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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. 79/25-20248

13 **MAYRA FARIAS-OWNER DBA**
14 **SLAUSON SMOG CENTER**
15 **5101 Normandie Avenue**
16 **Los Angeles, CA 90037**
Automotive Repair Dealer Registration No.
ARD 299739
Smog Check, Test Only, Station License No.
TC 299739

ACCUSATION

17 **REYNALDO IVAN RODRIGUEZ**
18 **15414 S Butler Avenue**
19 **Compton, CA 90221**
MAILING ADDRESS
20 **8137 Dearborn Avenue**
South Gate, CA 90280
Smog Check Inspector License No. EO
644271

21 **RAFAEL MARTINEZ JR**
22 **1420 W 96th Street**
23 **Los Angeles, CA 90047**
Smog Check Inspector License No. EO
634211
24 **(formerly Advanced Emission Specialist**
Technician License No. EA 634211)

25 **JESUS ARIZMENDY**
26 **714 West Vernon Avenue**
27 **Los Angeles, CA 90037**
Smog Check Inspector License No. EO
644738

and

JESUS OMAR MARTINEZ
16600 Orange Avenue 115
Paramount, CA 90723
Smog Check Inspector License No. EO
645367

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.

Mayra Farias-Owner dba Slauson Smog Center

Automotive Repair Dealer Registration

2. On or about May 13, 2021, the Bureau issued Automotive Repair Dealer Registration Number ARD 299739 to Mayra Farias-Owner dba Slauson Smog Center (“Respondent Slauson Smog”). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2026, unless renewed.

Smog Check, Test-Only, Station License

3. On or about May 17, 2021, the Bureau issued Smog Check, Test-Only, Station License Number TC 299739 to Respondent Slauson Smog. The Smog Check, Test-Only, Station License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2026, unless renewed.

STAR Station Certification

4. On or about June 27, 2022, the Bureau certified Slauson Smog Center as a STAR Station. The certification was suspended on November 25, 2025.

Reynaldo Ivan Rodriguez

Smog Check Inspector License

5. 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

1 Inspector License was in full force and effect at all times relevant to the charges brought herein
2 and will expire on November 30, 2026, unless renewed.

3 **Rafael Martinez Jr**

4 **Smog Check Inspector License**

5 **(formerly Advanced Emission Specialist Technician License Number EA 634211)**

6 6. On or about April 18, 2012, the Bureau issued Advanced Emission Specialist
7 Technician License Number EA 634211 to Rafael Martinez Jr (“Respondent Martinez”).
8 Respondent Martinez’s Advanced Emission Specialist Technician License was due to expire on
9 March 31, 2014; however, it was cancelled on June 16, 2014. Pursuant to California Code of
10 Regulations, title 16, section 3340.28, subdivision (e)¹, the license was renewed, pursuant to
11 Respondent Martinez’s election, as Smog Check Inspector License Number EO 634211. On or
12 about June 16, 2014, Respondent Martinez was issued a Smog Check Inspector License and was
13 in full force and effect at all times relevant to the charges brought herein and expired on March
14 31, 2026, and has not been renewed.

15 **Jesus Arizmendy**

16 **Smog Check Inspector License**

17 7. On or about December 11, 2023, the Bureau issued Smog Check Inspector License
18 Number EO 644738 to Jesus Arizmendy (“Respondent Arizmendy”). The Smog Check Inspector
19 License expired on August 31, 2025, and has not been renewed.

20 **Jesus Omar Martinez**

21 **Smog Check Inspector License**

22 8. On or about December 9, 2024, the Bureau issued Smog Check Inspector License
23 Number EO 645367 to Jesus Omar Martinez (“Respondent Omar”). The Smog Check Inspector
24 License was in full force and effect at all times relevant to the charges brought herein and will
25 expire on August 31, 2026, unless renewed.

26 _____
27 ¹ Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28,
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.

1 **JURISDICTION**

2 9. Business and Professions Code (“Code”) section 9884.7 provides that the Director
3 may revoke an automotive repair dealer registration.

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

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

11 **STATUTORY PROVISIONS**

12 12. Section 9884.7 of the Code states:

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

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

23

24 (4) Any other conduct that constitutes fraud.

25

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

28

(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.

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1 13. Section 44012 of the Health and Safety Code states:

2 The test at the smog check stations shall be performed in accordance with
3 procedures prescribed by the department and may require loaded mode dynamometer
4 testing in enhanced areas, two-speed idle testing, testing utilizing a vehicle's onboard
5 diagnostic system, or other appropriate test procedures as determined by the
6 department in consultation with the state board. The department shall implement
7 testing using onboard diagnostic systems, in lieu of loaded mode dynamometer or
8 two-speed idle testing, on model year 2000 and newer vehicles only, beginning no
9 earlier than January 1, 2013, and on model-year 1996-99, inclusive, vehicles only,
10 beginning no earlier than January 1, 2025. However, the department, in consultation
11 with the state board, may prescribe alternative test procedures that include loaded
12 mode dynamometer or two-speed idle testing for vehicles with onboard diagnostic
13 systems that the department and the state board determine exhibit operational
14 problems. The department shall ensure, as appropriate to the test method, the
15 following:

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

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

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

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

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

(f) A visual or functional check is made of emission control devices specified
by the department, including the catalytic converter in those instances in which the
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

1 diagnostic test have, or would have, failed a tailpipe test, and whether any vehicles
2 failing their onboard diagnostic test have or would have passed a tailpipe test.

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

8 14. Section 44015 of the Health and Safety Code states:

9

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

13 15. Section 44032 of the Health and Safety Code states:

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

20 16. Section 44059 of the Health and Safety Code states:

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

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

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

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

. . . .

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

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

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18. 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.

