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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. 79/26-9589

13 **HOANG MINH TRUONG-OWNER DBA**
14 **H P TEST ONLY CENTER**
15 **3248 East Florence Unit D**
16 **Huntington Park, CA 90255**
17 **Automotive Repair Dealer Registration No.**
18 **ARD 259814**
19 **Smog Check, Test-Only, Station License No.**
20 **TC 259814**

ACCUSATION

21 **HOANG MINH TRUONG**
22 **2122 West Minerva Avenue**
23 **Anaheim, CA 92804**
24 **Smog Check Inspector License No. EO**
25 **150508**

26 **REYNALDO IVAN RODRIGUEZ**
27 **15414 S Butler Avenue**
28 **Compton, CA 90221**
MAILING ADDRESS
8137 Dearborn Avenue
South Gate, CA 90280
Smog Check Inspector License No. EO
644271

and

29 **UVALDO DE JESUS DEL CID**
30 **136 North Bushnell Avenue**
31 **Alhambra, CA 91801**
32 **Smog Check Inspector License No. EO**
33 **645537**

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.

Hoang Minh Truong-Owner dba H P Test Only Center

Automotive Repair Dealer Registration

2. On or about October 28, 2009, the Bureau issued Automotive Repair Dealer Registration Number ARD 259814 to Hoang Minh Truong-Owner dba H P Test Only Center (“Respondent H P Test Only”). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on October 31, 2026, unless renewed.

Smog Check, Test-Only, Station License

3. On or about February 17, 2010, the Bureau issued Smog Check, Test-Only, Station License Number TC 259814 to Respondent H P Test Only. 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 October 31, 2026, unless renewed.

STAR Station Certification

4. H P Test Only Center is also certified as a STAR Station. The certification was issued on or about June 6, 2013, and will remain active unless the ARD registration and/or Smog Check Station license is revoked, canceled, licenses become delinquent, or the certification is suspended.

Hoang Minh Truong

Smog Check Inspector License

5. On or about July 24, 2012, the Bureau issued Smog Check Inspector License Number EO 150508 to Hoang Minh Truong (“Respondent Truong”). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2028, unless renewed.

1 **Reynaldo Ivan Rodriguez**

2 **Smog Check Inspector License**

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

7 **Uvaldo De Jesus Del Cid**

8 **Smog Check Inspector License**

9 7. On about March 20, 2025, the Bureau issued Smog Check Inspector License Number
10 EO 645537 to Uvaldo De Jesus Del Cid (“Respondent Cid”). The Smog Check Inspector License
11 was in full force and effect at all times relevant to the charges brought herein and will expire on
12 December 31, 2026, unless renewed.

13 **JURISDICTION**

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

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

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

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

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STATUTORY PROVISIONS

12. 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.

13. 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.

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

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

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

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

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

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

27 (h) An analysis of pass and fail rates of vehicles subject to an onboard
28 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.

14. 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.

15. 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

1 repair is performed at a licensed smog check station. Qualified smog check
2 technicians shall perform tests of emission control devices and systems in accordance
3 with Section 44012.

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

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

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

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

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

17

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

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

22 18. Section 44072.8 of the Health and Safety Code states:

23 When a license has been revoked or suspended following a hearing under this
24 article, any additional license issued under this chapter in the name of the licensee
25 may be likewise revoked or suspended by the director.

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

27 (c) The department shall revoke the license of any smog check technician or
28 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.

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

....

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

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

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

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

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

On and after March 31, 2010, exhaust emissions from a vehicle subject to this

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

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

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

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

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

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

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

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

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

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

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

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

(2) Vehicles with emission levels exceeding the emission standards for gross

polluters during an initial inspection will be considered gross polluters and the provisions pertaining to gross polluting vehicles will apply, including, but not limited to, sections 44014.5, 44015, and 44081 of the Health and Safety Code.

