle being as follows: 0 kpa being absolute vacuum, 25 to 45  
18 kpa at idle, 101 kpa at full throttle, same as atmospheric pressure at sea level;

19 d. *MAF*: Mass air flow as measured by a mass air flow sensor (MAF) mounted in the  
20 engine's air intake tract, measured in grams per second (gps); and

21 e. *BTDC*: Ignition timing, which is set by the vehicle PCM based on engine speed and  
22 load, measured in degrees Before Top Dead Center (BTDC).

23 Not all vehicles include both MAP and MAF parameters. Many vehicles have either MAP  
24 or MAF parameters separately.

25 36. During normal engine operation at idle, engine speed is relatively steady around its  
26 target idle speed. With the engine idling, the TPS is steady and at or near 0%. The MAP and/or  
27 MAF readings are also steady. For the engine speed to increase, the throttle would have to be  
28 opened in order to increase airflow through the engine. The engine's management systems supply

1 fuel and spark timing appropriate to any changes in throttle position and engine speed.

2 An increase in throttle, measured by the TPS, which increases engine RPM, would result in a  
3 corresponding increase in MAF as well as a change in MAP. Any movement in the throttle from  
4 the idle position will result in an increase of airflow through the engine with corresponding  
5 increases RPM and MAF along with changes in MAP.

6 37. During an OIS Smog Check inspection, along with other visual and functional  
7 inspections, there is an OBD II query portion of the inspection. The OBD II query is performed  
8 with the engine idling and, when requested by the OIS analyzer, and an elevated or increased  
9 engine speed. The increase in engine speed is performed by the inspector by stepping on the  
10 throttle pedal or manually opening the throttle resulting in a corresponding increase in engine  
11 RPMs by allowing an increase in airflow into the engine.

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

### 22 **FACTUAL ALLEGATIONS**

23 39. On or about October 2, 2025, a bureau representative conducted a detailed review of  
24 the VID data for Smog Check inspections performed at Blonte Smogs, which showed a pattern of  
25 vehicles being certified with engine operating parameters that did not correspond to normal  
26 engine operation, confirming the vehicles receiving smog certifications were not tested during the  
27 OBD II functional test, which constitutes clean plugging. The bureau's review of the smog check  
28 activities at Blonte Smogs confirmed 10 Smog Check Certificates of Compliance were

1 fraudulently issued by Blonte Smogs to vehicles that were inspected by respondents.

2 **Fraudulent Inspection Number 1 — 2006 Chevrolet Silverado C1500**

3 40. OIS Test Data for Blonte Smogs indicates that on or about August 26, 2024, 2006  
4 Chevrolet Silverado C1500, California license number 25808T2 (2006 Chevrolet Silverdo  
5 C1500) was tested and Smog Certificate of Compliance number JB116235C was issued under  
6 respondent Lamas’s Smog Check Inspector License.

7 41. The Dynamic PID chart for the 2006 Chevrolet Silverado C1500 shows that between  
8 time stamp 348 and 21358, the engine RPM is steady at around 555 RPM. During this time, the  
9 data shows that the throttle is fixed at 9% opening, the MAF is fixed at 4.93gps, and the MAP is  
10 fixed at 31kPa. After time stamp 21358, the data shows the engine RPM is increased and held  
11 steady at around 2060 RPM. During the elevated engine RPM, the data shows the throttle drops  
12 from 9.8% to 8.2% opening, then rises to 9% opening, the MAF is fluctuating between 3.33gps  
13 and 4.75gps, and the MAP rises from 26kPa to 30kPa before ultimately dropping to 20kPa.

14 42. The steady idle and steady elevated engine RPM data along with the improbable  
15 throttle positions, MAF and MAP readings are not characteristic or expected for normal engine  
16 operation. The throttle positions and MAF readings are expected to be stable during the steady  
17 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
18 readings, the throttle and MAF had data points during the elevated engine RPM that were lower  
19 than data points at idle. During the elevated engine RPM, the MAF data points never increased  
20 past the highest data points at idle. The discrepancies in the OIS test data show the Data  
21 Acquisition Device (DAD) was not connected as required to the 2006 Chevrolet Silverado C1500  
22 being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

23 **Fraudulent Inspection Number 2 — 2006 Toyota Sienna XLE**

24 43. OIS Test Data for Blonte Smogs indicates that on or about on August 29, 2024, a  
25 2006 Toyota Sienna XLE, California license number 5PAL847 (2006 Toyota Sienna XLE) was  
26 tested and Smog Certificate of Compliance number UC550719C was issued under respondent  
27 Lamas’s Smog Check Inspector License.

