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

13 In the Matter of the Accusation Against:

Case No. **79/25-1426**

14 **VIOLETA NATALIE LLANOS d.b.a.**
15 **CORONA SMOG CHECK**
133 N Washburn Cir Suite B
Corona, CA 92882

OAH No.

ACCUSATION

16 **Automotive Repair Dealer Registration**
17 **Number ARD 300341; Smog Check, Test-**
18 **Only, Station License Number TC 300341**

19 **VIOLETA NATALIE LLANOS**
5852 Samantha Pl
Riverside, CA 92509

20 **Smog Check Inspector License Number EO**
21 **643024**

22 **ANGEL J. ARRELOA**
23 23644 Cypress Pl
Menifee, CA 92587

24 **Smog Check Inspector License Number EO**
25 **644229**

26 **-and-**
27
28

EVAN DANIEL HARRELL
5906 Normandie Place
Riverside, CA 92504

Smog Check Inspector License Number EO
643066

Respondents.

PARTIES

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

2. On or about July 15, 2021, the Bureau of Automotive Repair issued Automotive Repair Dealer Registration Number ARD 300341 to Violeta Natalie Llanos dba Corona Smog Check (Respondent). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2026, unless renewed.

3. On or about August 30, 2021, the Bureau of Automotive Repair issued Smog Check, Test-Only, Station License Number TC 300341 to Violeta Natalie Llanos dba Corona Smog Check (Respondent Corona Smog Check). The Smog Check, Test-Only, Station License will expire on July 31, 2026, unless renewed.

4. Respondent is also certified as a STAR Station. The certification was issued on October 18, 2021, and will remain active unless the ARD registration and/or Smog Check Station license is revoked, canceled, licenses become delinquent, or the certification is suspended.

5. On or about April 15, 2021, the Bureau of Automotive Repair issued Smog Check Inspector License Number EO 643024 to Violeta Natalie Llanos (Respondent Llanos). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2027, unless renewed.

6. On or about March 20, 2023, the Bureau of Automotive Repair issued Smog Check Inspector License Number EO 644229 to Angel J Arreola (Respondent Arreola). The Smog

1 Check Inspector License was in full force and effect at all times relevant to the charges brought
2 herein and will expire on March 31, 2027, unless renewed.

3 7. On or about May 5, 2021, the Bureau of Automotive Repair issued Smog Check
4 Inspector License Number EO 643066 to Evan Daniel Harrell (Respondent Harrell). The Smog
5 Check Inspector License was in full force and effect at all times relevant to the charges brought
6 herein and will expire on July 31, 2027, unless renewed.

7 **JURISDICTION**

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

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

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

16 11. Section 44002 of the Health and Safety Code provides, in pertinent part, that the
17 Director has all the powers and authority granted under the Automotive Repair Act for enforcing
18 the Motor Vehicle Inspection Program.

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

23 **STATUTORY PROVISIONS**

24 13. Section 9884.7 of the Code states:

25 (a) The director, where the automotive repair dealer cannot show there was a
26 bona fide error, may deny, suspend, revoke, or place on probation the registration of
27 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

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

1 automotive repair dealer or any automotive technician, employee, partner, officer, or
2 member of the automotive repair dealer.

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

6 ...

7 (4) Any other conduct which constitutes fraud.

8 ...

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

11 14. Section 44072.2 of the Health and Safety Code states:

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

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

18 ...

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

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

23 ...

24 15. Section 44072.10 of the Health and Safety Code states, in pertinent part:

25 ...

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

(1) Clean piping, as defined by the department.

...

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

”
• • •

REGULATORY PROVISIONS

16. California Code of Regulations, 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.

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

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

(a) A licensed technician shall inspect, test and repair vehicles 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. . . .”

18. California Code of Regulations, title 16, section 3340.35, states, 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. . . .

19. 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.

COST RECOVERY

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

VID DATA REVIEW

21. Beginning March 9, 2015, California’s Smog Check Program was updated to require the use of an On-Board Diagnostic Inspection System (“OIS”). OIS is the Smog Check equipment required in all areas of the State when inspecting most model-year 2000 and newer gasoline and hybrid vehicles and most 1998 and newer diesel vehicles. The system consists of a

1 certified Data Acquisition Device (“DAD”), computer, bar code scanner, and printer. The DAD
2 is an On-Board Diagnostic (“OBD”) scan tool that, when requested by the California OIS
3 software, retrieves OBD data from the vehicle. All OBD data that the vehicle indicates it
4 supports is requested by the California OIS software and will be retrieved. The DAD connects
5 between the OIS computer and the vehicle’s DLC. The California OIS software requires a
6 continuous Internet connection when performing a Smog Check inspection and the OIS software
7 communicates with BAR’s central database through the Internet connection. The bar code
8 scanner is used to input technician information, the vehicles identification number (“VIN”), and
9 DMV renewal information. The printer provides a Vehicle Inspection Report (“VIR”) containing
10 inspection results for motorists and a Smog Check Certificate of Compliance number for passing
11 vehicles.

12 22. Data retrieved and recorded during an OIS smog check includes; the eVIN, which is
13 the digitally stored VIN programmed into the vehicle’s Powertrain Control Module (“PCM”); the
14 communication protocol, which is the manufacturer/vehicle specific language the PCM uses to
15 relay information; and the number of Parameter Identifications (“PIDs”), which is the number of
16 specific data values each PCM uses related to emissions controls.

17 23. During an OIS inspection, engine operating parameters are retrieved from the
18 vehicle’s OBD II system and recorded to the VID. This is accomplished during the functional
19 portion of the OIS Smog Check inspection by plugging the DAD into the vehicle’s DLC when
20 prompted by the OIS analyzer screen prompt. Some of the parameters recorded are:

- 21 • Engine speed in revolutions per minute (RPM)
- 22 • Throttle position as measured by a throttle position sensor (TPS) mounted onto
23 the throttle shaft. Measured in a percentage of opening from 0% at idle and near
24 or up to 100% at full throttle.
- 25 • Manifold absolute pressure as measured by a manifold air pressure sensor (MAP)
26 connected to an intake manifold source, measured in kilo pascals (kpa). Typical
27 readings for a normally aspirated vehicle as follows: 0 kpa being absolute vacuum,
28 25kpa to 45kpa at idle, 101 kpa at full throttle, same as atmospheric pressure at

1 sea level.

