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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. 79/25-10952

13 **EDITH LLAMAS-OWNER DBA SFV**
14 **SMOG CHECK TEST ONLY**
15 **301 AIRPORT DRIVE**
16 **BAKERSFIELD, CA 93308**
Automotive Repair Dealer Registration No.
ARD 302427
Smog Check, Test Only, Station License No.
TC 302427

ACCUSATION

17 **JORGE LUIS COLLAZO**
18 **1316 Venice Blvd. # 1**
19 **Venice, CA 90291**
Smog Check Inspector License No. EO
634808
Smog Check Repair Technician License
20 **Number EI 634808 (formerly Advanced**
21 **Emission Specialist Technician License No.**
EA 634808)

22 **REYNALDO IVAN RODRIGUEZ**
23 **15414 S Butler Ave.**
Compton, CA 90221
24 **MAILING ADDRESS**
8137 Dearborn Ave.
25 **South Gate, CA 90280**
Smog Check Inspector License No. EO
644271

26 **and**
27
28

JESUS ARIZMENDY
714 West Vernon Ave.
Los Angeles, CA 90037
Smog Check Inspector License No. EO
644738

Respondents.

PARTIES

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

Edith Llamas-Owner dba SFV Smog Check Test Only

Automotive Repair Dealer Registration

2. On or about May 3, 2022, the Bureau issued Automotive Repair Dealer Registration Number ARD 302427 to Edith Llamas-Owner dba SFV Smog Check Test Only (“Respondent SFV Smog Check”). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2026, unless renewed.

Smog Check, Test Only, Station License

3. On or about June 2, 2022, the Bureau issued Smog Check, Test-Only, Station License Number TC 302427 to Respondent SFV Smog Check. The Smog Check, Test-Only, Station License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2026, unless renewed.

STAR Station Certification

4. On or about November 9, 2023, the Bureau certified SFV Smog Check Test Only as a STAR Station. The certification was suspended on July 1, 2025.

Jorge Luis Collazo

Smog Check Inspector License/Smog Check Repair Technician License

(formerly Advanced Emission Specialist Technician License Number EA 634808)

5. On or about September 27, 2012, the Bureau issued Advanced Emission Specialist Technician License Number EA 634808 to Jorge Luis Collazo (“Respondent Collazo”). Respondent Collazo’s Advanced Emission Specialist Technician License was due to expire on

March 31, 2014; however, it was cancelled on April 8, 2014. Pursuant to California Code of Regulations, title 16, section 3340.28, subdivision (e)¹, the license was renewed, pursuant to Respondent Collazo's election, as Smog Check Inspector License Number EO 634808 and Smog Check Repair Technician License Number EI 634808. On or about April 8, 2014, Respondent Collazo was issued Smog Check Inspector License which was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2027, unless renewed. On or about April 8, 2014, Respondent Collazo was issued Smog Check Repair Technician License Number EI 634808 which expired on March 31, 2016, and has not been renewed.

Reynaldo Ivan Rodriguez

Smog Check Inspector License

6. On or about April 13, 2023, the Bureau issued Smog Check Inspector License Number EO 644271 to Reynaldo Ivan Rodriguez ("Respondent Rodriguez"). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2026, unless renewed.

Jesus Arizmendy

Smog Check Inspector License

7. On or about December 11, 2023, the Bureau issued Smog Check Inspector License Number EO 644738 to Jesus Arizmendy ("Respondent Arizmendy"). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and expired on August 31, 2025, and has not been renewed.

JURISDICTION

8. Business and Professions Code ("Code") section 9884.7 provides that the Director may revoke an automotive repair dealer registration.

9. Section 9884.13 of the Code provides, in pertinent part, that the expiration of a valid registration shall not deprive the director or chief of jurisdiction to proceed with a disciplinary

¹ Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28, 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

proceeding against an automotive repair dealer or to render a decision invalidating a registration temporarily or permanently.

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

STATUTORY PROVISIONS

11. Section 9884.7 of the Code states:

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

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

....

(4) Any other conduct that constitutes fraud.

....

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

....

(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.

12. Section 44012 of the Health and Safety Code states:

The test at the smog check stations shall be performed in accordance with procedures prescribed by the department and may require loaded mode dynamometer testing in enhanced areas, two-speed idle testing, testing utilizing a vehicle's onboard diagnostic system, or other appropriate test procedures as determined by the department in consultation with the state board. The department shall implement testing using onboard diagnostic systems, in lieu of loaded mode dynamometer or two-speed idle testing, on model year 2000 and newer vehicles only, beginning no earlier than January 1, 2013, and on model-year 1996-99, inclusive, vehicles only, beginning no earlier than January 1, 2025. However, the department, in consultation

1 with the state board, may prescribe alternative test procedures that include loaded
2 mode dynamometer or two-speed idle testing for vehicles with onboard diagnostic
3 systems that the department and the state board determine exhibit operational
4 problems. The department shall ensure, as appropriate to the test method, the
5 following:

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

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

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

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

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

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

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

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

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

13. Section 44015 of the Health and Safety Code states:

....

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

4 14. Section 44032 of the Health and Safety Code states:

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

11 15. Section 44059 of the Health and Safety Code states:

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

17 16. Section 44072.2 of the Health and Safety Code states:

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

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

24

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

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

17. Section 44072.8 of the Health and Safety Code states:

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.

18. Section 44072.10 of the Health and Safety Code, subdivision (c) states:

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

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

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

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

8 **REGULATORY PROVISIONS**

9 19. California Code of Regulations, title 16, section 3340.24, states:

10

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

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

14 A licensed smog check inspector and/or repair technician shall comply with the
15 following requirements at all times while licensed:.