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

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

25. 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

26. 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

27. During the course of a Bureau Representative's regular duties, the Bureau Representative accessed the Vehicle Information Database ("VID") and reviewed Smog Check data transmitted from Respondent H P Test Only from April 24, 2025, through September 22, 2025. Additionally, the Bureau Representative accessed the VID to produce copies of Smog Check Vehicle Inspection Reports ("VIR"), OIS Test Details, and Certificate Sales relating to the vehicles mentioned in the investigative report.

28. During an OIS inspection, engine operating parameters are retrieved from the vehicle's On-Board Diagnostics ("OBD II") system and recorded to the VID. This is accomplished during the functional portion of the OIS Smog Check inspection by plugging the

1 Data Acquisition Device (“DAD”) into the vehicle’s Diagnostic Link Connector (“DLC”) when
2 prompted by the OIS analyzer screen prompt. Some of the parameters recorded are:

- 3 • Engine speed in revolutions per minute (“RPM”).
- 4 • The throttle position is measured by a throttle position sensor (“TPS”) mounted onto
the throttle shaft. It is measured in a percentage of opening from 0% at idle and near
5 or up to 100% at full throttle.
- 6 • 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
7 follows: 25 kPa to 45 kPa at idle, with a subsequent decrease as the RPM is raised.
- 8 • 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 (“gps”).

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

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

20 31. The increase in engine speed is performed by the smog inspector by stepping on the
21 throttle pedal or manually opening the throttle, resulting in a corresponding increase in engine
22 RPMs by allowing an increase in airflow into the engine. The Bureau Representative conducted a
23 detailed review of the VID data for the Smog Check inspections performed at Respondent H P
24 Test Only’s facility. The review showed a pattern of vehicles being certified with engine
25 operating parameters not corresponding to normal engine operation, confirming that the vehicles
26 that received smog certificates were not tested during the OBD II functional test, which
27
28

constituted clean plugging¹. The Bureau Representative's comprehensive review into the Smog Check activities at Respondent H P Test Only's facility confirmed that ten (10) Smog Check Certificates of Compliance were fraudulently issued to vehicles.

Fraudulent Inspection No. 1-2001 Toyota Tacoma Xtracab

32. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only. The review showed that on or about April 24, 2025, a 2001 Toyota Tacoma Xtracab was tested, and Certificate of Compliance Number UM861417C was issued by Respondent H P Test Only under Respondent Cid's Smog Check Inspector License.

33. The OBD Data ("Dynamic") and Dynamic Data Charts for the 2001 Toyota Tacoma Xtracab showed that between timestamps 139 and 17853, the engine RPM was steady at around 575 RPM. During this time, the data showed that the throttle was fixed at 10.2 % opening and the MAF was fixed at 1.89 gps. After timestamp 17853, the data showed the engine RPM was increased and then held steady at no less than 1736 RPM. During the elevated engine RPM, the data showed the throttle fluctuated between 7.1 % and 11 % opening, and the MAF fluctuated between 0.45 gps and 2.04 gps.

34. The throttle position and MAF readings produced during the elevated engine RPM were not possible for normal engine operation. The throttle position and MAF readings were expected to be stable at idle, rise with an increasing engine RPM, and ultimately stabilize during higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2001 Toyota Tacoma Xtracab being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance via the clean plugging method.

Fraudulent Inspection No. 2-2002 Ford Explorer Sport

35. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only. The review showed that on or about May 9, 2025, a 2002 Ford Explorer Sport was tested, and

¹ 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 Certificate of Compliance Number UO376659C was issued by Respondent H P Test Only under
2 Respondent Cid's Smog Check Inspector License.

3 36. The OBD Data ("Dynamic") and Dynamic Data Charts for the 2002 Ford Explorer
4 Sport showed that between timestamps 33 and 18041, the engine RPM was steady at around 725
5 RPM. During this time, the data showed that the throttle was fixed at 18.4 % opening and the
6 MAF was fixed at 4.92 gps. After timestamp 18041, the data showed the engine RPM was
7 increased and then ultimately held steady at no less than 1746 RPM. During the elevated engine
8 RPM, the data showed the throttle fluctuated between 12.9 % and 17.3 % opening and the MAF
9 fluctuated between 3.29 gps, and 5.06 gps.