28 44. The Dynamic PID chart for the 2006 Toyota Sienna XLE shows that between time

1 stamp 842 and 22367, the engine RPM is steady at around 750 RPM. During this time, the data  
2 shows that the throttle is fixed at 15.3% opening and the MAF is fixed at 3.34gps. After time  
3 stamp 22367, the data shows the engine RPM is increased and held steady at around 1775 RPM.  
4 During the elevated engine RPM, the data shows the throttle drops from 14.9% to 13.7% opening  
5 and the MAF also drops from 3.47gps to 2.95gps.

6 45. The steady idle and steady elevated engine RPM data along with the improbable  
7 throttle positions and MAF readings are not characteristic or expected for normal engine  
8 operation. The throttle positions and MAF readings are expected to be stable during the steady  
9 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
10 readings, the throttle and MAF had data points during the elevated engine RPM that were lower  
11 than data points at idle. During the elevated engine RPM, the throttle data points never increased  
12 past the highest data points at idle. The discrepancies in the OIS test data show the Data  
13 Acquisition Device (DAD) was not connected as required to the 2006 Toyota Sienna XLE being  
14 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

### 15 **Fraudulent Inspection #3 — 2004 Chevrolet Suburban C1500**

16 46. OIS Test Data for Blonte Smogs indicates that on or about September 16, 2024, a  
17 2004 Chevrolet Suburban C1500, California license number 7MSD245 (2004 Chevrolet  
18 Suburban C1500) was tested and Smog Certificate of Compliance number UE097506C was  
19 issued under respondent Lamas's Smog Check Inspector License.

20 47. The Dynamic PID chart for the 2004 Chevrolet Suburban C1500 shows that between  
21 time stamp 339 and 35829, the engine RPM is steady at around 590 RPM. During this time, the  
22 data shows that the throttle is fixed at 11.8 % opening, the MAF is fixed at 7.04gps, and the MAP  
23 is fixed at 44kPa. After time stamp 35829, the data shows the engine RPM is increased and held  
24 steady at around 2225 RPM. During the elevated engine RPM, the data shows the throttle drops  
25 from 10.2% to 7.8%, then rises to 9% opening, the MAF rises from 5.51gps to 6.99gps, before  
26 ultimately dropping to 5.78gps, and the MAP is fluctuating between 33kPa and 40kPa.

27 48. The steady idle and steady elevated engine RPM data along with the improbable  
28 throttle positions, MAF and MAP readings are not characteristic or expected for normal engine

1 operation. The throttle positions and MAF readings are expected to be stable during the steady  
2 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
3 readings, the throttle and MAF had data points during the elevated engine RPM that were lower  
4 than data points at idle. During the elevated engine RPM, the throttle and MAF data points never  
5 increased past the highest data points at idle. The discrepancies in the OIS test data show the Data  
6 Acquisition Device (DAD) was not connected as required to the 2004 Chevrolet Suburban C1500  
7 being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

#### 8 **Fraudulent Inspection #4 — 2005 Kia New Sportage**

9 49. OIS Test Data for Blonte Smogs indicates that on or about November 1, 2024, a 2005  
10 Kia New Sportage, California license number 5NXF650 (2005 Kia New Sportage) was tested and  
11 Smog Certificate of Compliance number JB546515C was issued under respondent Macias's  
12 Smog Check Inspector License.

13 50. The Dynamic PID chart for the 2005 Kia New Sportage shows that between time  
14 stamp 808 and 22802, the engine RPM is steady at around 710 RPM. During this time, the data  
15 shows that the throttle is fixed at 3.5% opening and the MAF is fixed at 2.98gps. After time stamp  
16 22802, the data shows the engine RPM is increased and held steady at around 1740 RPM. During  
17 the elevated engine RPM, the data shows the throttle drops from 3.1% to 2.4% opening while the  
18 MAF rises from 3.5gps to 4.16gps.

