

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
Supervising Deputy Attorney General
3 MICHAEL BROWN
Deputy Attorney General
4 State Bar No. 231237
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6308
6 Facsimile: (916) 731-2126
E-mail: MichaelB.Brown@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 79/25-3072

13 **OSCAR N ROMERO-OWNER DBA**
14 **SUPER STAR SMOG CHECK**
2058 W Manchester Ave.
15 Los Angeles, CA 90047
Automotive Repair Dealer Registration No.
16 **ARD 303243**
Smog Check, Test Only, Station License No.
17 **TC 303243**

ACCUSATION

18 **ALONSO CRUZ**
1405 Barry Ave. #8
19 Los Angeles, CA 90025
Smog Check Inspector License No.
20 **EO 645121**
Mailing Address:
1405 Barry Ave.
21 Los Angeles, CA 90025

22 **and**

23 **AMARO PLACITO-BRAVO**
P O Box 2193
24 Bell Gardens, CA 90202
Smog Check Station Inspector No. EO
144082
25 Smog Check Repair Technician License No.
EI 144082

26 Respondents.
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1 **PARTIES**

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

4 **Oscar N Romero-Owner dba Super Star Smog Check**

5 **Automotive Repair Dealer Registration**

6 2. On or about August 9, 2022, the Bureau issued Automotive Repair Dealer
7 Registration Number ARD 303243 to Oscar N Romero-Owner dba Super Star Smog Check
8 (“Respondent Super Star Smog”). The Automotive Repair Dealer Registration was in full force
9 and effect at all times relevant to the charges brought herein and expired on August 31, 2025, and
10 has not been renewed.

11 **Smog Check, Test Only, Station License**

12 3. On or about October 18, 2022, the Bureau of Automotive Repair issued Smog Check,
13 Test-Only, Station License Number TC 303243 to Respondent Super Star Smog. The Smog
14 Check, Test-Only, Station License was in full force and effect at all times relevant to the charges
15 brought herein and expired on August 31, 2025, and has not been renewed.

16 **STAR Station Certification**

17 4. On or about February 8, 2023, the Bureau certified Super Star Smog Check as a
18 STAR Station. The certification was suspended on February 19, 2025. If and when reinstated,
19 the certification will remain active unless ARD 303243 and/or TC 303243 is revoked, canceled,
20 becomes delinquent, or the certification is suspended.

21 **Alonso Cruz**

22 **Smog Check Inspector License**

23 5. On or about July 29, 2024, the Bureau issued Smog Check Inspector License Number
24 EO 645121 to Alonso Cruz (“Respondent Cruz”). The Smog Check Inspector License was in full
25 force and effect at all times relevant to the charges brought herein and will expire on December
26 31, 2026, unless renewed.

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1 **AMARO PLACITO-BRAVO**

2 **Smog Check Inspector License/Smog Check Repair Technician License**
3 **(formerly Advanced Emission Specialist Technician License Number EA 144082)**

4 6. In 2001, the Bureau issued Advanced Emission Specialist Technician License
5 Number EA 144082 to Amaro Placito-Bravo (“Respondent Bravo”). Respondent Bravo’s
6 Advanced Emission Specialist Technician License was due to expire on October 31, 2013;
7 however, it was cancelled on July 18, 2013. Pursuant to California Code of Regulations, title 16,
8 section 3340.28, subdivision (e)¹, the license was renewed, pursuant to Respondent Bravo’s
9 election, as Smog Check Inspector License Number EO 144082 and Smog Check Repair
10 Technician License Number EI 144082, effective July 18, 2013. Respondent Bravo's Smog
11 Check Inspector License was in full force and effect at all times relevant to the charges brought
12 herein and will expire on October 31, 2027, unless renewed. Respondent Bravo's Smog Check
13 Repair Technician License expired on October 31, 2019.

14 **JURISDICTION**

15 7. Business and Professions Code (“Code”) section 9884.7 provides that the Director
16 may revoke an automotive repair dealer registration.

17 8. Section 9884.13 of the Code provides, in pertinent part, that the expiration of a valid
18 registration shall not deprive the director or chief of jurisdiction to proceed with a disciplinary
19 proceeding against an automotive repair dealer or to render a decision invalidating a registration
20 temporarily or permanently.

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

24 10. Section 44072.6 of the Health and Safety Code provides, in pertinent part, that the
25 expiration or suspension of a license by operation of law, or by order or decision of the Director

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.

of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director of jurisdiction to proceed with disciplinary action.

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

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

(a) and (c) of Section 44013.

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

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

(d) For other than diesel-powered vehicles, the vehicle's fuel evaporative 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 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:

....

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

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

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

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

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

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

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

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

....

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

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

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) 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.

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

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

5 **REGULATORY PROVISIONS**

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

7

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

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

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

13 (a) Inspect, test and repair vehicles, as applicable, in accordance with section
14 44012 of the Health and Safety Code, section 44035 of the Health and
Safety Code, and section 3340.42 of this article..

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

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

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

20

21 (c) No person shall enter any vehicle identification information or emission
22 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
23 about the vehicle being tested.