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

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

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

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

REGULATORY PROVISIONS

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

....

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

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

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

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

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

(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.

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

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

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

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

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

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

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

27 (2) A two-speed idle mode test shall be the test method used to inspect 1976 -
28 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 (1) A visual inspection of emission control components and systems to verify
the vehicle's emission control systems are properly installed.

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

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

6 (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
7 vehicle OBD systems.

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

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

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

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

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

16 (3) A gross polluting vehicle shall not be passed or issued a certificate of
17 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),
18 as applicable. However, the provisions described in section 44017 of the Health and
Safety Code may apply.

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

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

22 No automotive repair dealer or individual in charge shall, in filling out an
23 estimate, invoice, or work order, or record required to be maintained by section
24 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
25 the tendency or effect thereby would be to mislead or deceive customers, prospective
customers, or the public.

26 **COST RECOVERY**

27 26. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
28 administrative law judge to direct a licentiate found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
3 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
4 included in a stipulated settlement.

5 **FACTUAL ALLEGATIONS**

6 27. The Bureau Representative performed a detailed review of the Vehicle Information
7 Database (“VID”) data for the Smog Check inspections performed at Respondent Slauson Smog’s
8 facility. The OIS test data showed a pattern of vehicles being certified with engine operating
9 parameters not corresponding to normal engine operation, confirming that the vehicles that
10 received smog certificates were not tested during the OBD II functional test. The Bureau
11 Representative’s comprehensive review showed that sixteen (16) fraudulent Smog Check
12 Certificates of Compliance were issued to vehicles using the clean plugging² methods. Four (4)
13 were issued by Respondent Rodriguez, four (4) by Respondent Martinez, four (4) by Respondent
14 Arizmendy, and four (4) by Respondent Omar.

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

- 20 • Engine speed in revolutions per minute (“RPM”).
- 21 • The throttle position is measured by a throttle position sensor (“TPS”) mounted onto
22 the throttle shaft. It is measured in a percentage of opening from 0% at idle and near
23 or up to 100% at full throttle.
- 24 • 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.
- 25 • 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”).

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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 Check Certificates of Compliance to vehicles that are not in smog compliance and/or not present for testing.

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

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

12 31. The increase in engine speed is performed by the smog inspector by stepping on the
13 throttle pedal or manually opening the throttle, resulting in a corresponding increase in engine
14 RPMs by allowing an increase in airflow into the engine.

15 **Fraudulent Inspection No. 1-2007 Toyota Corolla CE**

16 32. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
17 The review showed that on or about October 23, 2023, a 2007 Toyota Corolla CE was tested, and
18 Certificate of Compliance Number IV881344C was issued by Respondent Rodriguez.

19 33. The Dynamic PID Charts and data for the 2007 Toyota Corolla CE showed that
20 between timestamps 889 and 23336, the engine RPM was steady at around 850 RPM. During
21 this time, the data showed that the throttle was fixed at 18% opening and the MAF was fixed at
22 4.56 grams/sec. After timestamp 25105, the engine RPM was increased and then held steady at
23 around 1650 RPM. During this time, the data showed that the throttle dropped from 18% opening
24 to 16.9% opening, and the MAF dropped from 4.48 grams/sec. to 4.44 grams/sec.

25 34. The steady idle and steady elevated engine RPMs with the improbable throttle
26 positions and the MAF readings were not characteristic or expected for normal engine operation.
27 The discrepancies in the OIS Test Data proved that the DAD was not connected to the 2007
28

1 Toyota Corolla CE being certified, which caused the issuance of a fraudulent Smog Certificate of
2 Compliance.

3 **Fraudulent Inspection No. 2-2002 Dodge Dakota Quad Sport**

4 35. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
5 The review showed that on or about October 27, 2023, a 2002 Dodge Dakota Quad Sport was
6 tested, and Certificate of Compliance Number TO422004C was issued by Respondent Rodriguez.

7 36. The Dynamic PID Charts and data for the 2002 Dodge Dakota Quad Sport showed
8 that between timestamps 362 and 21042, the engine RPM was steady at around 700 RPM.
9 During this time, the data showed that the throttle was fixed at 11.8% and the MAP was fixed at
10 36 kPa. After timestamp 21878, the engine RPM was increased and then held steady at around
11 1860 RPM. During this time, the data showed that the throttle was varying between 6.3% and
12 10.6% opening, and the MAP was varying from 32 kPa to 43 kPa.

13 37. The steady idle and steady elevated engine RPMs with the improbable throttle
14 positions and the MAP readings were not characteristic or expected for normal engine operation.
15 The throttle position reading was expected to be stable at idle and at the elevated engine RPM,
16 not drop below the idle reading. The MAP reading was expected to be steady at idle and at the
17 elevated engine RPM's reading, not rise and vary above the idle reading. The discrepancies in the
18 OIS Test Data proved that the DAD was not connected to the 2002 Dodge Dakota Quad Sport
19 being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

20 **Fraudulent Inspection No. 3-2004 Honda Civic EX**

21 38. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
22 The review showed that on or about November 3, 2023, a 2004 Honda Civic EX was tested, and
23 Certificate of Compliance Number TO422014C was issued by Respondent Rodriguez.

24
25 39. The Dynamic PID charts and data for the 2004 Honda Civic EX showed that between
26 timestamps 868 and 24892, the engine RPM was steady at around 830 RPM. During this time,
27 the data showed that the throttle was fixed at 9.8% opening, and the MAP was fixed at 32 kPa.
28 After timestamp 26672, the engine RPM was increased and then held steady at around 1475

1 RPM. During this time, the data showed the throttle dropped to 9% opening before rising to
2 10.2% opening, the MAP rose to 41 kPa, then dropped to 35 kPa.