16 (a) Inspect, test and repair vehicles, as applicable, in accordance with section
17 44012 of the Health and Safety Code, section 44035 of the Health and
Safety Code, and section 3340.42 of this article..

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

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

22 22. California Code of Regulations, title 16, section 3340.41 states:

23

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

26 ///

27 ///

28 ///

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) Vehicles with emission levels exceeding the emission standards for gross polluters during an initial inspection will be considered gross polluters and the provisions pertaining to gross polluting vehicles will apply, including, but not limited to, sections 44014.5, 44015, and 44081 of the Health and Safety Code.

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

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

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

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

COST RECOVERY

25. 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.

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FACTUAL ALLEGATIONS

26. During the course of a Bureau Representative's regular duties, the Bureau Representative accessed the Vehicle Information Database ("VID") and reviewed Smog Check data transmitted from Respondent SFV Smog Check from July 22, 2023, through June 18, 2025. Additionally, the Bureau Representative accessed the VID to produce copies of the BAR OIS Test Details and Certificate Sales.

27. During an OIS inspection, engine operating parameters are retrieved from the vehicle's On-Board Diagnostics ("OBD II") system and recorded to the VID. This is accomplished during the functional portion of the OIS Smog Check inspection by plugging the Data Acquisition Device ("DAD") into the vehicle's Diagnostic Link Connector ("DLC") when prompted by the OIS analyzer screen prompt. Some of the parameters recorded are:

- Engine speed in revolutions per minute ("RPM").
- The throttle position is measured by a throttle position sensor ("TPS") mounted onto the throttle shaft. It is measured in a percentage of opening from 0% at idle and near or up to 100% at full throttle.
- Manifold absolute pressure as measured by a manifold air pressure sensor ("MAP") connected to an intake manifold source, measured in kilo pascals ("kpa"). Typical readings for a normally aspirated vehicle undergoing Smog Check inspection are as follows: 25 kPa to 45 kPa at idle, with a subsequent decrease as the RPM is raised.
- Mass airflow as measured by a mass air flow sensor ("MAF") mounted in the engine's air intake tract and measured in grams per second ("grams/sec").

28. During normal engine operation at idle, the engine speed is relatively steady around its target idle speed. With the engine idling, the TPS is constant and at or near 0%. The MAP and/or MAF readings are also steady. In order for the engine speed to increase, the throttle would have to be opened in order to increase airflow through the engine. The engine's management systems supply fuel and spark timing appropriate to any changes in throttle position and engine speed. An increase in throttle, measured by the TPS, which increases engine RPM, would result in a corresponding increase in MAF as well as a decrease in MAP.

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

1 30. The increase in engine speed is performed by the smog inspector by stepping on the
2 throttle pedal or manually opening the throttle, resulting in a corresponding increase in engine
3 RPMs by allowing an increase in airflow into the engine.

4 31. The Bureau Representative conducted a detailed review of the VID data for the Smog
5 Check inspections performed at Respondent SFV Smog Check's facility. The review showed a
6 pattern of vehicles being certified with engine operating parameters not corresponding to normal
7 engine operation, confirming that the vehicles that received smog certificates were not tested
8 during the OBD II functional test, which constituted clean plugging². The Bureau
9 Representative's comprehensive review confirmed forty-five (45) Smog Check Certificates of
10 Compliance were fraudulently issued to vehicles by Respondent SFV Smog Check. Twelve (12)
11 are listed in the Bureau's Investigation Report

12 **Fraudulent Inspection No. 1-2002 Toyota Avalon XL**

13 32. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
14 Check. The review showed that on or about February 7, 2024, a Toyota Avalon XL was tested,
15 and Certificate of Compliance Number TS262736C was issued by Respondent Rodriguez.

16 33. The Dynamic PID Charts and data for the Toyota Avalon XL showed that between
17 timestamps 841 and 23336, the engine RPM was steady at around 1050 RPM. During this time,
18 the data showed that the throttle was fixed at 10.2% opening and the MAF was fixed at 3.44
19 grams/sec. After timestamp 25099, the engine RPM was increased and then held steady at around
20 1700 RPM. During this time, the data showed that the throttle dropped from 11% and 7.1%
21 opening, and the MAF varied between 3.39 grams/sec to 2.88 grams/sec.

22 34. The steady idle and steady elevated engine RPMs with the improbable throttle
23 positions and the MAF readings were not characteristic or expected for normal engine operation.
24 The discrepancies in the OIS Test Data proved that the DAD was not connected to the Toyota

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27 ² Clean Plugging" refers to the use of another vehicle's properly functioning On Board Diagnostic,
28 generation II, (OBD II) system, or another source, to generate passing diagnostic 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.

Avalon XL being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

Fraudulent Inspection No. 2- 2003 Toyota Camry LE

35. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog Check. The review showed that on or about February 9, 2024, a 2003 Toyota Camry LE was tested, and Certificate of Compliance Number TS262741C was issued by Respondent Rodriguez.

36. The Dynamic PID Charts and data for the 2003 Toyota Camry LE showed that between timestamps 824 and 55631, the engine RPM was steady at around 880 RPM. During this time, the data showed that the throttle was steady at 16.5% and the MAF was steady at 3.65 grams/sec. After timestamp 57345, the engine RPM was increased and then held steady at around 1900 RPM. During this time, the data showed that the throttle varied between 13.3% and 14.1% opening, and the MAF sloped up from 3.9 grams/sec to 5.09 grams/sec.