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

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

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

28 (1) A loaded-mode test shall be the test method used to inspect 1976 - 1999

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

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

16 (2) A two-speed idle mode test shall be the test method used to inspect 1976 -
17 1999 model-year vehicles, except diesel-powered, registered in all program areas of
18 the state, except in those areas of the state where the enhanced program has been
19 implemented. The two-speed idle mode test shall measure hydrocarbon, carbon
20 monoxide and carbon dioxide emissions at high RPM and again at idle RPM, as
21 contained in the bureau's specifications referenced in subsection (a) of Section
22 3340.17 of this article. Exhaust emissions from a vehicle subject to this inspection
23 shall be measured and compared to the emission standards set forth in this section and
24 as shown in TABLE III. A vehicle passes the two-speed idle mode test if all of its
25 measured emissions are less than or equal to the applicable emissions standards
26 specified in Table III.

27 (3) An OBD-focused test, shall be the test method used to inspect gasoline-
28 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 licensee 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 licensee 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.

FACTUAL ALLEGATIONS

26. On or about February 18, 2025, a Bureau Representative began a detailed review of the Vehicle Information Database ("VID") for the Smog Check inspections performed at Respondent Super Star Smog. The review showed a pattern of egregious violations of the Automotive Repair Act and vehicles being certified with engine operating parameters not corresponding to normal engine operation, confirming the vehicles receiving smog certificates

1 were not tested during the OBD II functional test, which constitutes clean plugging². The Bureau
2 Representative's comprehensive review into the Smog Check activities at Respondent Super Star
3 Smog confirmed that twelve (12) vehicles were fraudulently inspected at Respondent Super Star
4 Smog, resulting in Smog Check Certificates of Compliance being fraudulently issued to vehicles.

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

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

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

27 29. During an OIS Smog Check inspection, along with other visual and functional
28 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

² Clean Plugging" refers to the use of another vehicle's properly functioning On Board Diagnostic, 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.

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

4 **Station Visits**

5 30. On or about February 27, 2025, a Bureau Representative visited Respondent Super
6 Star Smog's facility and met with Francisco Garcia Perez ("Perez"). The Bureau Representative
7 provided an official request for station invoices and Smog Check VIRs dated May 5, 2024,
8 through February 26, 2025. Perez and the Bureau Representative signed the Station Inspection
9 Report.

10 31. On or about March 05, 2025, the Bureau Representative returned to Respondent
11 Super Star Smog's facility and met with Respondent Super Star Smog. The Bureau
12 Representative received ten bundles of station invoices with attached Smog Check VIRs dated
13 May 2024 through February 2025. The Bureau Representative advised Respondent Super Star
14 Smog that the station records would be reviewed and returned at a later date.

15 32. Respondent Super Star Smog provided information regarding the business operations
16 of Respondent Super Star Smog. Respondent Super Star Smog stated the following: he is at
17 Super Star Smog Check every day, he personally interviews and hires employees, and only he has
18 access to the business's financial accounts to pay the utilities and to pay for Smog Check
19 certificates. Only he and his Smog Check Inspectors have keys to the business; the Smog Check
20 Inspector on duty will perform the day-to-day operations at Super Star Smog Check in his
21 absence, and only his Smog Check Inspectors are authorized to be at the station. He provides
22 supervision when at Super Star Smog Check to ensure paperwork is properly completed, all
23 vehicles are present, and Smog Check inspections are performed properly in accordance with
24 Laws and Regulations.

25 33. The Bureau Representative asked Respondent Super Star Smog whether he is familiar
26 with "Clean Piping" or "Clean Plugging". Respondent Super Star Smog replied that he had not
27 heard of these terms and would not perform fraudulent Smog Check Inspections. The Bureau
28 Representative documented these statements on a Station Inspection Report. Respondent Super

1 Star Smog read it, agreed with the accuracy, and then signed it. The Bureau Representative then
2 provided him with a copy.

3 34. On or about March 20, 2025, the Bureau Representative again visited Respondent
4 Super Star Smog's facility to return the records the Bureau Representative obtained during the
5 prior visit. The Bureau Representative met and spoke with Respondent Super Star Smog. The
6 Bureau Representative returned the station records in a box as received. The Bureau
7 Representative provided copies of the station invoices and VIRs that the Bureau Representative
8 personally copied at the Bureau's office. Respondent Super Star Smog confirmed the copies
9 provided for review were of the station's record. Respondent Super Star Smog provided
10 additional Invoices, Number 4185 and 4728, with attached VIRs that were not included in the
11 records provided on or about March 5, 2025. The Bureau Representative made copies of these
12 documents while at Respondent Super Star Smog's facility. Respondent Super Star Smog and the
13 Bureau Representative initialed and dated the copies of the station invoices and related VIRs.
14 The Bureau Representative documented these statements on a Station Inspection Report.
15 Respondent Super Star Smog read it, agreed with the accuracy, and then signed it. The Bureau
16 Representative then provided Respondent Super Star Smog with a copy.

17 35. The Bureau Representative then printed the BAR OIS screen for Analyzer CV019112
18 that was present at Respondent Super Star Smog's facility, the Bureau Representative performed
19 the analyzer Self Diagnostics, and the DAD Check listed DAD DT003824. The Bureau
20 Representative photographed DAD DT003824 with the intact tamper seal, and DAD DT003824
21 passed the DAD Diagnostic test.