3 40. The steady idle and steady elevated engine RPMs with the improbable throttle
4 positions and MAP readings were not characteristic or expected for normal engine operation. The
5 steady elevated engine RPMs showed that the throttle dropped below its reading at idle, and the
6 MAP went above its reading at idle. The discrepancies in the OIS Test Data proved that the DAD
7 was not connected to the 2004 Honda Civic EX being certified, which caused the issuance of a
8 fraudulent Smog Certificate of Compliance.

9 **Fraudulent Inspection No. 4-2004 Jaguar XJ8**

10 41. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
11 The review showed that on or about November 3, 2023, a 2004 Jaguar XJ8 was tested, and
12 Certificate of Compliance Number TO422017C was issued by Respondent Rodriguez.

13 42. The Dynamic PID charts and data for the 2004 Jaguar XJ8 showed that between
14 timestamps 870 and 67671, the engine RPM was steady at around 580 RPM. During this time,
15 the data showed that the throttle was at 5.9% opening and the MAP was fixed at 42 kPa, and the
16 MAF was fixed at 4.14 grams/sec. After timestamp 68568, the engine RPM was steady at around
17 1430 RPM. During this time, the data showed that the throttle was at 1.6% opening, the MAP
18 rose from 43kPa to 44 kPa, and the MAF dropped to 2.97 grams/sec, then rose to 3.91 grams/sec.

19 43. The steady idle and steady elevated engine RPMs with the improbable throttle
20 positions, MAP and MAF readings were not characteristic or expected for normal engine
21 operation. The TPS reading should have increased, the MAP reading should have decreased, and
22 the MAF should have increased while the RPM increased. The discrepancies in the OIS Test Data
23 proved that the DAD was not connected to the 2004 Jaguar XJ8 being certified, which caused the
24 issuance of a fraudulent Smog Certificate of Compliance.

25 **Fraudulent Inspection No. 5-2003 Ford SVT Lightning**

26 44. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
27 The review showed that on or about February 1, 2024, a 2003 Ford SVT Lightning was tested,
28 and Certificate of Compliance Number TS061181C was issued by Respondent Martinez.

1 45. The Dynamic PID charts and data for the 2003 Ford SVT Lightning showed that
2 between timestamps 360 and 28611, the engine RPM was steady at around 950 RPM. During
3 this time, the data showed that the throttle was fixed at 18.4% and the MAF was fixed at 2.82
4 grams/sec. After timestamp 30205, the RPM was increased and then held steady at around 1800
5 RPM. During this time, the data showed that the throttle was varying between 12.9% and 17.6%
6 opening, and the MAF was varying between 4.65 grams/sec and 2.81 grams/sec.

7 46. The steady idle and steady elevated engine RPM with the improbable throttle
8 positions and MAF readings were not characteristic or expected for normal engine operation. The
9 throttle position reading and MAF were expected to be stable at idle and at the elevated engine
10 RPM. In this clean plug scenario, the throttle readings never rose above the readings at idle. The
11 MAF reading rose upward, however, it was unsteady and varying at the higher RPM. The
12 discrepancies in the OIS Test Data proved that the DAD was not connected to the 2003 Ford SVT
13 Lightning being certified, which caused the issuance of a fraudulent Smog Certificate of
14 Compliance.

15 **Fraudulent Inspection No. 6-2003 Dodge Ram 1500**

16 47. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
17 The review showed that on or about March 1, 2024, a 2003 Dodge Ram 1500 was tested, and
18 Certificate of Compliance Number TS605946C was issued by Respondent Martinez.

19 48. The Dynamic PID charts and data for the 2003 Dodge Ram 1500 showed that
20 between timestamps 381 and 25147, the engine RPM was steady at around 900 RPM. During
21 this time, the data showed that the throttle was fixed at 11.8% opening and the MAP was fixed at
22 40 kPa. After timestamp 25596, the RPM was increased and held steady to around 1850 RPM.
23 During this time, the data showed that the throttle dropped from 11% opening to 6.3% opening
24 before rising to 10.2% opening, and the MAP was varied between 45 kPa and 32 kPa.

25 49. The steady idle and steady elevated engine RPMs with the improbable throttle
26 positions and MAP readings were not characteristic or expected for normal engine operation. In
27 this clean plug scenario, the throttle readings never rose above the readings at idle. The MAP
28 fluctuates above its idle reading when it was expected to be lower at the elevated engine RPM.

1 The discrepancies in the OIS Test Data proved that the DAD was not connected to the 2003
2 Dodge Ram 1500 being certified, which caused the issuance of a fraudulent Smog Certificate of
3 Compliance.

4 **Fraudulent Inspection No. 7-2001 GMC Denali**

5 50. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
6 The review showed that on or about August 16, 2024, a 2001 GMC Denali was tested, and
7 Certificate of Compliance Number UA685348C was issued by Respondent Martinez.

8 51. The Dynamic PID charts and data for the 2001 GMC Denali showed that between
9 timestamps 365 and 24484, the engine RPM was steady at around 850 RPM. During this time,
10 the data showed that the throttle was fixed at 3.9% opening, the MAP was fixed at 38 kPa, and
11 the MAF was fixed at 4.96 grams/sec. After timestamp 24844, the RPM was increased and then
12 held around 1530 RPM. During this time, the data showed that the throttle varied between 5.5%
13 and 3.9% opening, the MAP varied between 46 kPa and 38 kPa, and the MAF dropped from 4.28
14 grams/sec. to 3.01 grams/sec. before rising to 3.62 grams/sec.

15 52. The steady idle and steady elevated engine RPMs with the improbable throttle
16 positions, MAP, and MAF readings were not characteristic or expected for normal engine
17 operation. The throttle position and MAF readings were expected to be stable at idle and at the
18 elevated engine RPM. The MAF readings never rose above the readings at idle. The
19 discrepancies in the OIS Test Data proved that the DAD was not connected to the 2001 GMC
20 Denali being certified, which caused the issuance of a fraudulent Smog Certificate of
21 Compliance.