37. The steady idle and steady elevated engine RPMs with the improbable throttle positions and the MAF readings were not characteristic or expected for normal engine operation. The throttle position reading was expected to be stable at idle and at the elevated engine RPM, not slope down below its initial reading. The MAF reading was expected to be steady at idle and at the elevated engine RPM's steady reading, not abruptly slope up. The discrepancies in the OIS Test Data proved that the DAD was not connected to the 2003 Toyota Camry LE being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

Fraudulent Inspection No. 3-2004 Chevrolet Suburban K1500

38. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog Check. The review showed that on or about February 10, 2024, a 2004 Chevrolet Suburban K1500 was tested, and Certificate of Compliance Number TS262744C was issued by Respondent Rodriguez.

39. The Dynamic PID charts and data for the 2004 Chevrolet Suburban K1500 showed that between timestamps 396 and 24273, the engine RPM was steady at around 640 RPM. During this time, the data showed that the throttle was steady at 10.2% opening, the MAP was steady at 33 kPa, and the MAF was steady at 3.52 grams/sec. After timestamp 26656, the engine

1 RPM was increased and then held steady at around 1540 RPM. During this time, the data showed
2 that the throttle was at 6.3% to 10.6%, the MAP varied between 38 kPa and 32 kPa, and the MAF
3 was at 4.82 grams/sec to 3.14 grams/sec.

4 40. The steady idle and steady elevated engine RPMs with the improbable throttle
5 positions, MAP, and the MAF readings were not characteristic or expected for normal engine
6 operation. The steadily elevated engine RPMs showed that the throttle reading was below its
7 original opening, the MAP varied erratically, and the MAF grams/sec dropped. The
8 discrepancies in the OIS Test Data proved that the DAD was not connected to the 2004 Chevrolet
9 Suburban K1500 being certified, which caused the issuance of a fraudulent Smog Certificate of
10 Compliance.

11 **Fraudulent Inspection No. 4-2005 Honda Civic LX**

12 41. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
13 Check. The review showed that on or about February 14, 2024, a 2005 Honda Civic LX was
14 tested, and Certificate of Compliance Number TS719257C was issued by Respondent Rodriguez.

15 42. The Dynamic PID charts and data for the 2005 Honda Civic LX showed that between
16 timestamps 918 and 28001, the engine RPM was steady at around 750 RPM. During this time,
17 the data showed that the throttle was fixed at 9% opening, and the MAP was fixed at 25 kPa.
18 After timestamp 31652, the engine RPM was steady at around 1690 RPM. During this time, the
19 data showed that the throttle varied between 9% and 6.7% opening, and the MAP was steady at
20 27 kPa.

21 43. The steady idle and steady elevated engine RPMs with the improbable throttle
22 positions and MAP readings were not characteristic or expected for normal engine operation. The
23 TPS reading should have increased, and the MAP reading should have decreased when the RPM
24 increased. In this clean plug scenario, the TPS was unchanged from its idle reading and was
25 sloped downwards at the higher RPM. The MAP reading was raised from its idle reading instead
26 of being dropped at the higher RPM. The discrepancies in the OIS Test Data proved that the
27 DAD was not connected to the 2005 Honda Civic LX being certified, which caused the issuance
28 of a fraudulent Smog Certificate of Compliance.

1 **Fraudulent Inspection No. 5-2001 Toyota Corolla CE**

2 44. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
3 Check. The review showed that on or about April 4, 2024, a 2001 Toyota Corolla CE was tested,
4 and Certificate of Compliance Number TS975794C was issued by Respondent Arizmendy.

5 45. The Dynamic PID charts and data for the 2001 Toyota Corolla CE showed that
6 between timestamps 15932 and 41438, the engine RPM was steady at around 1000 RPM. During
7 this time, the data showed that the throttle was fixed at 9.4% and the MAF was fixed at 4.18
8 grams/sec. After timestamp 43299, the RPM was increased and then held steady at around 1760
9 RPM. During this time, the data showed that the throttle varied between 8.6% and 7.8% opening,
10 and the MAF varied between 3.63 grams/sec and 3.68 grams/sec.

11 46. The steady idle and steady elevated engine RPM with the improbable throttle
12 positions, and MAF readings were not characteristic or expected for normal engine operation.
13 The TPS reading should increase, as should the MAF reading, with the increase in RPM. In this
14 clean plug scenario, the TPS was below its idle reading and sloped downwards at the higher
15 RPM. The MAF reading was also below its idle reading at the higher RPM. The discrepancies in
16 the OIS Test Data proved that the DAD was not connected to the 2001 Toyota Corolla CE being
17 certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

18 **Fraudulent Inspection No. 6-2004 Toyota Corolla CE**

19 47. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
20 Check. The review showed that on or about April 17, 2024, a 2004 Toyota Corolla CE was
21 tested, and Certificate of Compliance Number TU991871C was issued by Respondent Arizmendy.

22 48. The Dynamic PID charts and data for the 2004 Toyota Corolla CE showed that
23 between timestamps 894 and 27924, the engine RPM was steady at around 500 RPM. During this
24 time, the data showed that the throttle was fixed at 10.2% opening and the MAF was fixed at 4.26
25 grams/sec. After timestamp 33348, the RPM was increased and held steady to around 1560
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1 RPM. During this time, the data showed that the throttle sloped down between 8.2% and 6.7%
2 and the MAF varied between 3.07 grams/sec and 3.15 grams/sec.