19 51. The steady idle and steady elevated engine RPM data along with the improbable  
20 throttle positions and MAF readings are not characteristic or expected for normal engine  
21 operation. The throttle positions and MAF readings are expected to be stable during the steady  
22 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
23 readings, the throttle had data points during the elevated engine RPM which never increased past  
24 the data points at idle. During the steady elevated engine RPM, the throttle and MAF showed to  
25 have an improbable inverse correlation. The discrepancies in the OIS test data show the Data  
26 Acquisition Device (DAD) was not connected as required to the 2005 Kia New Sportage being  
27 certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

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1                   **Fraudulent Inspection #5 — 2003 Toyota Corolla CE**

2                   52.    OIS Test Data for Blonte Smogs indicates that on or about November 1, 2024, a 2003  
3 Toyota Corolla CE, California license number 5JCR329 (2003 Toyota Corolla CE) was tested  
4 and Smog Certificate of Compliance number JB546516C was issued under respondent Macias’s  
5 Smog Check Inspector License.

6                   53.    The Dynamic PID chart for the 2003 Toyota Corolla CE shows that between time  
7 stamp 853 and 21569, the engine RPM is steady at around 715 RPM. During this time, the data  
8 shows that the throttle is fixed at 10.6% opening and the MAF is fixed at 3.95gps. After time  
9 stamp 21569, the data shows the engine RPM is increased and held steady at around 1685 RPM.  
10 During the elevated engine RPM, the data shows the throttle drops from 8.6% to 7.8% opening  
11 and the MAF drops from 4.89gps to 3.84gps.

12                  54.    The steady idle and steady elevated engine RPM data along with the improbable  
13 throttle positions and MAF readings are not characteristic or expected for normal engine  
14 operation. The throttle positions and MAF readings are expected to be stable during the steady  
15 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
16 readings, the throttle and MAF had data points during the elevated engine RPM which were lower  
17 than data points at idle. During the elevated engine RPM, the throttle data points never increased  
18 past the data points at idle. The discrepancies in the OIS test data show the Data Acquisition  
19 Device (DAD) was not connected as required to the 2003 Toyota Corolla CE being certified,  
20 causing the issuance of a fraudulent Smog Check Certificate of Compliance.

21                   **Fraudulent Inspection #6 — 2002 Ford Expedition Eddie Bauer**

22                  55.    OIS Test Data for Blonte Smogs indicates that on or about on November 2, 2024, a  
23 2002 Ford Expedition Eddie Bauer, California license number 6JND424 (2002 Ford Expedition  
24 Eddie Bauer) was tested and Smog Certificate of Compliance number JB546520C was issued  
25 under respondent Macias’s Smog Check Inspector License.

26                  56.    The Dynamic PID chart for the 2002 Ford Expedition Eddie Bauer shows that  
27 between time stamp 330 and 19500, the engine RPM is steady at around 710 RPM. During this  
28 time, the data shows that the throttle is fixed at 20% opening and the MAF is fixed at 5.01gps.

1 After time stamp 19500, the data shows the engine RPM is increased and held steady at around  
2 1605 RPM. During the elevated engine RPM, the data shows the throttle is fluctuating between  
3 18.8% and 22.4% opening and the MAF ultimately drops from 4.89gps to 2.86gps, before  
4 ultimately increasing to 3.97gps.

5 57. The steady idle and steady elevated engine RPM data along with the improbable  
6 throttle positions and MAF readings are not characteristic or expected for normal engine  
7 operation. The throttle positions and MAF readings are expected to be stable during the steady  
8 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
9 readings, the throttle and MAF had data points during the elevated engine RPM which were lower  
10 than data points at idle. During the elevated engine RPM, the MAF data points never increased  
11 past the highest data points at idle. The discrepancies in the OIS test data show the Data  
12 Acquisition Device (DAD) was not connected as required to the 2002 Ford Expedition Eddie  
13 Bauer being certified, causing the issuance of a fraudulent Smog Check Certificate of  
14 Compliance.