10 37. The throttle position and MAF readings produced during the elevated engine RPMs
11 were not possible for normal engine operation. The throttle position and MAF readings were
12 expected to be stable at idle, rise with an increasing engine RPM, and ultimately stabilize during
13 higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings.
14 The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the
15 2002 Ford Explorer Sport being certified, which caused the issuance of a fraudulent Smog Check
16 Certificate of Compliance via the clean plugging method.

17 **Fraudulent Inspection No. 3-2003 Ford F150**

18 38. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only.
19 The review showed that on or about May 10, 2025, a 2003 Ford F150 was tested, and Certificate
20 of Compliance Number UO376668C was issued by Respondent H P Test Only under Respondent
21 Cid's Smog Check Inspector License.

22 39. The OBD Data ("Dynamic") and Dynamic Data Charts for the 2003 Ford F150
23 showed that between timestamps 37 and 17879, the engine RPM was steady at around 750 RPM.
24 During this time, the data showed the throttle fluctuated between 12.9 % and 18 % opening and
25 the MAF fluctuated between 5.37 gps and 7.62 gps. After timestamp 17879, the data showed the
26 engine RPM was increased and then ultimately held steady at no less than 1778 RPM. During the
27 elevated engine RPM, the data showed the throttle fluctuated between 12.5 % and 17.6 %
28 opening and the MAF fluctuated between 5.55 gps, and 7.47 gps.

40. The throttle position and MAF readings produced during idle and the elevated engine RPMs were not possible for normal engine operation. The throttle position and MAF readings were expected to be stable at idle, rise with an increasing engine RPM, and ultimately stabilize during higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2003 Ford F150 being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance via the clean plugging method.

Fraudulent Inspection No. 4-2003 BMW 745 LI

41. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only. The review showed that on or about May 17, 2025, a 2003 BMW 745 LI was tested, and Certificate of Compliance Number UO626186C was issued by Respondent H P Test Only under Respondent Cid's Smog Check Inspector License.

42. The OBD Data ("Dynamic") and Dynamic Data Charts for the 2003 BMW 745 LI showed that between timestamps 7033 and 67428, the engine RPM was steady at around 900 RPM. During this time, the data showed that the throttle was fixed at 7.5 % opening and the MAF was fixed at 4.44 gps. After timestamp 67428, the data showed the engine RPM was increased and then held steady at no less than 1914 RPM. During the elevated engine RPM, the data showed that the throttle fluctuated between 7.1 % and 11.4 % opening, and the MAF fluctuated between 3.32 gps and 4.99 gps.

43. The throttle position and MAF readings produced during the elevated engine RPMs were not possible for normal engine operation. The throttle position and MAF readings were expected to be stable at idle, rise with an increasing engine RPM, and ultimately stabilize during higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2003 BMW 745 LI being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance via the clean plugging method.

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1 **Fraudulent Inspection No. 5-2001 Toyota Highlander**

2 44. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only.
3 The review showed that on or about July 9, 2025, a 2001 Toyota Highlander was tested, and
4 Certificate of Compliance Number JF201093C was issued by Respondent H P Test Only under
5 Respondent Cid's Smog Check Inspector License.

6 45. The OBD Data ("Dynamic") and Dynamic Data Charts for the 2001 Toyota
7 Highlander showed that between timestamps 147 and 19423, the engine RPM was steady at
8 around 675 RPM. During this time, the data showed that the throttle was fixed at 11.4 % opening
9 and the MAF was fixed at 2.53 gps. After timestamp 19423, the data showed the engine RPM
10 was increased and held at no less than 1654 RPM. During the elevated engine RPM, the data
11 showed the throttle varying abnormally between 7.5 % and 11.8 % opening, and the MAF
12 fluctuated between 1.01 gps to 2.31 gps.