- 2 • Mass air flow as measured by a mass air flow sensor (MAF) mounted in the
- 3 engine's air intake tract. Measured in grams per second (gps).²
- 4 • Ignition timing is set by the vehicle PCM based on engine speed and load, and is
- 5 measured in degrees Before Top Dead Center (BTDC).

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

15 25. During an OIS Smog Check inspection, along with other visual and functional
16 inspections, there is an OBD II query portion of the inspection. The OBD II query is performed
17 with the engine idling and, when requested by the OIS analyzer, and an elevated or increased
18 engine speed.

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

27 ² Not all vehicles include both MAP and MAF parameters. Many vehicles will have either
28 MAP or MAF parameters separately.

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

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

19 29. Respondents have engaged in numerous acts or omissions constituting violations of
20 the Automotive Repair Act (Business and Professions Code section 9880 *et seq.*) and Motor
21 Vehicle Inspection Program (Health and Safety Code section 44000 *et seq.*) through their practice
22 of “clean plugging.”³ Respondent’s employees’ OIS Test Data available on the State database
23 indicates that Respondents are involved in fraudulent smog inspection activities. A Bureau
24 representative initiated an investigation based on information transmitted to the VID for smog
25 check inspections performed by Respondent’s employees. The investigation revealed that the

26 ³ “Clean plugging” refers to the use of another vehicle’s properly functioning On Board
27 Diagnostic, generation II, (OBD II) system, or another source, to generate passing diagnostic
28 readings for the purpose of issuing fraudulent smog Certificates of Compliance to vehicles that
are not in smog compliance and/or not present for testing.

1 data related to certain vehicles certified by Respondent's employees contained a pattern of
2 unmistakable discrepancies between the information transmitted during the inspections and
3 documented information known about the vehicles at issue. Specifically, the representative
4 compared the data received from the certified vehicles to data from vehicles of the same year,
5 make, and model and determined that the data from at least fifteen (15) of the certified vehicles
6 were fraudulently tested by Respondent's employees during the smog inspection using the "clean
7 plugging" method as follows:

8 **Fraudulent Inspection #1 (Llanos)**

9 30. Bureau Program Representative Steve Koch (Koch) reviewed the OIS Test Data for
10 Corona Smog Check. The review indicates on March 5, 2024, a 2005 Mitsubishi Galant ES
11 Medium, CA license 6MDY952, VIN 4A3AB36F65E009353 (2005 Galant), was tested and smog
12 check certificate # IZ345437C was issued under licensed Smog Check Technician #EO643024,
13 Llanos.

14 31. The Dynamic OBDII PID Chart for the 2005 Galant shows between time stamp 200
15 and 45635 engine speed is steady at approximately 750 RPM. During this time the throttle is
16 fixed at 5.5% opening, MAF is fixed at 3.94 gps, MAP is fixed at 26 kPa, and the ignition timing
17 advance for #1 cylinder is fixed at 21 degrees BTDC. After time stamp 45635 the engine speed
18 accelerates to approximately 1625 RPM. From the time the engine RPM increases off idle to the
19 higher RPMs, the throttle is fixed at the same 5.5% opening, MAF is fixed at the same 3.94 gps,
20 MAP is fixed at the same 26 kPa, and the ignition timing advance for #1 cylinder is also still
21 fixed at the same 21 degrees BTDC.

22 32. During the entire period the dynamic data was collected, the only parameter that
23 changed was engine RPM. The throttle position, MAF, MAP, and ignition timing advance
24 readings remained unchanged even though the engine speed was increased. These readings are
25 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test
26 Data prove the OIS DAD was not connected to the 2005 Galant being certified, causing the
27 issuance of a fraudulent Smog Check Certificate of Compliance.

28 ///

Previous Failing Test: 2005 Galant

33. A previous failing test was performed on the 2005 Galant at another station on February 19, 2024. The 2005 Galant failed the test for incomplete OBDII readiness monitors. The dynamic PID data collected during the test shows the expected change in the TPS, MAF, MAP, and spark timing parameters as characteristic or expected for normal engine operation.

Fraudulent Inspection #2 (Llanos)

34. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on March 13, 2024, a 2001 GMC Sierra K1500 C3, CA license 6N51159, VIN 2GTEK69U211231125 (2001 Sierra), was tested and smog check certificate # TU022593C was issued under licensed Smog Check Technician #EO643024, Llanos.

35. The Dynamic OBDII PID Chart for the 2001 Sierra shows between time stamp 1822 and 24804 engine speed is steady at approximately 600 RPM. During this time the throttle is fixed at 15.3% opening, MAF is fixed at 0 gps, MAP is fixed at 99 kPa, and the ignition timing advance for #1 cylinder is fixed at 0 degrees BTDC. After time stamp 24804 the engine speed accelerates to approximately 1800 RPM. From the time the engine RPM increases off idle to the higher RPMs, the throttle is fixed at the same 15.3% opening, MAF is fixed at the same 0 gps, MAP is fixed at the same 99 kPa, and the ignition timing advance for #1 cylinder is also still fixed at the same 0 degrees BTDC.

36. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, MAP, and ignition timing advance readings remained unchanged even though the engine speed was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2001 Sierra being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Previous Failing Test: 2001 Sierra

37. A previous failing test was performed on the 2001 Sierra at another station on March 11, 2024. The 2001 Sierra failed the test for incomplete OBDII readiness monitors. The dynamic

PID data collected during the test shows the expected change in the TPS, MAF, MAP, and spark timing parameters as characteristic or expected for normal engine operation.