3 49. The steady idle and steady elevated engine RPMs with the improbable throttle
4 positions and MAF readings were not characteristic or expected for normal engine operation. The
5 throttle position and MAF readings were expected to be stable at idle and at the elevated engine
6 RPM, an increase, not a decrease, in percentage and grams/sec as shown with a steady higher
7 engine RPM. The discrepancies in the OIS Test Data proved that the DAD was not connected to
8 the 2004 Toyota Corolla CE being certified, which caused the issuance of a fraudulent Smog
9 Certificate of Compliance.

10 **Fraudulent Inspection No. 7-2003 Toyota Matrix XR**

11 50. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
12 Check. The review showed that on or about May 7, 2024, a 2003 Toyota Matrix XR was tested,
13 and Certificate of Compliance Number TW930953C was issued by Respondent Arizmendy.

14 51. The Dynamic PID charts and data for the 2003 Toyota Matrix XR showed that
15 between timestamps 868 and 31095, the engine RPM was steady at around 900 RPM. During
16 this time, the data showed that the throttle was fixed at 11% and the MAF was fixed at 4.54
17 grams/sec. After timestamp 33740, the RPM was increased and then held around 1925 RPM.
18 During this time, the data showed that the throttle sloped down from 10.6% to 6.7% opening, and
19 the MAF sloped down from 4.44 grams/sec. to 3.4 grams/sec.

20 52. The steady idle and steady elevated engine RPMs with the improbable throttle
21 positions and MAF readings were not characteristic or expected for normal engine operation. The
22 throttle position and MAF readings were expected to be stable at idle and at the elevated engine
23 RPM, an increase, not a decrease, in percentage and grams/sec as shown with a steady higher
24 engine RPM. The discrepancies in the OIS Test Data proved that the DAD was not connected to
25 the 2003 Toyota Matrix XR being certified, which caused the issuance of a fraudulent Smog
26 Certificate of Compliance.

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1 **Fraudulent Inspection No. 8-2004 Toyota Camry Solara SE**

2 53. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
3 Check. The review showed that on or about May 16, 2024, a 2004 Toyota Camry Solara SE was
4 tested, and Certificate of Compliance Number TW930968C was issued by Respondent
5 Arizmendy.

6 54. The Dynamic PID charts and data for the 2004 Toyota Camry Solara SE showed that
7 between timestamps 913 and 33769, the engine RPM was steady at around 850 RPM. During
8 this time, the data showed that the throttle was fixed at 17.6% opening and the MAF was fixed at
9 3.6 grams/sec. After timestamp 34659, the RPM was increased and held around 1600 RPM.
10 During this time, the data showed that the throttle sloped down between 12.5% to 12.9% and the
11 MAF sloped down between 4.15 grams/sec and 3.63 grams/sec.

12 55. The steady idle and steady elevated engine RPMs with the improbable throttle
13 positions and MAF readings were not characteristic or expected for normal engine operation. The
14 throttle position reading should increase with the increase in RPM and not drop, as illustrated.
15 The MAF readings were expected to be stable at idle and at the elevated engine RPM, not slope
16 downward with a steady RPM. The discrepancies in the OIS Test Data proved the DAD was not
17 connected to the 2004 Toyota Camry Solara SE being certified, which caused the issuance of a
18 fraudulent Smog Certificate of Compliance.

19 **Fraudulent Inspection No. 9-2017 Ford Transit T-150**

20 56. For the following Clean Plug, the Bureau Representative referenced the following
21 data/information:

- 22 • DMV VIN-VIN of the vehicle entered or scanned by the Smog Inspector.
- 23 • Cert ID-Smog Check Certificate number issued.
- 24 • eVIN-Digitally stored VIN in the vehicle PCM and identified by the BAR-OIS.
- 25 • Protocol-The “type” of communication that was established with the vehicle by the BAR-OIS.
- 26 • PID Count-The number of Parameter Identifications (“PID”) available from the vehicle computer(s) used for the diagnostic data received by the BAR-OIS.
- 27 • Similar or “Like” Vehicles-Data for similar vehicles is derived and compiled from tests conducted statewide on vehicles that have certain matching VIN characters.

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57. The Bureau Representative reviewed the OIS test data for Respondent SFV Smog Check. The review showed that on or about May 29, 2025, a 2017 Ford Transit T-150, VIN Number 1FTYE1CM5HKA07647 was tested and Smog Check Certificate of Compliance Number UQ078409C was issued under Respondent Collazo's Smog Check Inspector License. The OIS test data for the 2017 Ford Transit T-150 showed that the eVIN was transmitted as 1FT7W2BT0DEB75261, the communication protocol was transmitted as ICAN11bt500 and the PID count was 56|16.

58. Like Vehicle OIS test data for 2017 Ford Transit T-150 that showed the correct eVIN that was reported, it had the expected communication protocol ICAN11bt500, and a PID count of 46.

Vehicle / Test Date(s)	eVIN Number	Protocol	PID Count
Fraudulent Test 2017 Ford Transit T-150 (05/29/2025)	1FT7W2BT0DEB75261	ICAN11bt500	56 16
Vehicle Used 2013 Ford F250 Super Duty (05/29/2025)	1FT7W2BT0DEB75261	ICAN11bt500	56 16
Expected OBDII Value	1FTYE1CM5HKA07647	ICAN11bt500	46

59. The eVIN that was transmitted during the fraudulent test belonged to a 2013 Ford F250 Super Duty that was tested and certified by Respondent Collazo at Respondent SFV Smog Check's facility on or about May 28, 2025.