13 46. The throttle position and MAF readings produced during the elevated engine RPMs
14 were not possible for normal engine operation. The throttle position and MAF readings were
15 expected to be stable at idle, rise with an increasing engine RPM, and ultimately stabilize during
16 higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings.
17 The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the
18 2001 Toyota Highlander being certified, which caused the issuance of a fraudulent Smog Check
19 Certificate of Compliance via the clean plugging method.

20 **Fraudulent Inspection No. 6-2003 Lexus ES 300**

21 47. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only.
22 The review showed that on or about August 19, 2025, a 2003 Lexus ES 300 was tested, and
23 Certificate of Compliance Number JH044740C was issued by Respondent H P Test Only under
24 Respondent Rodriguez's Smog Check Inspector License.

25 48. The OBD Data ("Dynamic") and Dynamic Data Charts for the 2003 Lexus ES 300
26 showed that between timestamps 138 and 16769, the engine RPM was steady at around 575
27 RPM. During this time, the data showed that the throttle was fixed at 15.3 % opening and the
28 MAF was fixed at 2.54 gps. After timestamp 16769, the data showed the engine RPM was

1 increased and then held at no less than 1634 RPM. During the elevated engine RPM, the data
2 showed that the throttle fluctuated between 12.9 % and 17.3 % opening, and the MAF fluctuated
3 between 0.2 gps and 1.43 gps.

4 49. The throttle position and MAF readings produced during the elevated engine RPMs
5 were not possible for normal engine operation. The throttle position and MAF readings were
6 expected to be stable at idle, rise with an increasing engine RPM, and ultimately stabilize during
7 higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings.
8 The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the
9 2003 Lexus ES 300 being certified, which caused the issuance of a fraudulent Smog Check
10 Certificate of Compliance via the clean plugging method.

11 **Fraudulent Inspection No. 7-2001 Lexus RX 300**

12 50. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only.
13 The review showed that on or about August 19, 2025, a 2001 Lexus RX 300 was tested, and
14 Certificate of Compliance Number JH044742C was issued by Respondent H P Test Only under
15 Respondent Rodriguez's Smog Check Inspector License.

16 51. The OBD Data ("Dynamic") and Dynamic Data Charts for the 2001 Lexus RX 300
17 showed that between timestamps 134 and 19350, the engine RPM was steady at around 900
18 RPM. During this time, the data showed that the throttle was fixed at 11.4 % opening and the
19 MAF was fixed at 6.32 gps. After timestamp 19350, the engine RPM was increased and then
20 held at no less than 1734 RPM. During this time, the data showed the throttle fluctuated between
21 7.1 % and 11.8 % opening, and the MAF fluctuated between 5.68 gps and 7.56 gps.

22 52. The throttle position and MAF readings produced during the elevated engine RPMs
23 were not possible for normal engine operation. The throttle position and MAF readings were
24 expected to be stable at idle, rise with an increasing engine RPM, and ultimately stabilize during
25 higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings.
26 The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the
27 2001 Lexus RX 300 being certified, which caused the issuance of a fraudulent Smog Check
28 Certificate of Compliance via the clean plugging method.

Fraudulent Inspection No. 8-2000 Chevrolet Tahoe C1500

53. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only. The review showed that on or about September 11, 2025, a 2000 Chevrolet Tahoe C1500 was tested, and Certificate of Compliance Number UU076747C was issued by Respondent H P Test Only under Respondent Rodriguez's Smog Check Inspector License.

54. The OBD Data ("Dynamic") and Dynamic Data Charts for the 2000 Chevrolet Tahoe C1500 showed that between timestamps 28 and 17859, the engine RPM was steady at around 525 RPM. During this time, the data showed that the throttle was fixed at 3.5 % opening, the MAF was fixed at 4.8 gps, and the MAP was fixed at 32 kPa. After timestamp 17859, the engine RPM was increased and then held at no less than 1450 RPM. During this time, the data showed the throttle fluctuated between 2 % and 5.1 % opening, the MAF fluctuated between 3.14 gps and 5.02 gps, and the MAP fluctuated between 32 kPa and 46 kPa.