22 **Fraudulent Inspection No. 8-2002 Chevrolet Avalanche C1500**

23 53. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
24 The review showed that on or about October 4, 2024, a 2002 Chevrolet Avalanche C1500 was
25 tested, and Certificate of Compliance Number IZ939286C was issued by Respondent Martinez.

26 54. The Dynamic PID charts and data for the 2002 Chevrolet Avalanche C1500 showed
27 that between timestamps 371 and 24565, the engine RPM was steady at around 800 RPM.
28 During this time, the data showed the throttle was fixed at 7.5% opening, the MAP was fixed at

1 42 kPa, and the MAF was fixed at 4.17 grams/sec. After timestamp 24993, the RPM was
2 increased and held around 1800 RPM. During this time, the data showed that the throttle was
3 dropping from 11.4% opening to 7.5% opening, and the MAP varied from 32 kPa to 45 kPa, and
4 the MAF varied from 3.25 grams/sec to 5.03 grams/sec.

5 55. The steady idle and steady elevated engine RPMs with the improbable throttle
6 positions, MAP and MAF readings were not characteristic or expected for normal engine
7 operation. The throttle position reading should stabilize with the increased RPM and not drop as
8 illustrated. The MAP readings should be steady at the increased RPM readings and not fluctuate,
9 as illustrated, the MAF readings should gradually rise with the increased RPM and stabilize, not
10 fluctuate. The discrepancies in the OIS Test Data prove the DAD was not connected to the 2002
11 Chevrolet Avalanche C1500 being certified, which caused the issuance of a fraudulent Smog
12 Certificate of Compliance.

13 **Fraudulent Inspection No. 9-2016 Dodge Dart SXT**

14 56. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
15 The review showed that on or about October 25, 2024, a 2016 Dodge Dart SXT was tested, and
16 Certificate of Compliance Number UE898503C was issued by Respondent Arizmendy

17 57. The Dynamic PID charts and data for the 2016 Dodge Dart SXT showed that between
18 timestamps 365 and 29026, the engine RPM was steady at around 850 RPM. During this time,
19 the data showed the throttle was varying between 6.7% and 7.5% opening, and the MAP was
20 varying between 14 kPa and 16 kPa. From timestamp 30907 to 49576, the RPM was increased
21 and held around 1860 RPM. During this time, the data showed that the throttle was varying
22 between 5.9% and 6.7%, and the MAP was varying between 14 kPa and 16 kPa.

23 58. The steady idle and steady elevated engine RPMs with the improbable throttle
24 positions and MAP readings were not characteristic or expected for normal engine operation. The
25 throttle position and MAP readings were expected to be stable at idle and at the elevated engine
26 RPM. The throttle position readings never rose above their lowest reading at idle. The
27 discrepancies in the OIS Test Data proved that the DAD was not connected to the 2016 Dodge
28

1 Dart SXT being certified, which caused the issuance of a fraudulent Smog Certificate of
2 Compliance.

3 **Fraudulent Inspection No. 10-2001 Ford Excursion XLT**

4 59. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
5 The review showed that on or about November 19, 2024, a 2001 Ford Excursion XLT was tested,
6 and Certificate of Compliance Number UE898519C was issued by Respondent Arizmendy.

7 60. The Dynamic PID charts and data for the 2001 Ford Excursion XLT showed that
8 between timestamps 373 and 21619, the engine RPM was steady at around 900 RPM. During
9 this time, the data showed that the throttle was fixed at 19.6% and the MAF was fixed at 3.75
10 grams/sec. After timestamp 21988, the RPM was increased and then held steady at around 1850
11 RPM. During this time, the data showed that the throttle was varying between 23.1% and 19.6%
12 opening, and the MAF was varying between 2.8 grams/sec and 4.46 grams/sec.

13 61. The steady idle and steady elevated engine RPMs with the improbable throttle
14 positions and MAF readings were not characteristic or expected for normal engine operation. The
15 throttle position and MAF readings were expected to be stable at idle and at the elevated engine
16 RPM. The MAF had readings at the elevated engine RPM that were lower than the readings at
17 idle. The discrepancies in the OIS Test Data proved that the DAD was not connected to the 2001
18 Ford Excursion XLT being certified, which caused the issuance of a fraudulent Smog Certificate
19 of Compliance.

20 **Fraudulent Inspection No. 11-2004 Chevrolet Silverado K1500**

21 62. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
22 The review showed that on or about December 12, 2024, a 2004 Chevrolet Silverado K1500 was
23 tested, and Certificate of Compliance Number UE898530C was issued by Respondent
24 Arizmendy.

25 63. The Dynamic PID charts and data for the 2004 Chevrolet Silverado K1500 showed
26 that between timestamps 368 and 95228, the engine RPM was steady at around 750 RPM.
27 During this time, the data showed that the throttle was fixed at 5.5% opening, the MAP was fixed
28 at 35 kPa, and the MAF was fixed at 2.94 grams/sec. After timestamp 95605, the RPM was

1 increased and then held steady at around 1550 RPM. During this time, the data showed the
2 throttle dropped from 5.5% opening to 0.4% opening before rising to 2% opening, the MAP rose
3 from 40 kPa to 44 kPa, then dropped to 34 kPa, and the MAF varied between 3.69 grams/sec and
4 2.72 grams/sec.