#### 15 **Fraudulent Inspection #7 — 2002 Chevrolet Avalanche C1500**

16 58. OIS Test Data for Blonte Smogs indicates that on or about November 4, 2024, a 2002  
17 Chevrolet Avalanche C1500, California license number 6U57701 (2002 Chevrolet Avalanche  
18 C1500) was tested and Smog Certificate of Compliance number JB546533C was issued under  
19 respondent Macias's Smog Check Inspector License.

20 59. The Dynamic PID chart for the 2002 Chevrolet Avalanche C1500 shows that between  
21 time stamp 349 and 21775, the engine RPM is steady at around 555 RPM. During this time, the  
22 data shows that the throttle is fixed at 4.7% opening, the MAF is fixed at 4.14gps, and the MAP is  
23 fixed at 33kPa. After time stamp 21775, the data shows the engine RPM is increased and held  
24 steady at around 1465 RPM. During the elevated engine RPM, the data shows the throttle  
25 ultimately increases from 1.2% to 4.3%, then drops to 3.9% opening, the MAF ultimately drops  
26 from 4.85gps to 3.5gps, then rises to 4.98gps, and the MAP ultimately drops from 43kPa to  
27 38kPa before ultimately rising to 41kPa.

28 60. The steady idle and steady elevated engine RPM data along with the improbable

1 throttle positions, MAF and MAP readings are not characteristic or expected for normal engine  
2 operation. The throttle positions and MAF readings are expected to be stable during the steady idle  
3 and subsequently raised and stable during the elevated engine RPM. During the improbable  
4 readings, the throttle and MAF had data points during the elevated engine RPM that were lower  
5 than data points at idle. During the steady elevated engine RPM, the throttle data points never  
6 increased past the highest data points at idle. The discrepancies in the OIS test data show the Data  
7 Acquisition Device (DAD) was not connected as required to the 2002 Chevrolet Avalanche C1500  
8 being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

9 **Fraudulent Inspection #8 — 2000 Toyota Camry CE**

10 61. OIS Test Data for Blonte Smogs indicates that on or about November 4, 2024, a 2000  
11 Toyota Camry CE, California license number 8YSK993 (2000 Toyota Camry CE) was tested and  
12 Smog Certificate of Compliance number JB546539C was issued under respondent Macias's  
13 Smog Check Inspector License.

14 62. The Dynamic PID chart for the 2000 Toyota Camry CE shows that between time  
15 stamp 848 and 23858, the engine RPM is steady at around 705 RPM. During this time, the data  
16 shows that the throttle is fixed at 11.4% opening and the MAF is fixed at 2.78gps. After time  
17 stamp 23858, the data shows the engine RPM is increased and held steady at around 1695 RPM.  
18 During the elevated engine RPM, the data shows the throttle increases from 7.1% to 8.6% and the  
19 MAF increases from 4.13gps to 4.73gps.

20 63. The steady idle and steady elevated engine RPM data along with the improbable  
21 throttle positions and MAF readings are not characteristic or expected for normal engine  
22 operation. The throttle positions and MAF readings are expected to be stable during the steady  
23 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
24 readings, the throttle had data points during the elevated engine RPM which never increased past  
25 the highest data points at idle. The discrepancies in the OIS test data show the Data Acquisition  
26 Device (DAD) was not connected as required to the 2000 Toyota Camry CE being certified,  
27 causing the issuance of a fraudulent Smog Check Certificate of Compliance.

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1                   **Fraudulent Inspection #9 — 2003 BMW 325i**

2                   64.    OIS Test Data for Blonte Smogs indicates that on or about December 5, 2024, a 2003  
3 BMW 325i, California license number 7SYP653 (2003 BMW 325i) was tested and Smog  
4 Certificate of Compliance number UG867026C was issued under respondent Lamas’s Smog  
5 Check Inspector License.