55. The throttle position, MAF, and MAP readings produced during the elevated engine RPMs were not possible for normal engine operation. The throttle position and MAF readings were expected to be stable at idle, rise with an increasing engine RPM and ultimately stabilize during higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings. The MAP readings were expected to be stable at idle, decrease with an increasing engine RPM, and ultimately stabilize during higher engine RPMs, not drop and rise unexpectedly or increase to values higher than idle readings. The discrepancies in the OIS Test Data proved the DAD was not connected as required to the 2000 Chevrolet Tahoe C1500 being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance via the clean plugging method.

Fraudulent Inspection No. 9-2006 Toyota Camry LE

56. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only. The review showed that on or about September 22, 2025, a 2006 Toyota Camry LE was tested, and Certificate of Compliance Number JH287659C was issued by Respondent H P Test Only under Respondent Rodriguez's Smog Check Inspector License.

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57. The OBD Data (“Dynamic”) and Dynamic Data Charts for the 2006 Toyota Camry LE showed that between timestamps 139 and 18397, the engine RPM was steady at around 675 RPM. During this time, the data showed that the throttle was fixed at 18 % opening and the MAF was fixed at 3.93 gps. After timestamp 18397, the engine RPM was increased and then held at no less than 1603 RPM. During this time, the data showed the throttle dropped from 16.9 % to 13.7 % opening, then gradually rose to 14.9 % opening before dropping to 14.1 % opening, and the MAF fluctuated between 2.83 gps and 5.08 gps.

58. The throttle position and MAF readings produced during the elevated engine RPMs were not possible for normal engine operation. The throttle position and MAF readings were expected to be stable at idle, rise with an increasing engine RPM and ultimately stabilize during higher engine RPMs, not drop and rise unexpectedly or drop to values lower than idle readings. The discrepancies in the OIS Test Data proved that the DAD was not connected as required to the 2006 Toyota Camry LE being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance via the clean plugging method.

Fraudulent Inspection No. 10-2000 Honda Accord LX

59. A Bureau Representative reviewed the OIS Test Data for Respondent H P Test Only. The review showed that on or about September 22, 2025, a 2000 Honda Accord LX was tested, and Certificate of Compliance Number JH287660C was issued by Respondent H P Test Only under Respondent Rodriguez’s Smog Check Inspector License.

60. The OBD Data (“Dynamic”) and Dynamic Data Charts for the 2000 Honda Accord LX showed that between timestamps 241 and 17880, the engine RPM was steady at around 700 RPM. During this time, the data showed that the throttle was fixed at 14.9 % opening and the MAP was fixed at 35 kPa. After timestamp 17880, the engine RPM was increased and then ultimately held steady at no less than 1698 RPM. During this time, the data showed that the throttle fluctuated between 12.5 % and 18 % opening and the MAP fluctuated between 33 kPa and 45 kPa.

61. The throttle position and MAP readings produced during the elevated engine RPMs were not possible for normal engine operation. The throttle position readings were expected to be

1 stable at idle, rise with an increasing engine RPM, and ultimately stabilize during higher engine
2 RPMs, not drop and rise unexpectedly or drop to values lower than idle readings. The MAP
3 readings were expected to be stable at idle, decrease with an increasing engine RPM, and
4 ultimately stabilize during higher engine RPMs, not drop and rise unexpectedly or increase to
5 values higher than idle readings. The discrepancies in the OIS Test Data proved that the DAD
6 was not connected as required to the 2000 Honda Accord LX being certified, which caused the
7 issuance of a fraudulent Smog Check Certificate of Compliance via the clean plugging method.