60. The OIS test data transmitted from the 2013 Ford F250 Super Duty matched the OIS test data transmitted for the fraudulent test of the 2017 Ford Transit T-150. This proved the 2013 Ford F250 Super Duty existed, and its OBDII data was used to generate a fraudulent Smog Certificate of Compliance for the 2017 Ford Transit T-150.

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1 **Fraudulent Inspection No. 10-2004 Chevrolet Silverado C1500**

2 61. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
3 Check. The review showed that on or about May 31, 2025, a 2004 Chevrolet Silverado C1500
4 was tested, and Certificate of Compliance Number UQ078423C was issued by Respondent
5 Collazo.

6 62. The Dynamic PID charts and data for the 2004 Chevrolet Silverado C1500 showed
7 that between timestamps 390 and 45415, the engine RPM was steady at around 1050 RPM.
8 During this time, the data showed that the throttle was fixed at 11.8%, the MAP was fixed at 37
9 kPa, and the MAF was fixed at 3.54 grams/sec. After timestamp 47050, the RPM was increased
10 and then held steady at around 1600 RPM. During this time, the data showed that the throttle
11 varied between 11.8% and 9.4% opening, the MAP varied between 32 kPa and 46 kPa, and the
12 MAF varied between 2.84 grams/sec and 4.93 grams/sec.

13 63. The steady idle and steady elevated engine RPMs with the improbable throttle
14 positions, and MAP readings were not characteristic or expected for normal engine operation.
15 The throttle position, MAP, and MAF readings were expected to be stable at idle and at the
16 elevated engine RPM, not erratic and fluctuating along with a steady engine RPM. The
17 discrepancies in the OIS Test Data proved that the DAD was not connected to the 2004 Chevrolet
18 Silverado C1500 being certified, which caused the issuance of a fraudulent Smog Certificate of
19 Compliance.

20 **Fraudulent Inspection No. 11-2005 Chevrolet Silverado C1500**

21 64. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
22 Check. The review showed that on or about June 14, 2025, a 2005 Chevrolet Silverado C1500
23 was tested, and Certificate of Compliance Number UQ612757C was issued by Respondent
24 Collazo.

25 65. The Dynamic PID charts and data for the 2005 Chevrolet Silverado C1500 showed
26 that between timestamps 368 and 27550, the engine RPM was steady at around 750 RPM.
27 During this time, the data showed that the throttle was fixed at 3.1% opening, the MAP was fixed
28 at 34 kPa, and the MAF was fixed at 3.55 grams/sec. After time stamp 30231, the RPM was

1 increased and then held steady at around 1700 RPM. During this time, the data showed that the
2 throttle varied between 0.4% and 5.5% opening, the MAP varied between 45 kPa and 36 kPa, and
3 the MAF varied between 2.79 grams/sec and 5.03 grams/sec.

4 66. The steady idle and steady elevated engine RPMs with the improbable throttle
5 positions, MAP, and MAF readings were not characteristic or expected for normal engine
6 operation. The throttle position and MAP readings were expected to be stable at idle and at the
7 elevated engine RPM, not erratic and fluctuating along with a steady engine RPM. MAF readings
8 were expected to be stable at idle and at the elevated engine RPM, not erratic and fluctuating
9 along with a steady engine RPM. The discrepancies in the OIS Test Data proved that the DAD
10 was not connected to the 2005 Chevrolet Silverado C1500 being certified, which caused the
11 issuance of a fraudulent Smog Certificate of Compliance.

12 **Fraudulent Inspection No. 12-2003 Infinity G35**

13 67. A Bureau Representative reviewed the OIS Test Data for Respondent SFV Smog
14 Check. The review showed that on or about June 17, 2025, a 2003 Infinity G35 was tested, and
15 Certificate of Compliance Number UQ612759C was issued by Respondent Collazo.

16 68. The Dynamic PID charts and data for the 2003 Infinity G35 showed that between
17 timestamps 1047 and 42538, the engine RPM was steady around 850 RPM. During this time, the
18 data showed that the throttle was fixed at 0.4% opening and the MAF was fixed at 4.66
19 grams/sec. After timestamp 47798, the RPM was increased and then held steady at around 1730
20 RPM. During this time, the data showed that the throttle was fixed at 0.4% opening and the MAF
21 sloped down between 3.02 grams/sec and 3.1 grams/sec.

22 69. The steady idle and steady elevated engine RPMs with the improbable throttle
23 positions and MAF readings were not characteristic or expected for normal engine operation. The
24 throttle position and MAP readings were expected to be stable at idle and at the elevated engine
25 RPM, not stay the same or drop below its steady idle readings. The discrepancies in the OIS Test
26 Data proved that the DAD was not connected to the 2003 Infinity G35 being certified, which
27 caused the issuance of a fraudulent Smog Certificate of Compliance.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Untrue or Misleading Statements)**

3 70. Respondent SFV Smog Check's Automotive Repair Registration is subject to
4 discipline pursuant to Code section 9884.7, subdivision (a)(1) and California Code of Regulations,
5 title 16, section 3373, in that between February 7, 2024, through June 17, 2025, Respondent SFV
6 Smog Check made or authorized statements which he knew or in the exercise of reasonable care
7 should have known to be untrue or misleading, as follows: Respondent SFV Smog Check certified
8 that vehicles 1 through 12, set forth above, had passed inspection and were in compliance with
9 applicable laws and regulations. Respondent SFV Smog Check conducted the inspections on the
10 vehicles using the clean plugging method by substituting or using different vehicles or another
11 source during the OBD II functional tests to issue smog certificates of compliance for the twelve
12 (12) vehicles and did not test or inspect the twelve (12) vehicles as required by Health and Safety
13 Code section 44012. Complainant refers to, and by this reference incorporates, the allegations set
14 forth above in paragraphs 26 through 69, as though fully set forth.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Fraud)**