Fraudulent Inspection #3 (Harrel)

38. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on March 14, 2024, a 2002 Subaru Forester L, CA license 8BKR180, VIN JF1SF63512H751118 (2002 Forester), was tested and smog check certificate # TU250424C was issued under licensed Smog Check Inspector #EO643066, Harrel.

39. The Dynamic OBDII PID Chart for the 2002 Forester shows between time stamp 194 and 22061 engine speed is steady at approximately 600 RPM. During this time the throttle is fixed at 0% opening, MAF is fixed at 2.62 gps, MAP is fixed at 27 kPa, and the ignition timing advance for #1 cylinder is fixed at 18 degrees BTDC. After time stamp 22061 the engine speed accelerates to approximately 2400 RPM, then decelerates to approximately 1700 RPM. From the time the engine RPM increases off idle to the higher RPMs, the throttle is fixed at the same 0% opening, MAF is fixed at the same 2.62 gps, MAP is fixed at the same 27 kPa, and the ignition timing advance for #1 cylinder is also still fixed at the same 18 degrees BTDC.

40. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, MAP, and ignition timing advance readings remained unchanged even though the engine speed was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2002 Forester being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Previous Failing Test: 2002 Forester

41. A previous failing test was performed on the 2002 Forester at another station on February 19, 2024. The 2002 Forester failed the test for incomplete OBDII readiness monitors. The dynamic PID data collected during the test shows the expected change in the TPS, MAF, MAP, and spark timing parameters as characteristic or expected for normal engine operation.

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Fraudulent Inspection #4 (Harrell)

42. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on March 30, 2024, a 2000 Honda Civic Base, CA license 9AST563, VIN 2HGEJ661XYH537795 (2000 Civic), was tested and smog check certificate # TU787602C was issued under licensed Smog Check Technician #EO643066, Harrell.

43. The Dynamic OBDII PID Chart for the 2000 Civic shows between time stamp 137 and 20048 engine speed is steady at approximately 700 RPM. During this time the throttle is fixed at 12.2% opening, MAP is fixed at 27 kPa, and the ignition timing advance for #1 cylinder is fixed at 20.5 degrees BTDC. After time stamp 20048 the engine speed accelerates to approximately 1650 RPM. From the time the engine RPM increases off idle to the higher RPMs, the throttle is fixed at the same 12.2% opening, MAP is fixed at the same 27 kPa, and the ignition timing advance for #1 cylinder is also still fixed at the same 20.5 degrees BTDC.

44. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAP, and ignition timing advance readings remained unchanged even though the engine speed was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2000 Civic being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Previous Failing Tests: 2000 Civic

Two prior failing tests were performed on the 2000 Civic.

45. The most-recent failing test was performed by Harrell at Corona Smog Check on February 24, 2024. The 2000 Civic failed the test for Visual Details: Other Emission Related Components/Systems – Tampered, an illuminated MIL, confirmed OBDII DTC P1768, and incomplete OBDII readiness monitors. The dynamic PID data collected during the test shows the expected change in the TPS, MAP, and spark timing parameters as characteristic or expected for normal engine operation.

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46. The earlier failing inspection was performed at another station on January 19, 2024. The 2000 Civic failed the test for an illuminated MIL and confirmed OBDII DTCs P0420 and P1768.

Fraudulent Inspection #5 (Harrell)

47. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on May 22, 2024, a 2004 Toyota Sienna CE, CA license BT612, VIN 5TDZA23C34S207331 (2004 Sienna), was tested and smog check certificate # TY239280C was issued under licensed Smog Check Technician #EO643066, Harrell.

48. The Dynamic OBDII PID Chart for the 2004 Sienna shows between time stamp 158 and 19778 engine speed is steady at approximately 550 RPM. During this time the throttle is fixed at 14.9% opening, MAF is fixed at 3.54 gps, and the ignition timing advance for #1 cylinder is fixed at 15 degrees BTDC. After time stamp 19778 the engine speed accelerates to approximately 1700 RPM. From the time the engine RPM increases off idle to the higher RPMs, the throttle is fixed at the same 14.9% opening, MAF is fixed at the same 3.54 gps, and the ignition timing advance for #1 cylinder is also still fixed at the same 15 degrees BTDC.

49. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, and ignition timing advance readings remained unchanged even though the engine speed was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2004 Sienna being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Previous Failing Tests: 2004 Sienna

50. Two prior failing tests were performed on the 2004 Sienna.

The most-recent failing test was performed by Harrell at Corona Smog Check on May 14, 2024. The 2004 Sienna failed the test for Visual Details: Crankcase Emission Controls, Vacuum Lines to Sensors/Switches, and Other Emission Related Components/Systems – Fail. The vehicle had incomplete OBDII readiness monitors. The vehicle also had pending OBDII DTC P0018.

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1 51. The dynamic PID data collected during the test shows the expected change in the
2 TPS, MAF, and spark timing parameters as characteristic or expected for normal engine
3 operation.

4 52. The earlier failing inspection was performed at another station on May 3, 2024. The
5 2004 Sienna failed the test for Visual Details: Computers, sensors, switches and wiring – Fail.
6 The vehicle had an illuminated MIL with confirmed OBDII DTCs P0016 and P0018. The vehicle
7 also had incomplete OBDII readiness monitors. No dynamic data was collected during the
8 inspection.

9 **Fraudulent Inspection #6 (Harrell)**

10 53. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on
11 May 24, 2024, a 2004 Acura RSX Type-S, CA license 5EWP175, VIN JH4DC53044S002182
12 (2004 RSX), was tested and smog check certificate # TY239296C was issued under licensed
13 Smog Check Technician #EO643066, Harrell.