5 64. The steady idle and steady elevated engine RPMs with the improbable throttle
6 positions, MAP, and MAF readings were not characteristic or expected for normal engine
7 operation. The throttle position and MAF readings were expected to be stable at idle and at the
8 elevated engine RPM. The throttle position readings at the elevated engine RPM never rose
9 above the reading at idle. The MAP reading never dropped below the readings at idle. The
10 discrepancies in the OIS Test Data proved that the DAD was not connected to the 2004 Chevrolet
11 Silverado K1500 being certified, which caused the issuance of a fraudulent Smog Certificate of
12 Compliance.

13 **Fraudulent Inspection No. 12-2001 Ford F350 Super Duty**

14 65. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
15 The review showed that on or about January 8, 2025, a 2001 Ford F350 Super Duty was tested,
16 and Certificate of Compliance Number UE898540C was issued by Respondent Arizmendy.

17 66. The Dynamic PID charts and data for the 2001 Ford F350 Super Duty showed that
18 between timestamps 359 and 21020, the engine RPM was steady around 860 RPM. During this
19 time, the data showed that the throttle was fixed at 18% and the MAF was fixed at 4.4 grams/sec.
20 After timestamp 21413, the RPM was increased and then held steady at around 1550 RPM.
21 During this time, the data showed that the throttle was varying between 12.9% and 17.6%
22 opening, and the MAF was varying between 2.81 grams/sec and 5.06 grams/sec.

23 67. The steady idle and steady elevated engine RPMs with the improbable throttle
24 positions and MAF readings were not characteristic or expected for normal engine operation. The
25 throttle position and MAF readings were expected to be stable at idle and at the elevated engine
26 RPM. The discrepancies in the OIS Test Data proved that the DAD was not connected to the
27 2001 Ford F350 Super Duty being certified, which caused the issuance of a fraudulent Smog
28 Certificate of Compliance.

1 **Fraudulent Inspection No. 13-2004 Saturn ION Redline**

2 68. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
3 The review showed that on or about October 24, 2025, a 2004 Saturn ION Redline was tested,
4 and Certificate of Compliance Number UU992694C was issued by Respondent Omar.

5 69. The Dynamic PID charts and data for the 2004 Saturn ION Redline showed that
6 between timestamps 51240 and 68768, the engine RPM was steady around 900 RPM. During
7 this time, the data showed that the throttle was fixed at 3.9%, the MAP was fixed at 25 kPa, and
8 the MAF was fixed at 3.77 grams/sec. After timestamp 69135, the RPM was increased but never
9 stabilized and varied around 2000 RPM. During this time, the data showed that the throttle was
10 fixed 3.9% opening, the MAP was fixed at 25 kPa, and the MAF was fixed at 3.77 grams/sec.

11 70. The steady idle and unsteady elevated engine RPM with the improbable throttle
12 positions and MAF readings are not characteristic or expected for normal engine operation. The
13 throttle, MAP, and MAF readings were unchanged with the increase in RPM. In this clean plug
14 scenario, the TPS and MAF readings stayed fixed, flat and unchanged at the higher RPM. The
15 discrepancies in the OIS Test Data proved that the DAD was not connected to the 2004 Saturn
16 ION Redline being certified, which caused the issuance of a fraudulent Smog Certificate of
17 Compliance.

18 **Fraudulent Inspection No. 14-2003 Dodge Dakota Quad Sport**

19 71. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
20 The review showed that on or about October 25, 2025, a 2003 Dodge Dakota Quad Sport was
21 tested, and Certificate of Compliance Number UU992699C was issued by Respondent Omar.

22 72. The Dynamic PID charts and data for the 2003 Dodge Dakota Quad Sport showed
23 that between timestamps 345 and 21585, the engine RPM was steady around 950 RPM. During
24 this time, the data showed that the throttle was fixed at 11% opening and the MAP was fixed at
25 34 kPa. After timestamp 21954, the RPM was increased and held above 1479 RPM. During this
26 time, the data showed that the throttle dropped from 9% opening to 8.6% opening before rising to
27 11% opening, and the MAP was varied between 36 kPa and 44 kPa.

28 ///

1 73. The steady idle and unsteady elevated engine RPM with the improbable throttle
2 positions and MAF readings are not characteristic or expected for normal engine operation. The
3 throttle position reading was expected to be steady at idle and at the elevated engine RPM. The
4 throttle readings at the elevated ending RPM never rose above the readings at idle. The MAP
5 reading never dropped below the readings at idle. The discrepancies in the OIS Test Data proved
6 that the DAD was not connected to the 2003 Dodge Dakota Quad Sport being certified, which
7 caused the issuance of a fraudulent Smog Certificate of Compliance.

8 **Fraudulent Inspection No. 15-2002 Ford Mustang GT**

9 74. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
10 The review showed that on or about November 2, 2025, a 2002 Ford Mustang GT was tested, and
11 Certificate of Compliance Number UW324051C was issued by Respondent Omar.

12 75. The Dynamic PID charts and data for the 2002 Ford Mustang GT showed that
13 between timestamps 345 and 20693, the engine RPM was steady around 750 RPM. During this
14 time, the data showed that the throttle was fixed at 18.4% and the MAF was fixed at 3.91
15 grams/sec. After timestamp 21058, the RPM was increased and held above 1568 RPM. During
16 this time, the data showed that the throttle dropped from 15.3% opening to 12.5% opening before
17 rising to 17.6% opening, and the MAF varied between 2.83 grams/sec. and 4.55 grams/sec.

18 76. The steady idle and unsteady elevated engine RPM with the improbable throttle
19 positions and MAF readings are not characteristic or expected for normal engine operation. The
20 throttle position and MAF readings were expected to be steady at idle and at the elevated engine
21 RPM. The throttle reading at the elevated ending RPM never rose above the readings at idle.
22 The discrepancies in the OIS Test Data proved that the DAD was not connected to the 2002 Ford
23 Mustang GT being certified, which caused the issuance of a fraudulent Smog Certificate of
24 Compliance.