6                   65.    The Dynamic PID chart for the 2003 BMW 325i shows that between time stamp 857  
7 and 24895, the engine RPM is steady at around 710 RPM. During this time, the data shows that  
8 the throttle drops from 4.3% to 3.1% opening and the MAF increases from 4.52gps to 4.99gps.  
9 After time stamp 24895, the data shows the engine RPM is increased and held steady at around  
10 2005 RPM. During the elevated engine RPM, the data shows the throttle is fixed at 0% opening  
11 and the MAF is fixed at 4.69gps.

12                  66.    The steady idle and steady elevated engine RPM data along with the improbable  
13 throttle positions and MAF readings are not characteristic or expected for normal engine  
14 operation. The throttle positions and MAF readings are expected to be stable during the steady  
15 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
16 readings, the throttle and MAF had data points during the elevated engine RPM that were lower  
17 than data points at idle. During the steady elevated engine RPM, the throttle data points never  
18 increased past the data points at idle. During the steady idle, the throttle and MAF showed to have  
19 an improbable inverse correlation. The discrepancies in the OIS test data show the Data  
20 Acquisition Device (DAD) was not connected as required to the 2003 BMW 325i being certified,  
21 causing the issuance of a fraudulent Smog Check Certificate of Compliance.

22                   **Fraudulent Inspection #10 — 2000 GMC New Sierra C1500**

23                  67.    OIS Test Data for Blonte Smogs indicates that on or about December 7, 2024, a 2000  
24 GMC New Sierra C1500, California license number 27395Y3 (2000 GMC New Sierra C1500)  
25 was tested and Smog Certificate of Compliance number UG867048C was issued under  
26 respondent Lamas’s Smog Check Inspector License.

27                  68.    The Dynamic PID chart for the 2000 GMC New Sierra C1500 shows that between  
28 time stamp 351 and 45472, the engine RPM is steady at around 590 RPM. During this time, the

1 data shows that the throttle ultimately drops from 3.1% to 0.8%, then rises to 4.7% opening, the  
2 MAF is fluctuating between 2.78gps and 4.53gps, and the MAP is fluctuating erratically between  
3 34kPa and 46kPa. After time stamp 45472, the data shows the engine RPM is increased and held  
4 steady at around 1440 RPM. During the elevated engine RPM, the data shows the throttle is fixed  
5 at 0.4% opening, the MAF is fixed at 3.63gps, and the MAP is fixed at 36kPa.

6 69. The steady idle and steady elevated engine RPM data along with the improbable  
7 throttle positions, MAF and MAP readings are not characteristic or expected for normal engine  
8 operation. The throttle positions and MAF readings are expected to be stable during the steady  
9 idle and subsequently raised and stable during the elevated engine RPM. During the improbable  
10 readings, the throttle and MAF had data points during the elevated engine RPM which never  
11 increased past the highest data points at idle. During the steady elevated engine RPM, the throttle  
12 data points never increased past the data points at idle. The discrepancies in the OIS test data  
13 show the Data Acquisition Device (DAD) was not connected as required to the 2000 GMC New  
14 Sierra C1500 being certified, causing the issuance of a fraudulent Smog Check Certificate of  
15 Compliance.

#### 16 **FIRST CAUSE FOR DISCIPLINE**

#### 17 **(Untrue of Misleading Statements — Respondent Delgadillo)**

18 70. Respondent Delgadillo's Automotive Repair Dealer Registration is subject to  
19 disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(1),  
20 in that she made statements which were known to be untrue or misleading or, which by exercise  
21 of reasonable care should have been known to be untrue or misleading, by issuing electronic  
22 smog certificates of compliance for the 10 vehicles set forth in paragraphs 39–69, certifying that  
23 those vehicles were in compliance with applicable laws and regulations when, in fact, those  
24 vehicles had not been so inspected. Complainant realleges paragraphs 39–69.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Fraud — Respondent Delgadillo)**

3 71. Respondent Delgadillo’s Automotive Repair Dealer Registration is subject to  
4 disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(4),  
5 in that she committed acts that constitute fraud by issuing electronic certificates of compliance to  
6 the 10 vehicles set forth in paragraphs 39–69 without performing bone fide inspections of the  
7 emission control devices and systems on those vehicles, thereby depriving the People of the State  
8 of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant  
9 realleges paragraphs 39–69.