14 54. The Dynamic OBDII PID Chart for the 2004 RSX shows between time stamp 132
15 and 20078 engine speed is steady at approximately 700 RPM. During this time the throttle is
16 fixed at 9.4% opening, MAP is fixed at 27 kPa, and the ignition timing advance for #1 cylinder is
17 fixed at 5.5 degrees BTDC. After time stamp 20078 the engine speed accelerates to
18 approximately 2100 RPM. From the time the engine RPM increases off idle to the higher RPMs,
19 the throttle is fixed at the same 9.4% opening, MAP is fixed at the same 27 kPa, and the ignition
20 timing advance for #1 cylinder is also still fixed at the same 5.5 degrees BTDC.

21 55. During the entire period the dynamic data was collected, the only parameter that
22 changed was engine RPM. The throttle position, MAP, and ignition timing advance readings
23 remained unchanged even though the engine speed was increased. These readings are not
24 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
25 prove the OIS DAD was not connected to the 2004 RSX being certified, causing the issuance of a
26 fraudulent Smog Check Certificate of Compliance.

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Previous Failing Test: 2004 RSX

56. A previous failing test was performed on the 2004 RSX at another station on December 5, 2023. The 2004 RSX failed the test for incomplete OBDII readiness monitors.

The dynamic PID data collected during the test shows the expected change in the TPS, MAP, and spark timing parameters as characteristic or expected for normal engine operation.

Fraudulent Inspection #7 (Harrell)

57. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on May 28, 2024, a 2001 Nissan Frontier Crew Cab XE, CA license 6N12780, VIN 1N6ED27T01C311060 (2001 Frontier), was tested and smog check certificate # TY451339C was issued under licensed Smog Check Technician #EO643066, Harrell.

58. The Dynamic OBDII PID Chart for the 2001 Frontier shows between time stamp 422 and 23200 engine speed is steady at approximately 800 RPM. During this time the throttle is fixed at 0% opening, MAF is fixed at .35 gps, and the ignition timing advance for #1 cylinder is fixed at 63.5 degrees BTDC. After time stamp 23200 the engine speed accelerates to approximately 2300 RPM. From the time the engine RPM increases off idle to the higher RPMs, the throttle is fixed at the same 0% opening, MAF is fixed at the same .35 gps, and the ignition timing advance for #1 cylinder is also still fixed at the same 63.5 degrees BTDC.

59. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, and ignition timing advance readings remained unchanged even though the engine speed was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2001 Frontier being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Previous Failing Test: 2001 Frontier

60. A previous failing test was performed on the 2001 Frontier at another station on March 4, 2024. The 2001 Frontier failed the test for incomplete OBDII readiness monitors. The vehicle had pending OBDII DTCs P0154, P0174, and P0300. The dynamic PID data collected

1 during the test shows the expected change in the TPS, MAF, and spark timing parameters as
2 characteristic or expected for normal engine operation.

3 **Fraudulent Inspection #8 (Llanos)**

4 61. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on
5 June 20, 2024, a 2004 Acura MDX Touring, CA license 8XZE903, VIN 2HNYD18674H544867
6 (2004 MDX), was tested and smog check certificate # TY973678C was issued under licensed
7 Smog Check Technician #EO643024, Llanos.

8 62. The Dynamic OBDII PID Chart for the 2004 MDX shows between time stamp 142
9 and 22282 engine speed is steady at approximately 750 RPM. During this time the throttle is
10 fixed at 13.7% opening, MAP is fixed at 32 kPa, and the ignition timing advance for #1 cylinder
11 is fixed at 10 degrees BTDC. After time stamp 22282 the engine speed accelerates to
12 approximately 1925 RPM. From the time the engine RPM increases off idle to the higher RPMs,
13 the throttle is fixed at the same 13.7% opening, MAP is fixed at the same 32 kPa, and the ignition
14 timing advance for #1 cylinder is also still fixed at the same 10 degrees BTDC.

15 63. During the entire period the dynamic data was collected, the only parameter that
16 changed was engine RPM. The throttle position, MAP, and ignition timing advance readings
17 remained unchanged even though the engine speed was increased. These readings are not
18 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
19 prove the OIS DAD was not connected to the 2004 MDX being certified, causing the issuance of
20 a fraudulent Smog Check Certificate of Compliance.

21 **Previous Failing Test: 2004 MDX**

22 64. A previous failing test was performed on the 2004 MDX at another station on May
23 11, 2024. The 2004 MDX failed the test an illuminated MIL and confirmed OBDII DTC's P0420,
24 P0430, P0455. The dynamic PID data collected during the test shows the expected change in the
25 TPS, MAP, and spark timing parameters as characteristic or expected for normal engine
26 operation.

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Fraudulent Inspection #9 (Llanos)

65. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on December 6, 2024, a 2004 Porsche Cayenne S, no plate, VIN WP1AB29P94LA67919 (2004 Cayenne), was tested and smog check certificate # UG556572C was issued under licensed Smog Check Technician #EO643024, Llanos.

66. The Dynamic OBDII PID Chart for the 2004 Cayenne shows between time stamp 180 and 3251 engine speed is zero. Between time stamp 4374 and 22981 engine speed is steady at approximately 750 RPM. During this time the throttle is fixed at 1.6% opening, MAF is fixed at 4.5 gps, and the ignition timing advance for #1 cylinder is fixed at 0 degrees BTDC. After time stamp 22981 the engine speed accelerates to approximately 1625 RPM. From the time the engine RPM increases off idle to the higher RPMs, the throttle is fixed at the same 1.6% opening, MAF is fixed at the same 4.5 gps, and the ignition timing advance for #1 cylinder is also still fixed at the same 0 degrees BTDC.

67. During the entire period the dynamic data was collected, the only parameter that changed was engine RPM. The throttle position, MAF, and ignition timing advance readings remained unchanged even though the engine speed was increased. These readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2004 Cayenne being certified, causing the issuance of a fraudulent Smog Check Certificate of Compliance.