22 36. On or about March 20, 2025, the Bureau Representative met with Respondent Cruz.
23 The Bureau Representative reviewed Respondent Super Star Smog's invoices and VIRs with
24 Respondent Cruz. Respondent Cruz stated the following: He personally performed all the Smog
25 Check inspections under his license and signed the VIRs, does not share his license nor his
26 biometric access, does not remember these inspections as he performs many Smog Check
27 inspections daily, he is not familiar with the terms "Clean-Piping" or "Clean-Plugging", and has
28 no idea why the Smog Check Data would be wrong for the vehicles listed above. Respondent

1 Cruz initialed and dated the copies, confirming they are accurate copies of the Smog Check
2 inspections he personally performed. The Bureau Representative documented these statements
3 on a Station Inspection Report. Respondent Cruz read it, agreed with the accuracy, and then
4 signed it. The Bureau Representative then provided Respondent Cruz with a copy.

5 37. On or about April 2, 2025, the Bureau Representative met with Respondent Bravo.
6 The Bureau Representative reviewed a Super Star Smog Check invoice and VIR with Respondent
7 Bravo. Respondent Bravo stated the following: He does not share his Smog Check Inspector
8 license, nor his biometric access with anyone, he recognized the Super Star Smog Check Invoice
9 Number 2017 and VIR, he personally performed the Smog Check inspection and signed the VIR,
10 does not recall anything special about this test, he is familiar with the terms "Clean-Piping" and
11 "Clean-Plugging", he does not do anything involving "Clean-Piping" or "Clean-Plugging", and
12 does not know why the Bureau would be concerned with this test. Respondent Bravo initialed
13 and dated the VIR. The Bureau Representative documented these statements on a Station
14 Inspection Report. Respondent Bravo read it, agreed with the accuracy, and then signed it. The
15 Bureau Representative then provided Respondent Bravo with a copy.

16 **Fraudulent Inspection No. 1-2003 Nissan Xterra XE**

17 38. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star
18 Smog. The review showed that on or about May 21, 2024, a 2003 Nissan Xterra XE was tested,
19 and Certificate of Compliance Number TY191215C was issued by Respondent Bravo.

20 39. The Dynamic PID Chart for the 2003 Nissan Xterra XE showed that between
21 timestamps 959 and 22179, the engine RPM was steady at around 1025 RPM. During this time,
22 the data showed that the throttle was fixed at 0.4% opening and the MAF dropped from 8.9gps to
23 8.85gps. After timestamp 23153, the engine RPM was then held steady at around 1425 RPM.
24 During the steady elevated engine RPM, the data showed that the throttle continued to stay fixed
25 at 0.4% opening and the MAF dropped from 8.76gps to 8.75gps.

26 40. The steady idle and steady elevated engine RPMs with the associated improbable
27 throttle positions and the MAF readings were not characteristic or expected for normal engine
28 operation. The throttle position and MAF readings were expected to be stable at idle, and

increased with the elevated engine RPM and remained stable at the higher engine RPM. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2003 Nissan Xterra XE being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

Fraudulent Inspection No. 2- 2000 Chevrolet Silverado C1500

41. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star Smog. The review showed that on or about August 30, 2024, a 2000 Chevrolet Silverado C1500 was tested, and Certificate of Compliance Number JB048678C was issued by Respondent Cruz.

42. The Dynamic PID Chart for the 2000 Chevrolet Silverado showed that between timestamps 443 and 21581, the engine RPM was steady at around 600 RPM. During this time, the data showed that the throttle rose from 0.8% opening to 3.5% opening and then dropped to 2.4% opening. The MAP rose from 35kpa to 41kpa and then dropped to 40kpa. The MAF dropped from 6.35gps to 5.49gps and then raised to 6.01gps. After timestamp 22174, the engine RPM was increased and then held steadily at around 1750 RPM. During the steadily elevated engine RPM, the data showed that the throttle raised from 1.2% opening to 2.0% opening and then dropped to 0.0% opening. The MAP raised from 34kpa to 36kpa and then dropped to 32kpa. The MAF dropped from 6.77gps to 5.66gps and then raised to 6.71gps.

43. The steady idle and steady elevated engine RPMs, along with the associated improbable fluctuations in throttle positions, MAP, and MAF readings, were not characteristic or expected for normal engine operation. The throttle position, MAP, and MAF readings were expected to be stable at idle, change according to increases in engine RPM, and remain stable at the higher engine RPM. The throttle position, MAP, and MAF readings should not be erratic and fluctuating. The improbable transmitted throttle positions at idle were greater than the throttle positions at the elevated engine RPMs. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2000 Chevrolet Silverado C1500 being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

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1 **Fraudulent Inspection No. 3-2001 Infiniti QX4**

2 44. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star
3 Smog. The review showed that on or about September 4, 2024, a 2001 Infiniti QX4 was tested,
4 and Certificate of Compliance Number UC700030C was issued by Respondent Cruz.

5 45. The Dynamic PID chart for the 2001 Infiniti QX4 showed that between timestamps
6 1096 and 24790, the engine RPM was steady at around 750 RPM. During this time, the data
7 showed that the throttle was at 5.1% opening and the MAF raised from 3.23gps to 3.29gps. After
8 timestamp 26074, the engine RPM was increased and then held steady at around 1850 RPM.
9 During the steadily elevated engine RPM, the data showed that the throttle was at 3.9% opening
10 and the MAF dropped from 3.14gps to 3.04gps.