17 71. Respondent SFV Smog Check's Automotive Repair Registration is subject to
18 discipline pursuant to Code section 9884.7, subdivision (a)(4), in that between February 7, 2024,
19 through June 17, 2024, Respondent SFV Smog Check committed acts that constitute fraud by
20 issuing electronic smog certificates of compliance for vehicles 1 through 12, set forth above,
21 without performing bona fide inspections of the emission control devices and systems on those
22 vehicles, thereby depriving the People of the State of California of the protection afforded by the
23 Motor Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the
24 allegations set forth above in paragraphs 26 through 69, as though fully set forth.

25 **THIRD CAUSE FOR DISCIPLINE**

26 **(Material Violation of Automotive Repair Act)**

27 72. Respondent SFV Smog Check's Automotive Repair Registration is subject to
28 disciplinary action under Code section 9884.7, subdivision (a)(6), in that between February 7,

2024, through June 17, 2025, regarding vehicles 1 through 12, set forth above, Respondent SFV Smog Check failed in a material respect to comply with the provisions of this chapter or regulations adopted pursuant to it by issuing electronic smog certificates of compliance for the twelve (12) vehicles without performing bona fide inspections of the emissions control devices and systems on those vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 26 through 69, as though fully set forth.

FOURTH CAUSE FOR DISCIPLINE

(Failure to Comply with the Motor Vehicle Inspection Program)

73. Respondent SFV Smog Check's Smog Check, Test Only Station License is subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between February 7, 2024, through June 17, 2025, regarding vehicles 1 through 12, set forth above, Respondent SFV Smog Check failed to comply with the following sections of that Code:

a. **Section 44012:** Respondent SFV Smog Check failed to ensure that the emission control tests were performed on vehicles 1 through 12, in accordance with procedures prescribed by the department.

b. **Section 44015, subdivision (b):** Respondent SFV Smog Check issued electronic smog certificates of compliance for vehicles 1 through 12, without ensuring that the vehicles were properly tested and inspected to determine if they were in compliance with Health and Safety Code section 44012.

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

Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 26 through 69, as though fully set forth.

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1 **FIFTH CAUSE FOR DISCIPLINE**

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

4 74. Respondent SFV Smog Check's Smog Check, Test Only Station License is subject to
5 discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between
6 February 7, 2024, through June 17, 2025, regarding vehicles 1 through 12, set forth above,
7 Respondent SFV Smog Check failed to comply with provisions of California Code of
8 Regulations, title 16, as follows:

9 a. **Section 3340.24, subdivision (c)**: Respondent SFV Smog Check falsely or fraudulently
10 issued electronic smog certificates of compliance for those vehicles without performing bona fide
11 inspections of the emission control devices and systems on the vehicles as required by Health and
12 Safety Code section 44012.

13 b. **Section 3340.35, subdivision (c)**: Respondent SFV Smog Check issued electronic smog
14 certificates of compliance even though those vehicles had not been inspected in accordance with
15 section 3340.42 of that Code.

16 c. **Section 3340.41, subdivision (c)**: Respondent SFV Smog Check knowingly entered
17 false information into the on-board diagnostic inspection system for the twelve (12) vehicles
18 identified above.

19 d. **Section 3340.42**: Respondent SFV Smog Check failed to conduct the required smog
20 tests and inspections on those vehicles in accordance with the Bureau's specifications.

21 Complainant refers to, and by this reference incorporates, the allegations set forth above in
22 paragraphs 26 through 69, as though fully set forth.

23 **SIXTH CAUSE FOR DISCIPLINE**

24 **(Dishonesty, Fraud or Deceit)**

25 75. Respondent SFV Smog Check's Smog Check, Test Only Station License is subject to
26 discipline pursuant to Health and Safety Code sections 44072.2, subdivision (d) in conjunction
27 with 44072.10, subdivision (c), in that between February 7, 2024, through June 17, 2025,
28 regarding vehicles 1 through 12, set forth above, Respondent SFV Smog Check committed acts

1 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog
2 certificates of compliance for those vehicles without performing bona fide inspections of the
3 emission control devices and systems on the vehicles, thereby depriving the People of the State of
4 California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
5 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 26
6 through 69, as though fully set forth.

7 **SEVENTH CAUSE FOR DISCIPLINE**

8 **(Violations of the Motor Vehicle Inspection Program – Respondent Rodriguez)**

9 76. Respondent Rodriguez’s Smog Check Inspector License is subject to disciplinary
10 action under Health and Safety Code section 44072.2, subdivision (a), in that between February 7,
11 2024, through February 14, 2024, regarding vehicles 1 through 4, set forth above, Respondent
12 Rodriguez violated the following Health and Safety Code sections:

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

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

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

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

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

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1 **EIGHTH CAUSE FOR DISCIPLINE**

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

4 77. Respondent Rodriguez's Smog Check Inspector License is subject to discipline
5 pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between February 7,
6 2024, through February 14, 2024, regarding vehicles 1 through 4, set forth above, he failed to
7 comply with provisions of California Code of Regulations, title 16, as follows:

8 a. **Section 3340.24, subdivision (c):** Respondent Rodriguez falsely or fraudulently issued
9 electronic smog certificates of compliance without performing bona fide inspections of the
10 emission control devices and systems on those vehicles as required by Health and Safety Code
11 section 44012.