Previous Failing Test: 2004 Cayenne

68. A previous failing test was performed on the 2004 Cayenne at another station on November 28, 2024. The 2004 Cayenne failed the test for an illuminated MIL, incomplete OBDII readiness monitors, and confirmed OBDII DTCs P0332 and P0343. The dynamic PID data collected during the test shows the expected change in the TPS, MAF, and spark timing parameters as characteristic or expected for normal engine operation.

Fraudulent Inspection #10 (Llanos)

69. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on December 13, 2024, a 2004 Toyota Camry LE, CA license 5GZB344, VIN

1 4T1BE32K64U347952 (2004 Camry), was tested and smog check certificate # UG556583C was
2 issued under licensed Smog Check Technician #EO643024, Llanos.

3 70. The Dynamic OBDII PID Chart for the 2004 Camry shows between time stamp 148
4 and 30441 engine speed is steady at approximately 675 RPM. Between time stamp 4374 and
5 30440 engine speed is steady at approximately 650 RPM. During this time the throttle is fixed at
6 14.1% opening, MAF is fixed at 2.26 gps, and the ignition timing advance for #1 cylinder is fixed
7 at 14 degrees BTDC. After time stamp 30440 the engine speed accelerates to approximately 1700
8 RPM. From the time the engine RPM increases off idle to the higher RPMs, the throttle is fixed at
9 the same 14.1% opening, MAF is fixed at the same 2.26 gps, and the ignition timing advance for
10 #1 cylinder is also still fixed at the same 14 degrees BTDC.

11 71. During the entire period the dynamic data was collected, the only parameter that
12 changed was engine RPM. The throttle position, MAF, and ignition timing advance readings
13 remained unchanged even though the engine speed was increased. These readings are not
14 characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data
15 prove the OIS DAD was not connected to the 2004 Camry being certified, causing the issuance of
16 a fraudulent Smog Check Certificate of Compliance.

17 **Previous Failing Test: 2004 Camry**

18 72. A previous failing test was performed on the 2004 Camry at another station on
19 September 13, 2024. The 2004 Camry failed the test for an illuminated MIL and confirmed
20 OBDII DTC P0420. The dynamic PID data collected during the test shows the expected change
21 in the TPS, MAF, and spark timing parameters as characteristic or expected for normal engine
22 operation.

23 **Fraudulent Inspection #11 (Arreola)**

24 73. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on
25 April 22, 2025, a 2001 Ford F150, CA license 6P65328, VIN 1FTRX07L51KA84650 (2001
26 F150), was tested and smog check certificate # UM764929C was issued under licensed Smog
27 Check Technician #EO644229, Arreola.

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74. The Dynamic OBD Data and Dynamic Data Charts for the 2001 F150 shows between time stamp 27 and 17341 engine speed is steady at approximately 750 RPM. During this time the throttle is varying between 12.9% and 18% opening, the MAF is varying between .3 gps and 2.27 gps, and timing is varying between 16-23 degrees BTDC. After time stamp 17341 the engine speed begins to accelerate. Between time stamp 17790 and 33424 the engine speed is accelerated then held steady at approximately 1900 RPM. During this time the throttle is varying between 12.9% and 17.6%, the MAF varying between .16 gps and 2.32 gps, and timing is varying between 16-22.5 degrees BTDC.

75. The steady idle and steady elevated engine speeds with the associated unusual varying throttle positions, varying MAF readings, and varying timing readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2001 F150 being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

Fraudulent Inspection #12 (Arreola)

76. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on April 23, 2025, a 2005 Toyota Camry LE, CA license 8PMK028, VIN 4T1BE32K15U556386 (2005 Camry), was tested and smog check certificate # UM764936C was issued under licensed Smog Check Technician #EO644229, Arreola.

77. The Dynamic OBD Data and Dynamic Data Charts for the 2005 Camry shows between time stamp 138 and 19634 engine speed is steady at approximately 675 RPM. During this time the throttle is varying between 13.3% and 16.9% opening, the MAF is varying between 2.84 gps and 4.98 gps, and timing is varying between 8.5-13.5 degrees BTDC. After time stamp 19634 the engine speed begins to accelerate. Between time stamp 17790 and 33424 the engine speed is accelerated then held steady at approximately 1700 RPM. During this time the throttle is varying between 12.9% and 18%, the MAF varying between 3.07 gps and 4.19 gps, and timing is varying between 9.5-14.5 degrees BTDC.

78. The steady idle and steady elevated engine speeds with the associated unusual varying throttle positions, varying MAF readings, and varying timing readings are not

characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2005 Camry being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

Fraudulent Inspection #13 (Arreola)

79. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on April 23, 2025, a 2004 Ford Expedition XLT, CA license 5HBV598, VIN 1FMRU15WX4LA37605 (2004 Expedition), was tested and smog check certificate # UM764945C was issued under licensed Smog Check Technician #EO644229, Arreola.

80. The Dynamic OBD Data and Dynamic Data Charts for the 2004 Expedition shows between time stamp 32 and 18030 engine speed is steady at approximately 650 RPM. During this time the throttle is varying between 12.5% and 17.3% opening, the MAF is varying between 2.75 gps and 4.93 gps, and timing is varying between 16-23 degrees BTDC. After time stamp 18030 the engine speed begins to accelerate. Between time stamp 18500 and 34357 the engine speed is accelerated then held steady at approximately 1800 RPM. During this time the throttle is varying between 13.3% and 18%, the MAF varying between 2.95 gps and 4.66 gps, and timing is varying between 8-15 degrees BTDC.

81. The steady idle and steady elevated engine speeds with the associated unusual varying throttle positions, varying MAF readings, and varying timing readings are not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS DAD was not connected to the 2004 Expedition being certified, causing the issuance of a fraudulent Smog Certificate of Compliance.