11 46. The steady idle and steady elevated engine RPMs, along with the associated
12 improbable fluctuations in throttle positions and MAF readings, were not characteristic or
13 expected for normal engine operation. The throttle position and MAF readings were expected to
14 be stable at idle, change according to increases in engine RPM, and remain stable at the higher
15 engine RPM. The throttle position and MAF readings should not be erratic and fluctuating. The
16 improbable transmitted data was lower at the elevated engine RPM than at idle RPM. The
17 discrepancies in the OIS Test Data proved that the DAD was not connected as required to the
18 2001 Infiniti QX4 being certified, which caused the issuance of a fraudulent Smog Certificate of
19 Compliance.

20 **Fraudulent Inspection No. 4-2004 Ford Escape XLT**

21 47. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star
22 Smog. The review showed that on or about September 6, 2024, a 2004 Ford Escape XLT was
23 tested, and Certificate of Compliance Number UC700046C was issued by Respondent Cruz.

24 48. The Dynamic PID chart for the 2004 Ford Escape XLT showed that between
25 timestamps 6831 and 28494, the engine RPM was steady at around 800 RPM. During this time,
26 the data showed that the throttle dropped from 18.4% opening to 12.5% opening, raised to 15.3%
27 opening, and then rose to 15.7% opening. The MAF dropped from 3.96gps to 3.7gps, rose to
28 4.28gps, and then dropped to 3.34gps. After timestamp 29013, the engine RPM was increased

1 and then held steady at around 1525 RPM. During the steadily elevated engine RPM, the data
2 showed that the throttle raised from 17.3% opening to 18% opening and then dropped to 15.7%
3 opening. The MAF dropped from 3.67gps to 3.48gps, rose to 4.73gps, and then dropped to
4 4.3gps.

5 49. The steady idle and steady elevated engine RPMs, along with the associated
6 improbable fluctuations in throttle positions and MAF readings, were not characteristic or
7 expected for normal engine operation. The throttle position and MAF readings were expected to
8 be stable at idle, change according to increases in engine RPM, and remain stable at the higher
9 engine RPM. The throttle position and MAF readings should not be erratic and fluctuating. The
10 discrepancies in the OIS Test Data proved that the DAD was not connected as required to the
11 2004 Ford Escape XLT being certified, which caused the issuance of a fraudulent Smog
12 Certificate of Compliance.

13 **Fraudulent Inspection No. 5-2006 Chevrolet Silverado C1500**

14 50. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star
15 Smog. The review showed that on or about September 21, 2024, a 2006 Chevrolet Silverado
16 C1500 was tested, and Certificate of Compliance Number UE253417C was issued by Respondent
17 Cruz.

18 51. The Dynamic PID chart for the 2006 Chevrolet Silverado C1500 showed that
19 between timestamps 335 and 20599, the engine RPM was steady at around 580 RPM. During
20 this time, the data showed that the throttle dropped from 17.3% opening to 13.7% opening, raised
21 to 17.3% opening, and then dropped to 16.1% opening. The MAP raised from 34kpa to 40kpa,
22 raised to 41kpa, dropped to 40kpa, and then rose to 46kpa. The MAF dropped from 5.82gps to
23 5.58gps, and then raised to 7.02gps. After timestamp 20961, the engine RPM was increased and
24 held steady at around 1575 RPM. During the steadily elevated engine RPM, the data showed that
25 the throttle dropped from 16.9% opening to 13.7% opening, and then dropped to 12.9% opening.
26 The MAP raised from 45kpa to 46kpa, and then dropped to 32kpa. The MAF rose from 5.31gps
27 to 7.18gps, dropped to 5.37gps, and then rose to 6.64gps.

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52. The steady idle and steady elevated engine RPMs, along with the associated improbable drops in throttle positions, MAP, and MAF readings, were not characteristic or expected for normal engine operation. The throttle position, MAP, and MAF readings were expected to be stable at idle, change according to increases in engine RPM, and remain stable at the higher engine RPM. The throttle position, MAP, and MAF readings should not be erratic and fluctuating. The throttle position and MAF readings were lower at the elevated engine RPM than at idle RPM. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2006 Chevrolet Silverado C1500 being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

Fraudulent Inspection No. 6-2002 BMW M3

53. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star Smog. The review showed that on or about September 28, 2024, a 2002 BMW M3 was tested, and Certificate of Compliance Number JB260109C was issued by Respondent Cruz.

54. The Dynamic PID chart for the 2002 BMW M3 showed that between timestamps 888 and 22336, the engine RPM was steady at around 600 RPM. During this time, the data showed that the throttle raised from 4.3% opening to 5.5% opening and the MAF dropped from 9.29gps to 7.88gps. After timestamp 23187, the engine RPM was increased and then held steady at around 2125 RPM. During the steadily elevated engine RPM, the data showed that the throttle raised from 4.7% opening to 5.5% opening and the MAF dropped from 9.87gps to 7.92gps.