10 **THIRD CAUSE FOR DISCIPLINE**

11 **(Material Violation of Automotive Repair Act — Respondent Delgadillo)**

12 72. Respondent Delgadillo’s Automotive Repair Dealer Registration is subject to  
13 disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(6),  
14 in that she failed in a material respect to comply with the provisions of this chapter or regulations  
15 adopted pursuant to it when she issued electronic certificates of compliance for the 10 vehicles set  
16 forth in paragraphs 39–69 without performing bona fide inspections of the emission control  
17 devices and systems on those vehicles, thereby depriving the People of the State of California of  
18 the protection afforded by the Motor Vehicle Inspection Program. Complainant realleges  
19 paragraphs 39–69.

20 **FOURTH CAUSE FOR DISCIPLINE**

21 **(Violations of the Motor Vehicle Inspection Program — Respondent Macias)**

22 73. Respondent Macias’s Smog Check Inspector License is subject to disciplinary action  
23 pursuant to Health and Safety Code section 44072.2, subdivision (a), in that he failed to comply  
24 with the following sections of that code:

25 a. **Section 44032:** Respondent Macias failed to perform tests of emission control  
26 devices and systems of the five vehicles identified in paragraphs 49–51 (inspection #4), 52–54  
27 (inspection #5), 55–57 (inspection #6), 58–60 (inspection #7), and 61–63 (inspection #8) in  
28 accordance with Health and Safety Code section 44012.



1 accordance with the bureau's specifications.

2 Complainant realleges paragraphs 49–63.

3 **SIXTH CAUSE FOR DISCIPLINE**

4 **(Dishonesty, Fraud or Deceit — Respondent Macias)**

5 75. Respondent Macias's Smog Check Inspector License is subject to disciplinary action  
6 pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health  
7 and Safety Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or  
8 deceitful acts whereby another was injured by issuing electronic smog certificates of compliance  
9 for the five vehicles identified in paragraphs 49–51 (inspection #4), 52–54 (inspection #5), 55–57  
10 (inspection #6), 58–60 (inspection #7), and 61–63 (inspection #8) without performing bona fide  
11 inspections of the emission control devices and systems on those vehicles, thereby depriving the  
12 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
13 Program. Complainant realleges paragraphs 49–63.

14 **SEVENTH CAUSE FOR DISCIPLINE**

15 **(Violations of the Motor Vehicle Inspection Program — Respondent Lamas)**

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

19 a. **Section 44032:** Respondent Lamas failed to perform tests of emission control devices  
20 and systems of the five vehicles identified in paragraphs 40–42 (inspection #1), 43–45 (inspection  
21 #2), 46–48 (inspection #3), 64–66 (inspection #9), and 67–69 (inspection #10) in accordance with  
22 Health and Safety Code section 44012.

23 b. **Section 44015, subdivision (b):** Respondent Lamas caused electronic smog  
24 certificates of compliance to be issued for the five vehicles identified in paragraphs 40–42  
25 (inspection #1), 43–45 (inspection #2), 46–48 (inspection #3), 64–66 (inspection #9), and 67–69  
26 (inspection #10) without ensuring that they were properly tested and inspected to determine if  
27 they were in compliance with Health and Safety Code section 44012.

28 Complainant realleges paragraphs 40–48 and 64–69.

1 **EIGHTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations Pursuant**

3 **to the Motor Vehicle Inspection Program — Respondent Lamas)**

4 77. Respondent Lamas’s Smog Check Inspector License is subject to disciplinary action  
5 pursuant to Health and Safety Code section 44072.2, subdivision (c), in that he failed to comply  
6 with provisions of California Code of Regulations, title 16, as follows:

7 a. **Section 3340.24, subdivision (c)**: Respondent Lamas falsely or fraudulently issued  
8 electronic smog certificates of compliance for the five vehicles identified in paragraphs 40–42  
9 (inspection #1), 43–45 (inspection #2), 46–48 (inspection #3), 64–66 (inspection #9), and 67–69  
10 (inspection #10).