25 **Fraudulent Inspection No. 16-2004 Jeep Grand Cherokee Laredo**

26 77. A Bureau Representative reviewed the OIS Test Data for Respondent Slauson Smog.
27 The review showed that on or about November 2, 2025, a 2004 Jeep Grand Cherokee Laredo was
28 tested, and Certificate of Compliance Number UW324060C was issued by Respondent Omar.

1 78. The Dynamic PID charts and data for the 2004 Jeep Grand Cherokee Laredo showed
2 that between timestamps 330 and 19783, the engine RPM was steady around 825 RPM. During
3 this time, the data showed that the throttle was fixed at 11.8% opening and the MAP was fixed at
4 38 kPa. After timestamp 20144, the RPM was increased and held above 1495 RPM. During this
5 time, the data showed that the throttle was varying between 11.4% opening and 7.8% opening and
6 the MAP was varying between 46 kPa and 38 kPa.

7 79. The steady idle and unsteady elevated engine RPMs with the improbable throttle
8 positions and MAP readings are not characteristic or expected for normal engine operation. The
9 throttle position and MAP readings are expected to be steady at idle and at the elevated engine
10 RPM. The throttle reading at the elevated ending RPM never rose above the readings at idle.
11 The MAP reading never dropped below the readings at idle. The discrepancies in the OIS Test
12 Data proved that the DAD was not connected to the 2004 Jeep Grand Cherokee Laredo being
13 certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Untrue or Misleading Statements)**

16 80. Respondent Slauson Smog's Automotive Repair Registration is subject to discipline
17 pursuant to Code section 9884.7, subdivision (a)(1) and California Code of Regulations, title 16,
18 section 3373, in that between October 23, 2023, through November 2, 2025, Respondent Slauson
19 Smog made or authorized statements which he knew or in the exercise of reasonable care should
20 have known to be untrue or misleading, as follows: Respondent Slauson Smog certified that
21 vehicles 1 through 16, set forth above, had passed inspection and were in compliance with
22 applicable laws and regulations. Respondent Slauson Smog conducted the inspections on the
23 vehicles using the clean plugging method by substituting or using different vehicles or another
24 source during the OBD II functional tests to issue smog check certificates of compliance for the
25 sixteen (16) vehicles and did not test or inspect the sixteen (16) vehicles as required by Health
26 and Safety Code section 44012. Complainant refers to, and by this reference incorporates, the
27 allegations set forth above in paragraphs 27 through 79, as though fully set forth.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Fraud)**

3 81. Respondent Slauson Smog’s Automotive Repair Registration is subject to discipline
4 pursuant to Code section 9884.7, subdivision (a)(4), in that between October 23, 2023, through
5 November 2, 2025, Respondent Slauson Smog committed acts that constitute fraud by issuing
6 electronic smog check certificates of compliance for vehicles 1 through 16, set forth above,
7 without performing bona fide inspections of the emission control devices and systems on those
8 vehicles, thereby depriving the People of the State of California of the protection afforded by the
9 Motor Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the
10 allegations set forth above in paragraphs 27 through 79, as though fully set forth.

11 **THIRD CAUSE FOR DISCIPLINE**

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

13 82. Respondent Slauson Smog’s Automotive Repair Registration is subject to
14 disciplinary action under Code section 9884.7, subdivision (a)(6), in that between October 23,
15 2023, through November 2, 2025, regarding vehicles 1 through 16, set forth above, Respondent
16 Slauson Smog failed in a material respect to comply with the provisions of this chapter or
17 regulations adopted pursuant to it by issuing electronic smog check certificates of compliance for
18 the sixteen (16) vehicles without performing bona fide inspections of the emissions control
19 devices and systems on those vehicles, thereby depriving the People of the State of California of
20 the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by
21 this reference incorporates, the allegations set forth above in paragraphs 27 through 79, as though
22 fully set forth.

23 **FOURTH CAUSE FOR DISCIPLINE**

24 **(Failure to Comply with the Motor Vehicle Inspection Program)**

25 83. Respondent Slauson Smog’s Smog Check, Test-Only Station License is subject to
26 discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between
27 October 23, 2023, through November 2, 2025, regarding vehicles 1 through 16, set forth above,
28 Respondent Slauson Smog failed to comply with the following sections of that Code:

1 a. **Section 44012:** Respondent Slauson Smog failed to ensure that the emission control
2 tests were performed on vehicles 1 through 16, in accordance with procedures prescribed by the
3 department.

4 b. **Section 44015, subdivision (b):** Respondent Slauson Smog issued electronic smog
5 check certificates of compliance for vehicles 1 through 16, without ensuring that the vehicles
6 were properly tested and inspected to determine if they were in compliance with Health and
7 Safety Code section 44012.

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

11 Complainant refers to, and by this reference incorporates, the allegations set forth above in
12 paragraphs 27 through 79, as though fully set forth.

13 **FIFTH CAUSE FOR DISCIPLINE**

14 **(Failure to Comply with Regulations Pursuant to the**
15 **Motor Vehicle Inspection Program)**

16 84. Respondent Slauson Smog's Smog Check, Test-Only Station License is subject to
17 discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between
18 October 23, 2023, through November 2, 2025, regarding vehicles 1 through 16, set forth above,
19 Respondent Slauson Smog failed to comply with provisions of California Code of Regulations,
20 title 16, as follows:

21 a. **Section 3340.24, subdivision (c):** Respondent Slauson Smog falsely or fraudulently
22 issued electronic smog check certificates of compliance for those vehicles without performing
23 bona fide inspections of the emission control devices and systems on the vehicles as required by
24 Health and Safety Code section 44012.