Station Visit April 28, 2025 / Fraudulent Inspection #14 (Arreola)

82. On April 28, 2025, Koch visited Corona Smog Check. Koch was assisted by Bureau Program Representative Raul Garcia (Garcia). Prior to arriving at the station, Garcia and Koch monitored vehicles entering and exiting the only driveway entrance leading to Corona Smog Check. The station is located at the rear bay of a multi-bay building shared with another automotive business. The driveway is the only access to enter or exit Corona Smog Check with no other exits. Garcia and Koch monitored station testing data using the Bureau's database.

1 83. Using the Bureau's database, Koch confirmed a test was initiated on a 2000 Ford
2 F350 Diesel on the OIS analyzer at 1527 hours. DMV records indicated the vehicle was
3 registered in ZIP Code 93725, located in Fresno County. Koch positioned his vehicle so he could
4 see down the driveway leading to the station and did not observe the 2000 Ford F350.

5 84. At 1542 hours, Koch verified the test on the 2000 Ford F350 Diesel was completed
6 and a Certificate of Compliance was issued. Koch never observed the vehicle arrive at or leave
7 the facility. At approximately 1545 hours, Garcia and Koch left the location monitoring the
8 driveway to Corona Smog Check and returned at approximately 1600 hours. During that time, a
9 2000 Ford F150, CA license 90888E2 was tested and certified.

10 85. At approximately 1600 hours, Garcia and Koch returned and monitored the driveway
11 to the station. Using the Bureau's database, Koch confirmed a test was initiated on a 1998 Dodge
12 RAM 2500 Diesel, CA license 5T31941, on the OIS analyzer at 1602 hours. DMV records
13 indicated the vehicle was registered in ZIP Code 93707, also located in Fresno County.

14 86. At 1612 hours, Koch verified the test on the 1998 Dodge RAM 2500 was completed,
15 and a Certificate of Compliance was issued.

16 87. Garcia and Koch immediately drove to Corona Test Only, arriving at 1612 hours.
17 When they arrived at the station, the 1998 Dodge RAM 2500 was not present. Licensed Inspector
18 Arreola was in the testing bay and Owner/Inspector Llanos was in the office with another
19 individual who identified herself as Carla Espinola (Espinola).

20 88. Koch questioned Arreola and Llanos about the 1998 Dodge that was just certified and
21 the 2000 Ford F350 that was previously certified. Llanos and Arreola stated the vehicles left after
22 the tests were completed. Koch informed both that he never observed the vehicles arriving or
23 leaving the driveway. Koch also informed them both vehicles were registered in Fresno County.

24 89. Koch noticed the station had a video surveillance system installed with the monitors
25 playing the video in the office area. Koch requested Llanos show me the video to prove the
26 vehicles were present. Llanos stated the video system did not record.

27 90. Koch requested and received records for tests performed at the station for the past
28 week. Koch showed Llanos the invoices for the 1998 Dodge RAM and 2000 Ford F350 just

1 certified. Koch asked if she completed the information on the invoice, which she confirmed. Koch
2 showed Arreola the VIRs for the tests on the vehicles. The VIR for the 2000 Ford F350 was dated
3 and signed, and the 1998 Dodge RAM was not. Areola confirmed he tested both vehicles and
4 signed the VIR for the 1998 Dodge RAM in front of Koch.

5 91. Koch questioned Llanos and Arreola if they knew what the term clean plugging
6 meant. Llanos stated she did, and Arreola asked Koch to explain it to him. Koch explained the
7 term and informed them that failure to properly inspect vehicles was grounds for disciplinary
8 action against station and technician licenses.

9 92. Koch later returned to the Riverside Field Office. Koch reviewed the OIS Test Data
10 for Corona Smog Check and compared the test data summary to his observations. The review
11 indicates on April 28, 2025, a 1998 Dodge RAM 2500 diesel, CA license 5T31941, VIN
12 3B7KC26D5WM203770 (1998 RAM), was tested and smog certificate # UM968873C was
13 issued under licensed Smog Check Technician #EO644229, Arreola. The 1998 RAM was never
14 at the station during the period It was certified. No dynamic data was collected during the
15 inspection.

16 **Fraudulent Inspection #15 (Arreola)**

17 93. Koch reviewed the OIS Test Data for Corona Smog Check. The review indicates on
18 April 29, 2025, a 2005 GMC Sierra K2500 Heavy Duty, no plate, VIN 1GTHK23UX5F965931
19 (2005 Sierra), was tested and smog check certificate # UM968881C was issued under licensed
20 Smog Check Technician #EO644229, Arreola.

21 94. The Dynamic OBD Data and Dynamic Data Charts for the 2005 Sierra shows
22 between time stamp 40 and 17281 engine speed is steady at approximately 700 RPM. During this
23 time the throttle is varying between 7.1% and 11.8% opening, the MAP is varying between 32
24 kpa and 46 kpa, the MAF varying between 5.71 gps and 7.21 gps, and the timing is varying
25 between 10.5 and 14.5 degrees BTDC. After time stamp 17281 the engine speed begins to
26 accelerate. Between time stamp 17847 and 33832 the engine speed is accelerated then held steady
27 at approximately 1650 RPM. During this time the throttle is varying between 6.7% and 11.8%,
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1 the MAP is varying between 32 kpa and 46 kpa, the MAF is varying between 5.29 gps and 7.61
2 gps, and the timing is varying between 8 and 14 degrees BTDC.

3 95. The steady idle and steady elevated engine speeds with the associated varying throttle
4 positions and subsequent varying MAP, MAF, and timing readings are not characteristic or
5 expected for normal engine operation. The discrepancies in the OIS Test Data prove the OIS
6 DAD was not connected to the 2005 Sierra being certified, causing the issuance of a fraudulent
7 Smog Certificate of Compliance.