12 b. **Section 3340.30 subdivision (a):** Respondent Rodriguez failed to inspect and test those
13 vehicles in accordance with Health and Safety Code sections 44012.

14 c. **Section 3340.41, subdivision (c):** Respondent Rodriguez knowingly entered false
15 information into the on-board diagnostic inspection system for the four (4) vehicles identified.

16 d. **Section 3340.42:** Respondent Rodriguez failed to conduct the required smog tests and
17 inspections on those vehicles in accordance with the Bureau's specifications.

18 Complainant refers to, and by this reference incorporates, the allegations set forth above in
19 paragraphs 26 through 43, as though fully set forth.

20 **NINTH CAUSE FOR DISCIPLINE**

21 **(Dishonesty, Fraud, or Deceit – Respondent Rodriguez)**

22 78. Respondent Rodriguez's Smog Check Inspector License is subject to disciplinary
23 action under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health
24 and Safety Code section 44072.10, subdivision (c), in that between February 7, 2024, through
25 February 14, 2024, regarding vehicles 1 through 4, set forth above, Respondent Rodriguez
26 committed acts involving dishonesty, fraud, or deceit when he issued electronic smog certificates
27 of compliance for the vehicles without performing bona fide inspections of the emission control
28 devices and systems on those vehicles, thereby depriving the People of the State of California of

1 the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by
2 this reference incorporates, the allegations set forth above in paragraphs 26 through 43, as though
3 fully set forth.

4 **TENTH CAUSE FOR DISCIPLINE**

5 **(Violations of the Motor Vehicle Inspection Program – Respondent Arizmendy)**

6 79. Respondent Arizmendy's Smog Check Inspector License is subject to disciplinary
7 action under Health and Safety Code section 44072.2, subdivision (a), in that between April 4,
8 2024, through May 16, 2024, regarding vehicles 5 through 8, set forth above, Respondent
9 Rodriguez violated the following Health and Safety Code sections:

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

13 b. **Section 44012, subdivision (f):** Respondent Arizmendy failed to perform emission
14 control tests on the vehicles identified above in accordance with procedures prescribed by the
15 Bureau.

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

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

22 Complainant refers to, and by this reference incorporates, the allegations set forth above in
23 paragraphs 26 through 31 and 44 through 55, as though fully set forth.

24 **ELEVENTH CAUSE FOR DISCIPLINE**

25 **(Failure to Comply with Regulations Pursuant to the 26 Motor Vehicle Inspection Program – Respondent Arizmendy)**

27 80. Respondent Arizmendy's Smog Check Inspector License is subject to discipline
28 pursuant to Health and Safety Code section 44072.2, subdivision (c), April 4, 2024, through May

1 16, 2024, regarding vehicles 5 through 8, set forth above, he failed to comply with provisions of
2 California Code of Regulations, title 16, as follows:

3 a. **Section 3340.24, subdivision (c)**: Respondent Arizmendy falsely or fraudulently issued
4 electronic smog certificates of compliance without performing bona fide inspections of the
5 emission control devices and systems on those vehicles as required by Health and Safety Code
6 section 44012.

7 b. **Section 3340.30 subdivision (a)**: Respondent Arizmendy failed to inspect and test
8 those vehicles in accordance with Health and Safety Code sections 44012.

9 c. **Section 3340.41, subdivision (c)**: Respondent Arizmendy knowingly entered false
10 information into the on-board diagnostic inspection system for the four (4) vehicles identified.

11 d. **Section 3340.42**: Respondent Arizmendy failed to conduct the required smog tests and
12 inspections on those vehicles in accordance with the Bureau's specifications.

13 Complainant refers to, and by this reference incorporates, the allegations set forth above in
14 paragraphs 26 through 31 and 44 through 55, as though fully set forth.

15 **TWELFTH CAUSE FOR DISCIPLINE**

16 **(Dishonesty, Fraud, or Deceit – Respondent Arizmendy)**

17 81. Respondent Arizmendy's Smog Check Inspector License is subject to disciplinary
18 action under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health
19 and Safety Code section 44072.10, subdivision (c), April 4, 2024, through May 16, 2024,
20 regarding vehicles 5 through 8, set forth above, Respondent Arizmendy committed acts involving
21 dishonesty, fraud, or deceit when he issued electronic smog certificates of compliance for the
22 vehicles without performing bona fide inspections of the emission control devices and systems on
23 those vehicles, thereby depriving the People of the State of California of the protection afforded
24 by the Motor Vehicle Inspection Program. Complainant refers to, and by this reference
25 incorporates, the allegations set forth above in paragraphs 26 through 31 and 44 through 55, as
26 though fully set forth.

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1 **THIRTEENTH CAUSE FOR DISCIPLINE**

2 **(Violations of the Motor Vehicle Inspection Program – Respondent Collazo)**

3 82. Respondent Collazo's Smog Check Inspector License and Smog Check Repair
4 Technician License are subject to disciplinary action under Health and Safety Code section
5 44072.2, subdivision (a), in that between May 29, 2025, through June 17, 2025, regarding
6 vehicles 9 through 12, set forth above, Respondent Collazo violated the following Health and
7 Safety Code sections:

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

11 b. **Section 44012, subdivision (f):** Respondent Collazo failed to perform emission
12 control tests on the vehicles identified above in accordance with procedures prescribed by the
13 Bureau.