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Untrue or Misleading Statements)**

10 62. Respondent H P Test Only's Automotive Repair Registration is subject to discipline
11 pursuant to Code section 9884.7, subdivision (a)(1) and California Code of Regulations, title 16,
12 section 3373, in that between April 24, 2025, through September 22, 2025, Respondent H P Test
13 Only made or authorized statements which he knew or in the exercise of reasonable care should
14 have known to be untrue or misleading, as follows: Respondent H P Test Only certified that
15 vehicles 1 through 10, set forth above, had passed inspection and were in compliance with
16 applicable laws and regulations. Respondent H P Test Only conducted the inspections on the
17 vehicles using the clean plugging method by substituting or using different vehicles or another
18 source during the OBD II functional tests to issue smog check certificates of compliance for the
19 ten (10) vehicles and did not test or inspect the ten (10) vehicles as required by Health and Safety
20 Code section 44012. Complainant refers to, and by this reference incorporates, the allegations set
21 forth above in paragraphs 27 through 61, as though fully set forth.

22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Fraud)**

24 63. Respondent H P Test Only's Automotive Repair Registration is subject to discipline
25 pursuant to Code section 9884.7, subdivision (a)(4), in that between April 24, 2025, through
26 September 22, 2025, Respondent H P Test Only committed acts that constitute fraud by issuing
27 electronic smog check certificates of compliance for vehicles 1 through 10, set forth above,
28 without performing bona fide inspections of the emission control devices and systems on those

1 vehicles, thereby depriving the People of the State of California of the protection afforded by the
2 Motor Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the
3 allegations set forth above in paragraphs 27 through 61, as though fully set forth.

4 **THIRD CAUSE FOR DISCIPLINE**

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

6 64. Respondent H P Test Only's Automotive Repair Registration is subject to
7 disciplinary action under Code section 9884.7, subdivision (a)(6), in that between April 24, 2025,
8 through September 22, 2025, regarding vehicles 1 through 10, set forth above, Respondent H P
9 Test Only failed in a material respect to comply with the provisions of this chapter or regulations
10 adopted pursuant to it by issuing electronic smog check certificates of compliance for the ten (10)
11 vehicles without performing bona fide inspections of the emissions control devices and systems
12 on those vehicles, thereby depriving the People of the State of California of the protection
13 afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this reference
14 incorporates, the allegations set forth above in paragraphs 27 through 61, as though fully set forth.

15 **FOURTH CAUSE FOR DISCIPLINE**

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

17 65. Respondent H P Test Only's Smog Check, Test-Only Station License is subject to
18 discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between
19 April 24, 2025, through September 22, 2025, regarding vehicles 1 through 10, set forth above,
20 Respondent H P Test Only failed to comply with the following sections of that Code:

21 a. **Section 44012:** Respondent H P Test Only failed to ensure that the emission control
22 tests were performed on vehicles 1 through 10, in accordance with procedures prescribed by the
23 department.

24 b. **Section 44015, subdivision (b):** Respondent H P Test Only issued electronic smog
25 check certificates of compliance for vehicles 1 through 10, without ensuring that the vehicles
26 were properly tested and inspected to determine if they were in compliance with Health and
27 Safety Code section 44012.

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1 c. **Section 44059:** Respondent H P Test Only willfully made false entries for the electronic
2 smog check certificates of compliance by certifying that those vehicles 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 61, as though fully set forth.

6 **FIFTH CAUSE FOR DISCIPLINE**

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

9 66. Respondent H P Test Only's Smog Check, Test-Only Station License is subject to
10 discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between
11 April 24, 2025, through September 22, 2025, regarding vehicles 1 through 10, set forth above,
12 Respondent H P Test Only failed to comply with provisions of California Code of Regulations,
13 title 16, as follows:

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

18 b. **Section 3340.35, subdivision (c):** Respondent H P Test Only issued electronic smog
19 check certificates of compliance even though those vehicles had not been inspected in accordance
20 with section 3340.42 of that Code.

21 c. **Section 3340.41, subdivision (c):** Respondent H P Test Only knowingly entered false
22 information into the On Board Diagnostic inspection system for the ten (10) vehicles identified
23 above.

24 d. **Section 3340.42:** Respondent H P Test Only failed to conduct the required smog tests
25 and 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 61, as though fully set forth.