55. The steady idle and steady elevated engine RPMs, along with the associated improbable throttle positions and MAF readings, were not characteristic or expected for normal engine operation. The throttle position and MAF readings were expected to be stable at idle, increase with the elevated engine RPM, and remain stable at the higher engine RPM, not be erratic and fluctuating. The elevated engine RPM throttle position starts at a reading below the highest throttle position opening at idle speed. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2002 BMW M3 being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

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1 **Fraudulent Inspection No. 7-2001 Chevrolet Tahoe C1500**

2 56. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star
3 Smog. The review showed that on or about November 15, 2024, a 2001 Chevrolet Tahoe C1500
4 was tested, and Certificate of Compliance Number UG224439C was issued by Respondent Cruz.

5 57. The Dynamic PID chart for the 2001 Chevrolet Tahoe C1500 showed that between
6 timestamps 344 and 22404, the engine RPM was steady at around 550 RPM. During this time,
7 the data showed that the throttle raised from 0.04% opening to 3.5% opening, and then dropped to
8 0.0% opening. The MAP rose from 35kpa to 46kpa, and then dropped to 35kpa. The MAF rose
9 from 3.4gps to 3.59gps, dropped to 3.32gps, and then rose to 4.42gps. After timestamp 22760,
10 the data showed that the engine RPM was increased and then held steady at around 1650 RPM.
11 During the steadily elevated engine RPM, the data showed that the throttle raised from 3.1%
12 opening to 5.5% opening, then dropped to 1.6% opening. The MAP dropped from 40kpa to
13 32kpa, raised to 35kpa, and then rose to 44kpa. The MAF dropped from 3.02gps to 2.88gps, rose
14 to 4.47gps, and then dropped to 2.92gps.

15 58. The steady idle and steady elevated engine RPMs, along with the associated
16 improbable fluctuations in throttle positions, MAP, and MAF readings, were not characteristic or
17 expected for normal engine operation. The throttle position, MAP, and MAF readings were
18 expected to be stable at idle, change according to increases in engine RPM, and remain stable at
19 the higher engine RPM. The throttle position, MAP, and MAF readings should not be erratic and
20 fluctuating. The discrepancies in the OIS Test Data proved that the DAD was not connected as
21 required to the 2001 Chevrolet Tahoe C1500 being certified, which caused the issuance of a
22 fraudulent Smog Certificate of Compliance.

23 **Fraudulent Inspection No. 8-2004 Ford Excursion XLT**

24 59. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star
25 Smog. The review showed that on or about November 16, 2024, a 2004 Ford Excursion XLT
26 was tested, and Certificate of Compliance Number UG437107C was issued by Respondent Cruz.

27 60. The Dynamic PID chart for the 2004 Ford Excursion XLT showed that between
28 timestamps 338 and 20875, the engine RPM was steady at around 550 RPM. During this time,

1 the data showed that the throttle raised from 20.4% opening to 22.4% opening, dropped to 18.8%
2 opening, and then rose back to 22.4% opening. The MAF rose from 9.15gps to 9.4gps, dropped
3 to 8.24gps, and then rose to 8.83gps. After timestamp 21232, the engine RPM was increased and
4 then held at around 1725 RPM. During this elevated engine RPM, the data showed that the
5 throttle dropped from 23.1% opening to 20.4% opening, raised to 20.8% opening, and then
6 dropped to 18.8% opening. The MAF rose from 8.75gps to 9.72gps, dropped to 9.06gps, and
7 then rose to 9.22gps.

8 61. The steady idle and steady elevated engine RPMs, along with the associated
9 improbable fluctuations in throttle position and MAF readings, were not characteristic or
10 expected for normal engine operation. The throttle position and MAF readings were expected to
11 be stable at idle, change according to increases in engine RPM, and remain stable at the higher
12 engine RPM. The throttle position and MAF readings should not be erratic and fluctuating. The
13 discrepancies in the OIS Test Data proved that the DAD was not connected as required to the
14 2004 Ford Excursion XLT being certified, which caused the issuance of a fraudulent Smog
15 Certificate of Compliance.

16 **Fraudulent Inspection No. 9-2006 Honda Odyssey EXL**

17 62. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star
18 Smog. The review showed that on or about December 10, 2025, a 2006 Honda Odyssey EXL
19 was tested, and Certificate of Compliance Number UI067310C was issued by Respondent Cruz.

20 63. The Dynamic PID chart for the 2006 Honda Odyssey EXL showed that between
21 timestamps 836 and 22306, the engine RPM was steady at around 700 RPM. During this time,
22 the data showed that the throttle dropped from 16.1% opening to 14.9% opening and the MAP
23 raised from 25kpa to 34kpa. After timestamp 23161, the engine RPM was increased and then
24 held above 1177 RPM. During the elevated engine RPM, the data showed that the throttle raised
25 from 16.1% opening to 16.9% opening and the MAP raised from 22kpa to 28kpa.

26 64. The steady idle and elevated engine RPMs, along with the associated improbable
27 throttle positions and MAP readings, were not characteristic or expected for normal engine
28 operation. The throttle position and MAP readings were expected to be stable at idle, change

1 according to increases in engine RPM, and remain stable at the higher engine RPM. The throttle
2 position and MAP readings should not be erratic and fluctuating. The discrepancies in the OIS
3 Test Data proved that the DAD was not connected as required to the 2006 Honda Odyssey EXL
4 being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

5 **Fraudulent Inspection No. 10-2003 Chevrolet Silverado C1500**

6 65. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star
7 Smog. The review showed that on or about January 18, 2025, a 2003 Chevrolet Silverado C1500
8 was tested, and Certificate of Compliance Number JB856122C was issued by Respondent Cruz.