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Untrue or Misleading Statements - Respondent Corona Smog Check)**

10 96. Respondent Corona Smog Check's registration is subject to disciplinary action
11 pursuant to section 9884.7, subdivision (a)(1), in that Respondent's employees made or
12 authorized statements which they knew or in the exercise of reasonable care should have known
13 to be untrue or misleading, as follows: Respondent's employees certified that the vehicles set
14 forth above in paragraphs 30-95, had passed inspection and were in compliance with applicable
15 laws and regulations. In fact, Respondent's employees conducted the inspections on those
16 vehicles using the clean plugging method in order to issue smog certificates of compliance, and
17 did not test or inspect the vehicles as required by Health and Safety Code section 44012.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Fraud - Respondent Corona Smog Check)**

20 97. Respondent Corona Smog Check's registration is subject to disciplinary action
21 pursuant to section 9884.7, subdivision (a)(4), in that Respondent Corona Smog Check's
22 employees committed acts which constitute fraud by issuing electronic certificates of compliance
23 for the vehicles set forth above in paragraphs 30-95, without performing bona fide inspections of
24 the emission control devices and systems on those vehicles, thereby depriving the People of the
25 State of California of the protection afforded by the Motor Vehicle Inspection Program.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with the Motor Vehicle Inspection Program –**
3 **Respondent Corona Smog Check)**

4 98. Respondent Corona Smog Check's smog station license is subject to disciplinary
5 action pursuant to Health and Safety Code section 44072.2, subdivision (a), in conjunction with
6 Health and Safety Code section 44072.10 subdivision (c), in that regarding the vehicles set forth
7 above in paragraphs 30-95, Respondent Corona Smog Check failed to comply with the following
8 sections of the Health and Safety Code:

9 (a) **Section 44012**: Respondent Corona Smog Check's employees failed to ensure that
10 the emission control tests were performed on the vehicles, in accordance with procedures
11 prescribed by the department.

12 (b) **Section 44015**: Respondent Corona Smog Check's employees issued electronic
13 certificates of compliance for the vehicles, without ensuring that the vehicles were properly tested
14 and inspected to determine if they were in compliance with Health and Safety Code section
15 44012.

16 **FOURTH CAUSE FOR DISCIPLINE**

17 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program -**
18 **Respondent Corona Smog Check)**

19 99. Respondent Corona Smog Check's smog station license is subject to disciplinary
20 action pursuant to Health and Safety Code section 44072.2, subdivision (c), in that regarding the
21 vehicles set forth above in paragraphs 30-95 Respondent's employees failed to comply with the
22 following provisions of the California Code of Regulations, Title 16, as follows:

23 (a) **Section 3340.35, subdivision (c)**: Respondent Corona Smog Check's employees
24 issued electronic certificates of compliance even though those vehicles had not been inspected in
25 accordance with section 3340.42, Title 16, of the California Code of Regulations.

26 (b) **Section 3340.42**: Respondent Corona Smog Check's employees failed to conduct the
27 required smog tests and inspections on those vehicles in accordance with the Bureau's
28 specifications.

1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Dishonesty, Fraud or Deceit - Respondent Corona Smog Check)**

3 100. Respondent Corona Smog Check's smog station license is subject to disciplinary
4 action pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with
5 Health and Safety Code section 44072.10 subdivision (c), in that regarding the vehicles set forth
6 above in paragraphs 30-95, Respondent Corona Smog Check's employee's committed acts
7 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic
8 certificates of compliance for those vehicles without performing bona fide inspections of the
9 emission control devices and systems on the vehicles, thereby depriving the People of the State of
10 California of the protection afforded by the Motor Vehicle Inspection Program.

11 **SIXTH CAUSE FOR DISCIPLINE**

12 **(Violations of the Motor Vehicle Inspection Program – Respondent Llanos)**

13 101. Respondent Llanos's smog check inspector license is subject to discipline pursuant to
14 Health and Safety Code section 44072.2, subdivision (a), in that regarding the vehicles set forth
15 above in paragraphs 30-32, 34-36, 61-63, 65-67 and 69-71, Respondent Llanos failed to comply
16 with section 44012 of the Health and Safety Code in a material respect, as follows: Respondent
17 Llanos failed to perform the emission control tests on those vehicles in accordance with
18 procedures prescribed by the department.

19 **SEVENTH CAUSE FOR DISCIPLINE**

20 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program –**
21 **Respondent Llanos)**

22 102. Respondent Llanos's smog check inspector license is subject to discipline pursuant to
23 Health and Safety Code section 44072.2, subdivision (c), in that regarding the vehicles set forth
24 above in paragraphs 30-32, 34-36, 61-63, 65-67 and 69-71, Respondent Llanos failed to comply
25 with provisions of the California Code of Regulations, title 16, as follows:

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

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1 (b) **Section 3340.41, subdivision (c)**: Respondent Llanos entered false information into
2 the OIS.

3 (c) **Section 3340.42**: Respondent Llanos failed to conduct the required smog tests and
4 inspections on those vehicles in accordance with the Bureau's specifications.

5 **EIGHTH CAUSE FOR DISCIPLINE**

6 **(Dishonesty, Fraud or Deceit - Respondent Llanos)**

7 103. Respondent Llanos's smog check inspector license is subject to discipline pursuant to
8 Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and Safety
9 Code section 44072.10 subdivision (c), in that regarding the vehicles set forth above in
10 paragraphs 30-32, 34-36, 61-63, 65-67 and 69-71, Respondent Llanos committed acts involving
11 dishonesty, fraud or deceit whereby another was injured by issuing electronic certificates of
12 compliance for those vehicles without performing bona fide inspections of the emission control
13 devices and systems on the vehicles., thereby depriving the People of the State of California of
14 the protection afforded by the Motor Vehicle Inspection Program.

15 **NINTH CAUSE FOR DISCIPLINE**

16 **(Violations of the Motor Vehicle Inspection Program – Respondent Arreola)**

17 104. Respondent Arreola's smog check inspector license is subject to discipline pursuant
18 to Health and Safety Code section 44072.2, subdivision (a), in that regarding the vehicles set forth
19 above in paragraphs 73-95, Respondent Arreola failed to comply with section 44012 of the Health
20 and Safety Code in a material respect, as follows: Respondent Arreola failed to perform the
21 emission control tests on those vehicles in accordance with procedures prescribed by the
22 department.