25 b. **Section 3340.35, subdivision (c):** Respondent Slauson Smog issued electronic smog
26 check certificates of compliance even though those vehicles had not been inspected in accordance
27 with section 3340.42 of that Code.

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1 c. **Section 3340.41, subdivision (c)**: Respondent Slauson Smog knowingly entered false
2 information into the emissions inspection system for the sixteen (16) vehicles identified above.

3 d. **Section 3340.42**: Respondent Slauson Smog failed to conduct the required smog tests
4 and inspections on those vehicles in accordance with the Bureau's specifications.

5 Complainant refers to, and by this reference incorporates, the allegations set forth above in
6 paragraphs 27 through 79, as though fully set forth.

7 **SIXTH CAUSE FOR DISCIPLINE**

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

9 85. Respondent Slauson Smog's Smog Check, Test-Only Station License is subject to
10 discipline pursuant to Health and Safety Code sections 44072.2, subdivision (d) in conjunction
11 with 44072.10, subdivision (c), in that between October 23, 2023, through November 2, 2025,
12 regarding vehicles 1 through 16, set forth above, Respondent Slauson Smog committed acts
13 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog
14 check certificates of compliance for those vehicles without performing bona fide inspections of
15 the emission control devices and systems on the vehicles, thereby depriving the People of the
16 State of California of the protection afforded by the Motor Vehicle Inspection Program.
17 Complainant refers to, and by this reference incorporates, the allegations set forth above in
18 paragraphs 27 through 79, as though fully set forth.

19 **SEVENTH CAUSE FOR DISCIPLINE**

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

21 86. Respondent Rodriguez's Smog Check Inspector License is subject to disciplinary
22 action under Health and Safety Code section 44072.2, subdivision (a), in that between October
23 23, 2023, through November 3, 2023, regarding vehicles 1 through 4, set forth above, Respondent
24 Rodriguez violated the following Health and Safety Code sections:

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

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1 Complainant refers to, and by this reference incorporates, the allegations set forth above in
2 paragraphs 27 through 43, as though fully set forth.

3 **NINTH CAUSE FOR DISCIPLINE**

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

5 88. Respondent Rodriguez’s Smog Check Inspector License is subject to disciplinary
6 action under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health
7 and Safety Code section 44072.10, subdivision (c), in that between October 23, 2023, through
8 November 3, 2023, regarding vehicles 1 through 4, set forth above, Respondent Rodriguez
9 committed acts involving dishonesty, fraud, or deceit when he issued electronic smog check
10 certificates of compliance for the vehicles without performing bona fide inspections of the
11 emission control devices and systems on those vehicles, thereby depriving the People of the State
12 of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
13 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27
14 through 43, as though fully set forth.

15 **TENTH CAUSE FOR DISCIPLINE**

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

17 89. Respondent Martinez’s Smog Check Inspector License is subject to disciplinary
18 action under Health and Safety Code section 44072.2, subdivision (a), in that between February 1,
19 2024, through October 4, 2024, regarding vehicles 5 through 8, set forth above, Respondent
20 Martinez violated the following Health and Safety Code sections:

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

24 b. **Section 44012, subdivision (f):** Respondent Martinez failed to perform emission
25 control tests on the vehicles identified above in accordance with procedures prescribed by the
26 Bureau.

27 ///

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

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

7 Complainant refers to, and by this reference incorporates, the allegations set forth above in
8 paragraphs 27 through 31 and 44 through 55, as though fully set forth.

9 **ELEVENTH CAUSE FOR DISCIPLINE**

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

12 90. Respondent Martinez’s Smog Check Inspector License is subject to discipline
13 pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between February 1,
14 2024, through October 4, 2024, regarding vehicles 5 through 8, set forth above, he failed to
15 comply with provisions of California Code of Regulations, title 16, as follows:

16 a. **Section 3340.24, subdivision (c):** Respondent Martinez falsely or fraudulently issued
17 electronic smog check certificates of compliance without performing bona fide inspections of the
18 emission control devices and systems on those vehicles as required by Health and Safety Code
19 section 44012.

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

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

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

26 Complainant refers to, and by this reference incorporates, the allegations set forth above in
27 paragraphs 27 through 31 and 44 through 55, as though fully set forth.

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1 **TWELFTH CAUSE FOR DISCIPLINE**

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

3 91. Respondent Martinez’s Smog Check Inspector License is subject to disciplinary
4 action under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health
5 and Safety Code section 44072.10, subdivision (c), in that between February 1, 2024, through
6 October 4, 2024, regarding vehicles 5 through 8, set forth above, Respondent Martinez committed
7 acts involving dishonesty, fraud, or deceit when he issued electronic smog check certificates of
8 compliance for the vehicles without performing bona fide inspections of the emission control
9 devices and systems on those vehicles, thereby depriving the People of the State of California of
10 the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by
11 this reference incorporates, the allegations set forth above in paragraphs 27 through 31 and 44
12 through 55, as though fully set forth.

13 **THIRTEENTH CAUSE FOR DISCIPLINE**

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

15 92. Respondent Arizmendy’s Smog Check Inspector License is subject to disciplinary
16 action under Health and Safety Code section 44072.2, subdivision (a), in that between October
17 25, 2024, through January 8, 2025, regarding vehicles 9 through 12, set forth above, Respondent
18 Arizmendy violated the following Health and Safety Code sections:

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

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

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

28 ///

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

4 Complainant refers to, and by this reference incorporates, the allegations set forth above in
5 paragraphs 27 through 31 and 56 through 67, as though fully set forth.