11 b. **Section 3340.30, subdivision (a)**: Respondent Lamas failed to inspect and test the  
12 five vehicles identified in paragraphs 40–42 (inspection #1), 43–45 (inspection #2), 46–48  
13 (inspection #3), 64–66 (inspection #9), and 67–69 (inspection #10) in accordance with Health and  
14 Safety Code sections 44012 and 44035, and California Code of Regulations, title 16, section  
15 3340.42.

16 c. **Section 3340.41, subdivision (c)**: Respondent Lamas knowingly entered false  
17 information into the on-board diagnostic inspection system for the five vehicles identified in  
18 paragraphs 40–42 (inspection #1), 43–45 (inspection #2), 46–48 (inspection #3), 64–66  
19 (inspection #9), and 67–69 (inspection #10).

20 d. **Section 3340.42**: Respondent Lamas failed to ensure that the smog inspections  
21 conducted on the five vehicles identified in paragraphs 40–42 (inspection #1), 43–45 (inspection  
22 #2), 46–48 (inspection #3), 64–66 (inspection #9), and 67–69 (inspection #10) were done in  
23 accordance with the bureau’s specifications.

24 Complainant realleges paragraphs 40–48 and 64–69.

25 **NINTH CAUSE FOR DISCIPLINE**

26 **(Dishonesty, Fraud or Deceit — Respondent Lamas)**

27 78. Respondent Lamas’s Smog Check Inspector License is subject to disciplinary action  
28 pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health

1 and Safety Code section 44072.10, subdivision (c), in that he committed dishonest, fraudulent, or  
2 deceitful acts whereby another was injured by issuing electronic smog certificates of compliance  
3 for the five vehicles identified in paragraphs 40–42 (inspection #1), 43–45 (inspection #2), 46–48  
4 (inspection #3), 64–66 (inspection #9), and 67–69 (inspection #10) 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 realleges paragraphs 40–48 and 64–69.

8 **OTHER MATTERS**

9 79. Pursuant to Business and Professions Code section 9884.7, subdivision (c), the  
10 director of the Department of Consumer Affairs (director) may suspend, revoke, or place on  
11 probation the registration for all places of business operated in this state by respondent Delgadillo  
12 upon a finding that she has, or is, engaged in a course of repeated and willful violations of the  
13 laws and regulations pertaining to an automotive repair dealer.

14 80. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector  
15 License No. EO 644097, issued to respondent Macias, is revoked or suspended, any additional  
16 license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name  
17 of said licensee may be likewise revoked or suspended by the director.

18 81. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector  
19 License No. EO 635831, issued to respondent Lamas, is revoked or suspended, any additional  
20 license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name  
21 of said licensee may be likewise revoked or suspended by the director.

22 **PRAYER**

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

26 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD  
27 308822, issued to Karina Delgadillo, also known as Karina Antunez, doing business as Blonte  
28 Smogs;

1           2.     Revoking or suspending any other automotive repair dealer registration issued to  
2 Karina Delgadillo, also known as Karina Antunez, pursuant to Business and Professions Code  
3 section 9884.7, subdivision (c);

4           3.     Revoking or suspending Smog Check Inspector License Number EO 644097, issued  
5 to Daniel Macias;

6           4.     Revoking or suspending any additional license issued under Chapter 5 of Part 5 of  
7 Division 26 of the Health and Safety Code in the name of Daniel Macias;

8           5.     Revoking or suspending Smog Check Inspector License Number EO 635831, issued  
9 to Christopher Lamas;

10          6.     Revoking or suspending any additional license issued under Chapter 5 of Part 5 of  
11 Division 26 of the Health and Safety Code in the name of Christopher Lamas;

12          7.     Ordering Karina Delgadillo, also known as Karina Antunez, doing business as Blonte  
13 Smogs; Daniel Macias; and Christopher Lamas to pay the Bureau of Automotive Repair the  
14 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
15 Professions Code section 125.3 and if placed on probation, the costs of probation monitoring;  
16 and,

17          8.     Taking such other and further action as deemed necessary and proper.

18  
19  
20  
21 DATED: As of digital signature date

\_\_\_\_\_  
22 PATRICK DORAIS  
23 Chief  
24 Bureau of Automotive Repair  
25 Department of Consumer Affairs  
26 State of California  
27 *Complainant*

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