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1 **SIXTH CAUSE FOR DISCIPLINE**

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

3 67. Respondent H P Test Only's Smog Check, Test-Only Station License is subject to
4 discipline pursuant to Health and Safety Code sections 44072.2, subdivision (d) in conjunction
5 with 44072.10, subdivision (c), in that between April 24, 2025, through September 22, 2025,
6 regarding vehicles 1 through 10, set forth above, Respondent H P Test Only committed acts
7 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog
8 check certificates of compliance for those vehicles without performing bona fide inspections of
9 the emission control devices and systems on the vehicles, thereby depriving the People of the
10 State of California of the protection afforded by the Motor Vehicle Inspection Program.
11 Complainant refers to, and by this reference incorporates, the allegations set forth above in
12 paragraphs 27 through 61, as though fully set forth.

13 **SEVENTH CAUSE FOR DISCIPLINE**

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

15 68. Respondent Cid's Smog Check Inspector License is subject to disciplinary action
16 under Health and Safety Code section 44072.2, subdivision (a), in that between April 24, 2025,
17 through July 9, 2025, regarding vehicles 1 through 5, set forth above, Respondent Cid violated the
18 following Health and Safety Code sections:

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

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

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

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1 d. **Section 44059:** Respondent Cid 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 46, as though fully set forth.

6 **EIGHTH CAUSE FOR DISCIPLINE**

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

9 69. Respondent Cid's Smog Check Inspector License is subject to discipline pursuant to
10 Health and Safety Code section 44072.2, subdivision (c), in that between April 24, 2025, through
11 July 9, 2025, regarding vehicles 1 through 5, set forth above, he failed to comply with provisions
12 of California Code of Regulations, title 16, as follows:

13 a. **Section 3340.24, subdivision (c):** Respondent Cid 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 Cid failed to inspect and test those
18 vehicles in accordance with Health and Safety Code section 44012.

19 c. **Section 3340.41, subdivision (c):** Respondent Cid knowingly entered false information
20 into the On Board Diagnostic inspection system for the five (5) vehicles identified above.

21 d. **Section 3340.42:** Respondent Cid 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 46, as though fully set forth.

25 **NINTH CAUSE FOR DISCIPLINE**

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

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

1 Safety Code section 44072.10, subdivision (c), in that between April 24, 2025, through July 9,
2 2025, regarding vehicles 1 through 5, set forth above, Respondent Cid committed acts involving
3 dishonesty, fraud, or deceit when he issued electronic smog check certificates of compliance for
4 the vehicles without performing bona fide inspections of the emission control devices and
5 systems on those vehicles, thereby depriving the People of the State of California of the
6 protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this
7 reference incorporates, the allegations set forth above in paragraphs 27 through 46, as though
8 fully set forth.

9 **TENTH CAUSE FOR DISCIPLINE**

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

11 71. Respondent Rodriguez's Smog Check Inspector License is subject to disciplinary
12 action under Health and Safety Code section 44072.2, subdivision (a), in that between August 19,
13 2025, through September 22, 2025, regarding vehicles 6 through 10, set forth above, Respondent
14 Rodriguez violated the following Health and Safety Code sections:

15 a. **Section 44012, subdivision (a):** Respondent Rodriguez 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 Rodriguez failed to perform emission
19 control tests on the vehicles identified above in accordance with procedures prescribed by the
20 Bureau.

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

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

27 Complainant refers to, and by this reference incorporates, the allegations set forth above in
28 paragraphs 27 through 31 and 47 through 61, as though fully set forth.

ELEVENTH CAUSE FOR DISCIPLINE

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

72. Respondent Rodriguez's Smog Check Inspector License is subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between August 19, 2025, through September 22, 2025, regarding vehicles 6 through 10, 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 Rodriguez falsely or fraudulently issued electronic smog check 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 Rodriguez failed to inspect and test those vehicles in accordance with Health and Safety Code section 44012.

c. **Section 3340.41, subdivision (c)**: Respondent Rodriguez knowingly entered false information into the On Board Diagnostic inspection system for the five (5) vehicles identified above.