6 **FOURTEENTH CAUSE FOR DISCIPLINE**

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

9 93. Respondent Arizmendy’s Smog Check Inspector License is subject to discipline
10 pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between October 25,
11 2024, through January 8, 2025, regarding vehicles 9 through 12, set forth above, he failed to
12 comply with provisions of California Code of Regulations, title 16, as follows:

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

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

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

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

23 Complainant refers to, and by this reference incorporates, the allegations set forth above in
24 paragraphs 27 through 31 and 56 through 67, as though fully set forth.

25 **FIFTEENTH CAUSE FOR DISCIPLINE**

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

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

1 and Safety Code section 44072.10, subdivision (c), in that between October 25, 2024, through
2 January 8, 2025, regarding vehicles 9 through 12, set forth above, Respondent Arizmendy
3 committed acts involving dishonesty, fraud, or deceit when he issued electronic smog check
4 certificates of compliance for the vehicles without performing bona fide inspections of the
5 emission control devices and systems on those vehicles, thereby depriving the People of the State
6 of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
7 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27
8 through 31 and 56 through 67, as though fully set forth.

9 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

11 95. Respondent Omar’s Smog Check Inspector License is subject to disciplinary action
12 under Health and Safety Code section 44072.2, subdivision (a), in that between October 24, 2025,
13 through November 2, 2025, regarding vehicles 13 through 16, set forth above, Respondent Omar
14 violated the following Health and Safety Code sections:

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

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

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

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

26 Complainant refers to, and by this reference incorporates, the allegations set forth above in
27 paragraphs 27 through 31 and 68 through 79, as though fully set forth.

28 ///

1 **SEVENTEENTH CAUSE FOR DISCIPLINE**

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

4 96. Respondent Omar’s Smog Check Inspector License is subject to discipline pursuant
5 to Health and Safety Code section 44072.2, subdivision (c), in that between October 24, 2025,
6 through November 2, 2025, regarding vehicles 13 through 16, set forth above, he failed to comply
7 with provisions of California Code of Regulations, title 16, as follows:

8 a. **Section 3340.24, subdivision (c)**: Respondent Omar falsely or fraudulently issued
9 electronic smog check 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 Omar 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 Omar knowingly entered false
15 information into the on-board diagnostic inspection system for the four (4) vehicles identified.

16 d. **Section 3340.42**: Respondent Omar 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 27 through 31 and 68 through 79, as though fully set forth.

20 **EIGHTEENTH CAUSE FOR DISCIPLINE**

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

22 97. Respondent Omar’s Smog Check Inspector License is subject to disciplinary action
23 under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and
24 Safety Code section 44072.10, subdivision (c), in that between October 24, 2025, through
25 November 2, 2025, regarding vehicles 13 through 16, set forth above, Respondent Omar
26 committed acts involving dishonesty, fraud, or deceit when he issued electronic smog check
27 certificates of compliance for the vehicles without performing bona fide inspections of the
28 emission control devices and systems on those vehicles, thereby depriving the People of the State

1 of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
2 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27
3 through 31 and 68 through 79, as though fully set forth.

4 **OTHER MATTERS**

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

9 99. Pursuant to Health and Safety Code section 44072.8, if Smog Check, Test-Only
10 Station License No. TC 299739, issued to Mayra Farias-Owner dba Slauson Smog Center, is
11 revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Div 26 of the
12 Health and Safety Code in the name of said licensee may be likewise revoked or suspended by the
13 director.

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

18 101. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
19 License Number EO 634211 (formerly Advanced Emission Specialist Technician License
20 Number EA 634211), issued to Rafael Martinez Jr, is revoked or suspended, any additional
21 license issued under this Chapter 5 of Part 5 of Div 26 of the Health and Safety Code in the name
22 of said licensee may be likewise revoked or suspended by the director.

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

27 103. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
28 License No. EO 645367, issued to Jesus Omar Martinez, is revoked or suspended, any additional

1 license issued under Chapter 5 of Part 5 of Div 26 of the Health and Safety Code in the name of
2 said licensee may be likewise revoked or suspended by the director.

3 **PRAYER**

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

7 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
8 299739, issued to Mayra Farias-Owner dba Slauson Smog Center;

9 2. Revoking, suspending, or placing on probation any other automotive repair dealer
10 registration issued to Mayra Farias;

11 3. Revoking or suspending Smog Check, Test-Only, Station License Number TC
12 299739, issued to Mayra Farias-Owner dba Slauson Smog Center;

13 4. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
14 Division 26 of the Health and Safety Code in the name of Mayra Farias;

15 5. Revoking or suspending Smog Check Inspector License Number EO 644271, issued
16 to Reynaldo Ivan Rodriguez;

17 6. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
18 Division 26 of the Health and Safety Code in the name of Reynaldo Ivan Rodriguez;

19 7. Revoking or suspending Smog Check Inspector License Number EO 634211, issued
20 to Rafael Martinez Jr;

21 8. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
22 Division 26 of the Health and Safety Code in the name of Rafael Martinez Jr;

23 9. Revoking or suspending Smog Check Inspector License Number EO 644738, issued
24 to Jesus Arizmendy;

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

27 11. Revoking or suspending Smog Check Inspector License Number EO 645367, issued
28 to Jesus Omar Martinez;

1 12. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
2 Division 26 of the Health and Safety Code in the name of Jesus Omar Martinez;

3 13 Ordering Mayra Farias, Reynaldo Ivan Rodriguez, Rafael Martinez Jr, Jesus
4 Arizmendy, and Jesus Omar Martinez to pay the Bureau of Automotive Repair the reasonable
5 costs of the investigation and enforcement of this case, pursuant to Business and Professions
6 Code section 125.3 and if placed on probation, the costs of probation monitoring;

7 and,

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

9
10 DATED: As of Digital Signature Date

11 PATRICK DORAIS
12 Chief
13 Bureau of Automotive Repair
14 Department of Consumer Affairs
15 State of California
16 *Complainant*

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