9 66. The Dynamic PID chart for the 2003 Chevrolet Silverado C1500 showed that
10 between timestamps 345 and 17534, the engine RPM was steady at around 550 RPM. During
11 this time, the data showed that the throttle raised from 8.2% opening to 9.4% opening. The MAP
12 dropped from 38kpa to 36kpa and then raised to 40kpa. The MAF raised from 4.63gps to 5.5gps.
13 After timestamp 17886, the engine RPM was increased and then held above 1206 RPM. During
14 the elevated engine RPM, the data showed that the throttle dropped from 19.2% opening to 9.0%
15 opening, raised to 23.1% opening, and then dropped to 9.4% opening. The MAP raised from
16 28kpa to 37kpa, dropped to 29kpa, and then rose to 33kpa. The MAF dropped from 16.07gps to
17 11.66gps, rose to 16.05gps, and then dropped to 6.66gps.

18 67. The steady idle and elevated engine RPMs, along with the associated improbable
19 fluctuations in throttle positions, MAP, and MAF readings, were not characteristic or expected for
20 normal engine operation. The throttle position, MAP, and MAF readings were expected to be
21 stable at idle, change according to increases in engine RPM, and remain stable at the higher
22 engine RPM. The throttle position, MAP, and MAF readings should not be erratic and
23 fluctuating. The discrepancies in the OIS Test Data proved that the DAD was not connected as
24 required to the 2003 Chevrolet Silverado C1500 being certified, which caused the issuance of a
25 fraudulent Smog Certificate of Compliance.

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Fraudulent Inspection No. 11-2002 Chevrolet Suburban C1500

68. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star Smog. The review showed that on or about January 31, 2025, a 2002 Chevrolet Suburban C1500 was tested, and Certificate of Compliance Number JD022329C was issued by Respondent Cruz.

69. The Dynamic PID chart for the 2002 Chevrolet Suburban C1500 showed that between timestamps 343 and 18624, the engine RPM was steady at around 550 RPM. During this time, the data showed that the throttle was varying from 5.5% opening to 5.9% opening, the MAP dropped from 35kpa to 34kpa, and the MAF was varying from 4.85gps to 4.94gps. After timestamp 18995, the engine RPM was increased and then held above 1400. During the elevated engine RPM, the data showed that the throttle dropped from 11.4% opening to 7.8% opening. The MAP raised from 27kpa to 28kpa, raised to 32kpa, and then dropped to 28kpa. The MAF dropped from 11.87gps to 10.96gps, dropped to 7.82gps, and then rose to 23.82gps.

70. The steady idle and elevated engine RPMs, along with the associated improbable throttle positions, MAP, and MAF readings, were not characteristic or expected for normal engine operation. The throttle position, MAP, and MAF readings were expected to be stable at idle, change according to increases in engine RPM, and remain stable at the higher engine RPM. The throttle position, MAP, and MAF readings should not be erratic and fluctuating. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2002 Chevrolet Suburban C1500 being certified, which caused the issuance of a fraudulent Smog Certificate of Compliance.

Fraudulent Inspection No. 12-2000 Chevrolet Astro

71. A Bureau Representative reviewed the OIS Test Data for Respondent Super Star Smog. The review showed that on or about February 1, 2025, a 2000 Chevrolet Astro was tested, and Certificate of Compliance Number JD022339C was issued by Respondent Cruz.

72. The Dynamic PID chart for the 2000 Chevrolet Astro showed that between timestamps 351 and 38504, the engine RPM was steady around 700 RPM. During this time, the data showed that the throttle was fixed at 0.0% opening, the MAP was varying from 42kpa to 43kpa, and the MAF was varying from 5.62gps to 5.68gps. After time stamp 38853, the engine

1 RPM was increased and then held above 1242 RPM. During the elevated engine RPM, the data
2 showed that the throttle raised from 0.0% opening to 24.7% opening, and then dropped back to
3 0.4% opening. The MAP raised from 36kpa to 54kpa and then dropped to 33kpa. The MAF rose
4 from 11.41gps to 22.53gps, dropped to 7.84gps, and then dropped to 5.81gps.

5 73. The steady idle and elevated engine RPMs, along with the associated improbable
6 throttle positions, MAP, and MAF readings, were not characteristic or expected for normal engine
7 operation. The throttle position, MAP, and MAF readings were expected to be stable at idle,
8 change according to increases in engine RPM, and remain stable at the higher engine RPM. The
9 throttle position, MAP, and MAF readings should not be erratic and fluctuating. The
10 discrepancies in the OIS Test Data proved that the DAD was not connected as required to the
11 2000 Chevrolet Astro being certified, which caused the issuance of a fraudulent Smog Certificate
12 of Compliance.