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

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

20 Complainant refers to, and by this reference incorporates, the allegations set forth above in
21 paragraphs 26 through 31 and 56 through 69, as though fully set forth.

22 **FOURTEENTH CAUSE FOR DISCIPLINE**

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

25 83. Respondent Collazo's Smog Check Inspector License and Smog Check Repair
26 Technician License are subject to discipline pursuant to Health and Safety Code section 44072.2,
27 subdivision (c), in that May 29, 2025, through June 17, 2025, regarding vehicles 9 through 12, set
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1 forth above, he failed to comply with provisions of California Code of Regulations, title 16, as
2 follows:

3 a. **Section 3340.24, subdivision (c):** Respondent Collazo falsely or fraudulently issued
4 electronic smog certificates of compliance without performing bona fide inspections of the
5 emission control devices and systems on those vehicles as required by Health and Safety Code
6 section 44012.

7 b. **Section 3340.30 subdivision (a):** Respondent Collazo failed to inspect and test those
8 vehicles in accordance with Health and Safety Code sections 44012.

9 c. **Section 3340.41, subdivision (c):** Respondent Collazo knowingly entered false
10 information into the on-board diagnostic inspection system for the four (4) vehicles identified.

11 d. **Section 3340.42:** Respondent Collazo failed to conduct the required smog tests and
12 inspections on those vehicles in accordance with the Bureau's specifications.

13 Complainant refers to, and by this reference incorporates, the allegations set forth above in
14 paragraphs 26 through 31 and 56 through 69, as though fully set forth.

15 **FIFTEENTH CAUSE FOR DISCIPLINE**

16 **(Dishonesty, Fraud, or Deceit – Respondent Collazo)**

17 84. Respondent Collazo's Smog Check Inspector License and Smog Check Repair
18 Technician License are subject to disciplinary action under Health and Safety Code section
19 44072.2, subdivision (d), in conjunction with Health and Safety Code section 44072.10,
20 subdivision (c), in that May 29, 2025, through June 17, 2025, regarding vehicles 9 through 12, set
21 forth above, Respondent Collazo committed acts involving dishonesty, fraud, or deceit when he
22 issued electronic smog certificates of compliance for the vehicles without performing bona fide
23 inspections of the emission control devices and systems on those vehicles, thereby depriving the
24 People of the State of California of the protection afforded by the Motor Vehicle Inspection
25 Program. Complainant refers to, and by this reference incorporates, the allegations set forth
26 above in paragraphs 26 through 31 and 56 through 69, as though fully set forth.

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1 **OTHER MATTERS**

2 85. Pursuant to Code section 9884.7, subdivision (c), the director may suspend revoke,
3 or place on probation the registrations for all places of business operated in this state by Edith
4 Llamas upon a finding that said Respondent has, or is, engaged in a course of repeated and willful
5 violations of the laws and regulations pertaining to an automotive repair dealer.

6 86. Pursuant to Health and Safety Code section 44072.8, if Smog Check, Test Only
7 Station License No. TC 302427, issued to Edith Llamas-Owner dba SFV Smog Check Test Only,
8 is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Div 26 of the
9 Health and Safety Code in the name of said licensee may be likewise revoked or suspended by the
10 director.

11 87. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
12 License Number EO 634808 and Smog Check Repair Technician License Number EI 634808
13 (formerly Advanced Emission Specialist Technician License Number EA 634808), issued to
14 Jorge Luis Collazo, is revoked or suspended, any additional license issued under this Chapter 5 of
15 Part 5 of Div 26 of the Health and Safety Code in the name of said licensee may be likewise
16 revoked or suspended by the director.

17 . 88. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
18 License No. EO 644271, issued to Reynaldo Ivan Rodriguez, is revoked or suspended, any
19 additional license issued under Chapter 5 of Part 5 of Div 26 of the Health and Safety Code in the
20 name of said licensee may be likewise revoked or suspended by the director.

21 89. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
22 License No. EO 644738, issued to Jesus Arizmendy, is revoked or suspended, any additional
23 license issued under Chapter 5 of Part 5 of Div 26 of the Health and Safety Code in the name of
24 said licensee may be likewise revoked or suspended by the director.

25 **PRAYER**

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

1. Revoking or suspending Automotive Repair Dealer Registration Number ARD 302427, issued to Edith Llamas-Owner dba SFV Smog Check Test Only;
2. Revoking, suspending, or placing on probation any other automotive repair dealer registration issued to Edith Llamas;
3. Revoking or suspending Smog Check, Test-Only, Station License Number TC 302427, issued to Edith Llamas-Owner dba SFV Smog Check Test Only;
4. 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 Edith Llamas;
5. Revoking or suspending Smog Check Inspector License Number EO 634808, issued to Jorge Luis Collazo;
6. Revoking or suspending Smog Check Repair Technician License Number EI 634808, issued to Jorge Luis Collazo;
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 Jorge Luis Collazo;
8. Revoking or suspending Smog Check Inspector License Number EO 644271, issued to Reynaldo Ivan Rodriguez;
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 Reynaldo Ivan Rodriguez;
10. Revoking or suspending Smog Check Inspector License Number EO 644738, issued to Jesus Arizmendy;
11. 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 Jesus Arizmendy;
12. Ordering Edith Llamas, Jorge Luis Collazo, Reynaldo Ivan Rodriguez and Jesus Arizmendy 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,

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

DATED: As per Digital Signature Date

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

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