23 **TENTH CAUSE FOR DISCIPLINE**

24 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program –**
25 **Respondent Arreola)**

26 105. Respondent Arreola's smog check inspector license is subject to discipline pursuant
27 to Health and Safety Code section 44072.2, subdivision (c), in that regarding the vehicles set forth
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above in paragraphs 73-95, Respondent Arreola failed to comply with provisions of the California Code of Regulations, title 16, as follows:

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

(b) **Section 3340.41, subdivision (c)**: Respondent Arreola entered false information into the OIS.

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

ELEVENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit - Respondent Arreola)

106. Respondent Arreola's smog check inspector license is subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and Safety Code section 44072.10 subdivision (c), in that regarding the vehicles set forth above in paragraphs 73-95, Respondent Arreola committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing electronic certificates of compliance for those vehicles without performing bona fide inspections of the emission control devices and systems on the vehicles., thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

TWELFTH CAUSE FOR DISCIPLINE

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

107. Respondent Harrell's smog check inspector license is subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that regarding the vehicles set forth above in paragraphs 38-40, 42-44, 47-49, 53-55 and 57-59, Respondent Harrell failed to comply with section 44012 of the Health and Safety Code in a material respect, as follows: Respondent Harrell failed to perform the emission control tests on those vehicles in accordance with procedures prescribed by the department.

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1 **THIRTEENTH CAUSE FOR DISCIPLINE**

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

4 108. Respondent Harrell's smog check inspector license is subject to discipline pursuant to
5 Health and Safety Code section 44072.2, subdivision (c), in that regarding the vehicles set forth
6 above in paragraphs 38-40, 42-44, 47-49, 53-55 and 57-59, Respondent Harrell failed to comply
7 with provisions of the California Code of Regulations, title 16, as follows:

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

10 (b) **Section 3340.41, subdivision (c)**: Respondent Harrell entered false information into
11 the OIS.

12 (c) **Section 3340.42**: Respondent Harrell failed to conduct the required smog tests and
13 inspections on those vehicles in accordance with the Bureau's specifications.

14 **FOURTEENTH CAUSE FOR DISCIPLINE**

15 **(Dishonesty, Fraud or Deceit - Respondent Harrell)**

16 109. Respondent Harrell's smog check inspector license is subject to discipline pursuant to
17 Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and Safety
18 Code section 44072.10 subdivision (c), in that regarding the vehicles set forth above in
19 paragraphs 38-40, 42-44, 47-49, 53-55 and 57-59, Respondent Harrell committed acts involving
20 dishonesty, fraud or deceit whereby another was injured by issuing electronic certificates of
21 compliance for those vehicles without performing bona fide inspections of the emission control
22 devices and systems on the vehicles., thereby depriving the People of the State of California of
23 the protection afforded by the Motor Vehicle Inspection Program.

24 **OTHER MATTERS**

25 110. Pursuant to Business & Professions Code section 9884.7, subdivision (c), the Director
26 may suspend, revoke, or place on probation the registration for all places of business operated in
27 this State by Respondent Corona Smog Check upon a finding that Respondent Corona Smog
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1 Check has, or is, engaged in a course of repeated and willful violations of the laws and
2 regulations pertaining to an automotive repair dealer.

3 111. Pursuant to Health & Safety Code section 44072.8, if Smog Check, Test Only Station
4 License Number TC 300341 issued to Respondent Corona Smog Check is revoked or suspended
5 following a hearing under this article, any additional license issued under Chapter 5, Part 5,
6 Division 26 in the name of said licensee may be likewise revoked or suspended by the Director.

7 112. Pursuant to Health & Safety Code section 44072.8, if Smog Check Inspector License
8 Number EO 644289, issued to Respondent Arreola is revoked or suspended following a hearing
9 under this article, any additional license issued under Chapter 5, Part 5, Division 26 in the name
10 of said licensee may be likewise revoked or suspended by the Director.

11 113. Pursuant to Health & Safety Code section 44072.8, if Smog Check Inspector License
12 Number EO 643024, issued to Respondent Llanos, is revoked or suspended following a hearing
13 under this article, any additional license issued under Chapter 5, Part 5, Division 26 in the name
14 of said licensee may be likewise revoked or suspended by the Director.

15 114. Pursuant to Health & Safety Code section 44072.8, if Smog Check Inspector License
16 Number EO 643066, issued to Respondent Harrell, is revoked or suspended following a hearing
17 under this article, any additional license issued under Chapter 5, Part 5, Division 26 in the name
18 of said licensee may be likewise revoked or suspended by the Director.

19 **PRAYER**

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

23 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
24 300341, issued to Violeta Natalie Llanos dba Corona Smog Check;

25 2. Revoking or suspending any other Automotive Repair Dealer Registration issued to
26 Respondent Violeta Natalie Llanos;

27 3. Revoking or suspending Smog Check, Test-Only, Station License Number TC
28 300341, issued to Violeta Natalie Llanos dba Corona Smog Check;

4. Revoking or suspending Smog Check Inspector License Number EO 643024, issued to Violeta Natalie Llanos;

5. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Respondent Violeta Natalie Llanos;

6. Revoking or suspending Smog Check Inspector License Number EO 644229, issued to Angel J Arreola;

7. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Respondent Angel J Arreola;

8. Revoking or suspending Smog Check Inspector License Number EO 643066, issued to Evan Daniel Harrell;

9. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Respondent Evan Daniel Harrell;

10. Ordering Violeta Natalie Llanos, Angel J Arreola and Evan Daniel Harrell to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3 and if placed on probation, the costs of probation monitoring; and,

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

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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