13 **FIRST CAUSE FOR DISCIPLINE**

14 **(Untrue or Misleading Statements)**

15 74. Respondent Super Star Smog's Automotive Repair Registration is subject to
16 discipline pursuant to Code section 9884.7, subdivision (a)(1) and California Code of
17 Regulations, title 16, section 3373, in that between May 21, 2024, through February 1, 2025,
18 Respondent Super Star Smog made or authorized statements which he knew or in the exercise of
19 reasonable care should have known to be untrue or misleading, as follows: Respondent Super Star
20 Smog certified that vehicles 1 through 12, set forth above, had passed inspection and were in
21 compliance with applicable laws and regulations. Respondent Super Star Smog conducted the
22 inspections on the vehicles using the clean plugging method by substituting or using different
23 vehicles or another source during the OBD II functional tests to issue smog certificates of
24 compliance for the twelve (12) vehicles, and did not test or inspect the twelve (12) vehicles as
25 required by Health and Safety Code section 44012. Complainant refers to, and by this reference
26 incorporates, the allegations set forth above in paragraphs 26 through 73, as though fully set forth.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Fraud)**

3 75. Respondent Super Star Smog's Automotive Repair Registration is subject to
4 discipline pursuant to Code section 9884.7, subdivision (a)(4), in that between May 21, 2024,
5 through February 1, 2025, Respondent Super Star Smog committed acts that constitute fraud by
6 issuing electronic smog certificates of compliance for vehicles 1 through 12, 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 26 through 73, as though fully set forth.

11 **THIRD CAUSE FOR DISCIPLINE**

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

13 76. Respondent Super Star Smog's Automotive Repair Registration is subject to
14 disciplinary action under Code section 9884.7, subdivision (a)(6), in that between May 21, 2024,
15 through February 1, 2025, regarding vehicles 1 through 12, set forth above, Respondent Super
16 Star Smog failed in a material respect to comply with the provisions of this chapter or regulations
17 adopted pursuant to it by issuing electronic smog certificates of compliance for the twelve (12)
18 vehicles without performing bona fide inspections of the emissions control devices and systems
19 on those vehicles, thereby depriving the People of the State of California of the protection
20 afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this reference
21 incorporates, the allegations set forth above in paragraphs 26 through 73, as though fully set forth.

22 **FOURTH CAUSE FOR DISCIPLINE**

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

24 77. Respondent Super Star Smog's Smog Check, Test Only Station License is subject to
25 discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between
26 May 21, 2024, through February 1, 2025, regarding vehicles 1 through 12, set forth above,
27 Respondent Super Star Smog failed to comply with the following sections of that Code:

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

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

8 c. **Section 44059:** Respondent Super Star Smog willfully made false entries for the
9 electronic smog 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 26 through 73, 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 78. Respondent Super Star 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 May 21, 2024, through February 1, 2025, regarding vehicles 1 through 12, set forth above,
19 Respondent Super Star Smog failed to comply with provisions of California Code of Regulations,
20 title 16, as follows:

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

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

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1 c. **Section 3340.41, subdivision (c):** Respondent Super Star Smog knowingly entered
2 false information into the emissions inspection system for the twelve (12) vehicles identified
3 above.

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

6 Complainant refers to, and by this reference incorporates, the allegations set forth above in
7 paragraphs 26 through 73, as though fully set forth.

8 **SIXTH CAUSE FOR DISCIPLINE**

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

10 79. Respondent Super Star Smog's Smog Check, Test Only Station License is subject to
11 discipline pursuant to Health and Safety Code sections 44072.2, subdivision (d) in conjunction
12 with 44072.10, subdivision (c), in that between May 21, 2024, through February 1, 2025,
13 regarding vehicles 1 through 12, set forth above, Respondent Super Star Smog committed acts
14 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog
15 certificates of compliance for those vehicles without performing bona fide inspections of the
16 emission control devices and systems on the vehicles, thereby depriving the People of the State of
17 California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
18 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 26
19 through 73, as though fully set forth.

20 **SEVENTH CAUSE FOR DISCIPLINE**

21 **(Violations of the Motor Vehicle Inspection Program – Respondent Cruz)**

22 80. Respondent Cruz's Smog Check Inspector License is subject to disciplinary action
23 under Health and Safety Code section 44072.2, subdivision (a), in that between August 30, 2024,
24 through February 1, 2025, regarding vehicles 2 through 12, set forth above, Respondent Cruz
25 violated the following Health and Safety Code sections:

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

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

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

d. **Section 44059:** Respondent Cruz willfully made false entries for the electronic certificates of compliance by certifying that the vehicles identified above 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 37 and 41 through 73, as though fully set forth.

EIGHTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program – Respondent Cruz)

81. Respondent Cruz's Smog Check Inspector License is subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between August 30, 2024, through February 1, 2025, regarding vehicles 2 through 12, set forth above, he failed to comply with provisions of California Code of Regulations, title 16, as follows:

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

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

c. **Section 3340.41, subdivision (c):** Respondent Cruz knowingly entered false information into the emissions inspection system for the eleven (11) vehicles identified above.

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

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1 Complainant refers to, and by this reference incorporates, the allegations set forth above in
2 paragraphs 26 through 37 and 41 through 73, as though fully set forth.

3 **NINTH CAUSE FOR DISCIPLINE**

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

5 82. Respondent Cruz’s Smog Check Inspector License is subject to disciplinary action
6 under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and
7 Safety Code section 44072.10, subdivision (c), in that between August 30, 2024, through
8 February 1, 2025, regarding vehicles 2 through 12, set forth above, Respondent Cruz committed
9 acts involving dishonesty, fraud, or deceit when he issued electronic smog certificates of
10 compliance for the vehicles without performing bona fide inspections of the emission control
11 devices and systems on those vehicles, thereby depriving the People of the State of California of
12 the protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by
13 this reference incorporates, the allegations set forth above in paragraphs 26 through 37 and 41
14 through 73, as though fully set forth.