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

Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 31 and 47 through 61, as though fully set forth.

TWELVE CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit – Respondent Rodriguez)

73. Respondent Rodriguez's Smog Check Inspector License is subject to disciplinary action under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and Safety Code section 44072.10, subdivision (c), in that between August 19, 2025, through September 22, 2025, regarding vehicles 6 through 10, set forth above, Respondent Rodriguez committed acts involving dishonesty, fraud, or deceit when he issued electronic smog check certificates of compliance for the vehicles without performing bona fide inspections of the

1 emission control devices and systems on those vehicles, thereby depriving the People of the State
2 of California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
3 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27
4 through 31 and 47 through 61, as though fully set forth.

5 **THIRTEETH CAUSE FOR DISCIPLINE**

6 **(Dishonesty, Fraud, or Deceit – Respondent Truong)**

7 74. Respondent Truong's Smog Check Inspector License is subject to disciplinary action
8 under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and
9 Safety Code section 44072.10, subdivision (c), in that between April 24, 2025, through
10 September 22, 2025, regarding vehicles 1 through 10, set forth above, Respondent Truong as the
11 owner of Respondent H P Test Only committed acts involving dishonesty, fraud, or deceit when
12 Respondent H P Test Only issued electronic smog check certificates of compliance for the
13 vehicles without performing bona fide inspections of the emission control devices and systems on
14 those vehicles, thereby depriving the People of the State of California of the protection afforded
15 by the Motor Vehicle Inspection Program. Complainant refers to, and by this reference
16 incorporates, the allegations set forth above in paragraphs 27 through 61, as though fully set forth.

17 **OTHER MATTERS**

18 75. Pursuant to Code section 9884.7, subdivision (c), the director may suspend, revoke,
19 or place on probation the registrations for all places of business operated in this state by Hoang
20 Minh Truong, upon a finding that said Respondent H P Test Only has, or is, engaged in a course
21 of repeated and willful violations of the laws and regulations pertaining to an automotive repair
22 dealer.

23 76. Pursuant to Health and Safety Code section 44072.8, if Smog Check, Test-Only
24 Station License No. TC 259814, issued to Hoang Minh Truong-Owner dba H P Test Only Center,
25 is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Div 26 of the
26 Health and Safety Code in the name of said licensee may be likewise revoked or suspended by the
27 director.

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77. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector License No. EO 150508, issued to Hoang Minh Truong, is revoked or suspended, any additional license issued under 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.

78. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector License No. EO 644271, issued to Reynaldo Ivan Rodriguez, is revoked or suspended, any additional license issued under 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.

79. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector License No. EO 645537, issued to Uvaldo De Jesus Cid, is revoked or suspended, any additional license issued under 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 259814, issued to Hoang Minh Truong-Owner dba H P Test Only Center;

2. Revoking, suspending, or placing on probation any other automotive repair dealer registration issued to Hoang Minh Truong;

3. Revoking or suspending Smog Check, Test-Only, Station License Number TC 259814, issued to Hoang Minh Truong-Owner dba H P Test Only Center;

4. Revoking or suspending Smog Check Inspector License Number EO 150508, issued to Hoang Minh Truong;

5. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Hoang Minh Truong;

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

1 7. 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 Reynaldo Ivan Rodriguez;

3 8. Revoking or suspending Smog Check Inspector License Number EO 645537, issued
4 to Uvaldo De Jesus Cid;

5 9. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
6 Division 26 of the Health and Safety Code in the name of Uvaldo De Jesus Cid;

7 10. Ordering Hoang Minh Truong, Reynaldo Ivan Rodriguez, and Uvaldo De Jesus Del
8 Cid, and to pay the Bureau of Automotive Repair the reasonable costs of the investigation and
9 enforcement of this case, pursuant to Business and Professions Code section 125.3, and if placed
10 on probation, the costs of probation monitoring;

11 and,

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

13
14 DATED: As of digital signature date

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

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