15 **TENTH CAUSE FOR DISCIPLINE**

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

17 83. Respondent Bravo’s Smog Check Inspector License is subject to disciplinary action
18 under Health and Safety Code section 44072.2, subdivision (a), in that on or about May 21, 2024,
19 regarding vehicle one (1), set forth above, Respondent Bravo violated the following Health and
20 Safety Code sections:

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

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

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1 c. **Section 44032:** Respondent Bravo failed to perform tests of the emission control
2 devices and systems on the vehicle 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 Bravo willfully made false entries for the electronic
5 certificates of compliance by certifying that the vehicle identified above had been inspected as
6 required when, in fact, it had not.

7 Complainant refers to, and by this reference incorporates, the allegations set forth above in
8 paragraphs 26 through 40, 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 Bravo)**

12 84. Respondent Bravo's Smog Check Inspector License and Smog Check Repair
13 Technician License are subject to discipline pursuant to Health and Safety Code section 44072.2,
14 subdivision (c), in that on or about May 21, 2024, regarding vehicle one (1), set forth above, he
15 failed to comply with provisions of California Code of Regulations, title 16, as follows:

16 a. **Section 3340.24, subdivision (c):** Respondent Bravo falsely or fraudulently issued an
17 electronic smog certificate 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 Bravo failed to inspect and test the
21 vehicle in accordance with Health and Safety Code sections 44012.

22 c. **Section 3340.41, subdivision (c):** Respondent Bravo knowingly entered false
23 information into the emissions inspection system for the one (1) vehicle identified above.

24 d. **Section 3340.42:** Respondent Bravo failed to conduct the required smog test and
25 inspection on the 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 26 through 40, as though fully set forth.

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1 **TWELFTH CAUSE FOR DISCIPLINE**

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

3 85. Respondent Bravo'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 (d), in conjunction with Health and Safety Code section 44072.10,
6 subdivision (c), in that on or about May 21, 2024, regarding vehicle one (1), set forth above,
7 Respondent Bravo committed acts involving dishonesty, fraud, or deceit when he issued
8 electronic smog certificates of compliance for the vehicle without performing bona fide
9 inspection of the emission control devices and systems on the vehicle, thereby depriving the
10 People of the State of California of the protection afforded by the Motor Vehicle Inspection
11 Program. Complainant refers to, and by this reference incorporates, the allegations set forth
12 above in paragraphs 26 through 40, as though fully set forth.

13 **OTHER MATTERS**

14 86. Pursuant to Code section 9884.7, subdivision (c), the director may suspend, revoke,
15 or place on probation the registrations for all places of business operated in this state by Oscar N
16 Romero upon a finding that said Respondent has, or is, engaged in a course of repeated and
17 willful violations of the laws and regulations pertaining to an automotive repair dealer.

18 87. Pursuant to Health and Safety Code section 44072.8, if Smog Check, Test Only
19 Station License No. TC 303243, issued to Oscar N Romero-Owner dba Super Star Smog Check,
20 is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Div 26 of the
21 Health and Safety Code in the name of said licensee may be likewise revoked or suspended by the
22 director.

23 88. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
24 License No. EO 645121, issued to Alonso Cruz, is revoked or suspended, any additional license
25 issued under Chapter 5 of Part 5 of Div 26 of the Health and Safety Code in the name of said
26 licensee may be likewise revoked or suspended by the director.

27 89. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector
28 License Number EO 144082 and Smog Check Repair Technician License Number EI 144082

(formerly Advanced Emission Specialist Technician License Number EA 144082), issued to Amaro Placito-Bravo, is revoked or suspended, any additional license issued under this Chapter 5 of Part 5 of Div 26 of the Health and Safety Code in the name of said licensee may be likewise revoked or suspended by the director.

PRAYER

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

1. Revoking or suspending Automotive Repair Dealer Registration Number ARD 303243, issued to Oscar N Romero-Owner dba Super Star Smog Check;
2. Revoking, suspending or placing on probation any other automotive repair dealer registration issues in the name of Oscar N Romero;
3. Revoking or suspending Smog Check, Test-Only, Station License Number TC 303243, issued to Oscar N Romero-Owner dba Super Star Smog Check;
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 Oscar N Romero;
5. Revoking or suspending Smog Check Inspector License Number EO 645121, issued to Alonso Cruz;
6. 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 Alonso Cruz;
7. Revoking or suspending Smog Check Inspector License Number EO 144082, issued to Amaro Placito-Bravo;
8. Revoking or suspending Smog Check Repair Technician License Number EI 144082, issued to Amaro Placito-Bravo;
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 Amaro Placito-Bravo;
10. Ordering Oscar N. Romero, Alonso Cruz, and Amaro Placito-Bravo to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this

1 case, pursuant to Business and Professions Code section 125.3, and if placed on probation, the
2 costs of probation monitoring;

3 and,

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

5
6 DATED: As of Digital Signature Date

7 PATRICK DORAIS
8 Chief
9 Bureau of Automotive Repair
10 Department of Consumer Affairs
11 State of California
12 *Complainant*

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