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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:

13 **19TH AVENUE 76**  
**El Sineitte Enterprise, Inc.**  
**Joseph Elsineitte, President/Secretary/Treasurer**  
14 **1401 19th Avenue**  
**San Francisco, CA 94122**

15 **Automotive Repair Dealer Registration No. ARD 225763**  
16 **Smog Check Station License No. RC 225763,**

17 **and**

18 **PAUL LOUIE SALAMY**  
**329 Ferndale**  
19 **South San Francisco, CA 94080**

20 **Smog Check Inspector License No. EO 149407**  
**Smog Check Repair Technician No. EI 149407**  
21 **(Formerly Advanced Emission Specialist Technician**  
22 **License No. EA 149407),**

23 Respondents.

24  
25 Complainant Patrick Dorais alleges:

26 **PARTIES**

27 1. Complainant brings this accusation solely in his official capacity as the Chief of  
28 the Bureau of Automotive Repair (Bureau), Department of Consumer Affairs.

Case No. 79/16-123  
ACCUSATION  
Smog check



1 any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its  
2 authority to institute or continue a disciplinary proceeding against the licensee upon any ground  
3 provided by law or to enter an order suspending or revoking the license or otherwise taking  
4 disciplinary action against the licensee on any such ground.”

5 7. Business and Professions Code section 9882, subdivision (a), states in part:

6 “There is in the Department of Consumer Affairs a Bureau of Automotive Repair under  
7 the supervision and control of the director. The duty of enforcing and administering this chapter  
8 is vested in the chief who is responsible to the director. The director may adopt and enforce those  
9 rules and regulations that he or she determines are reasonably necessary to carry out the purposes  
10 of this chapter and declaring the policy of the bureau, including a system for the issuance of  
11 citations for violations of this chapter as specified in Section 125.9.”

12 8. Business and Professions Code section 9884.13 states:

13 “The expiration of a valid registration shall not deprive the director or chief of jurisdiction  
14 to proceed with any investigation or disciplinary proceeding against an automotive repair dealer  
15 or to render a decision invalidating a registration temporarily or permanently.”

16 9. Business and Professions Code section 9884.22, subdivision (a), states:

17 “Notwithstanding any other provision of law, the director may revoke, suspend, or deny at  
18 any time any registration required by this article on any of the grounds for disciplinary action  
19 provided in this article. The proceedings under this article shall be conducted in accordance with  
20 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government  
21 Code, and the director shall have all the powers granted therein.”

22 10. Business and Professions Code section 9889.1 states:

23 “Any license issued pursuant to Articles 5 and 6, may be suspended or revoked by the  
24 director. The director may refuse to issue a license to any applicant for the reasons set forth in  
25 Section 9889.2. The proceedings under this article shall be conducted in accordance with Chapter  
26 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code,  
27 and the director shall have all the powers granted therein.”

28 ///

1           11.     Business and Professions Code section 9889.7 states:

2           “The expiration or suspension of a license by operation of law or by order or decision of  
3 the director or a court of law, or the voluntary surrender of a license by a licensee shall not  
4 deprive the director of jurisdiction to proceed with any investigation of or action or disciplinary  
5 proceedings against such licensee, or to render a decision suspending or revoking such license.”

6           12.     Health and Safety Code section 44002 states:

7           “The department shall have the sole and exclusive authority within the state for  
8 developing and implementing the motor vehicle inspection program in accordance with this  
9 chapter.

10          “For the purposes of administration and enforcement of this chapter, the department, and  
11 the director and officers and employees thereof, shall have all the powers and authority granted  
12 under Division 1 (commencing with Section 1) and Division 1.5 (commencing with Section 475)  
13 and Chapter 20.3 (commencing with Section 9880) of Division 3 of the Business and Professions  
14 Code and under Chapter 33 (commencing with Section 3300) of Title 16 of the California Code  
15 of Regulations. Inspections and repairs performed pursuant to this chapter, in addition to meeting  
16 the specific requirements imposed by this chapter, shall also comply with all requirements  
17 imposed pursuant to Division 1 (commencing with Section 1) and Division 1.5 (commencing  
18 with Section 475) and Chapter 20.3 (commencing with Section 9880) of Division 3 of the  
19 Business and Professions Code and Chapter 33 (commencing with Section 3300) of Title 16 of  
20 the California Code of Regulations.”

21          13.     Health and Safety Code section 44072 states:

22          “Any license issued under this chapter and the regulations adopted pursuant to it may be  
23 suspended or revoked by the director. The director may refuse to issue a license to any applicant  
24 for the reasons set forth in Section 44072.1. The proceedings under this article shall be conducted  
25 in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2  
26 of the Government Code, and the director shall have all the powers granted therein.”

27          14.     Health and Safety Code section 44072.6 states:

28          “The expiration or suspension of a license by operation of law or by order or decision of

1 the director or a court of law, or the voluntary surrender of a license by a licensee shall not  
2 deprive the director of jurisdiction to proceed with any investigation of, or action or disciplinary  
3 proceedings against, the licensee, or to render a decision suspending or revoking the license.”

4 **STATUTORY AND REGULATORY PROVISIONS**

5 15. Business and Professions Code section 9884.7, subdivision (a), states in part:

6 “The director, where the automotive repair dealer cannot show there was a bona fide error,  
7 may deny, suspend, revoke, or place on probation the registration of an automotive repair dealer  
8 for any of the following acts or omissions related to the conduct of the business of the automotive  
9 repair dealer, which are done by the automotive repair dealer or any automotive technician,  
10 employee, partner, officer, or member of the automotive repair dealer.

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

14 . . .

15 “(4) Any other conduct that constitutes fraud.

16 . . .

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

19 16. Business and Professions Code section 9889.22 states:

20 “The willful making of any false statement or entry with regard to a material matter in any  
21 oath, affidavit, certificate of compliance or noncompliance, or application form which is required  
22 by this chapter or Chapter 5 (commencing with Section 44000) of Part 5 of Division 26 of the  
23 Health and Safety Code constitutes perjury and is punishable as provided in the Penal Code.”

24 17. Business and Professions Code section 17200 states:

25 “As used in this chapter, unfair competition shall mean and include any unlawful, unfair  
26 or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising and  
27 any act prohibited by Chapter 1 (commencing with Section 17500) of Part 3 of Division 7 of the  
28 Business and Professions Code.”

1           18.     Business and Professions Code section 17500 states in part:

2            “It is unlawful for any person, firm, corporation or association, or any employee thereof  
3 with intent directly or indirectly to dispose of real or personal property or to perform services,  
4 professional or otherwise, or anything of any nature whatsoever or to induce the public to enter  
5 into any obligation relating thereto, to make or disseminate or cause to be made or disseminated  
6 before the public in this state, or to make or disseminate or cause to be made or disseminated  
7 from this state before the public in any state, in any newspaper or other publication, or any  
8 advertising device, or by public outcry or proclamation, or in any other manner or means  
9 whatever, including over the Internet, any statement, concerning that real or personal property or  
10 those services, professional or otherwise, or concerning any circumstance or matter of fact  
11 connected with the proposed performance or disposition thereof, which is untrue or misleading,  
12 and which is known, or which by the exercise of reasonable care should be known, to be untrue or  
13 misleading, or for any person, firm, or corporation to so make or disseminate or cause to be so  
14 made or disseminated any such statement as part of a plan or scheme with the intent not to sell  
15 that personal property or those services, professional or otherwise, so advertised at the price  
16 stated therein, or as so advertised.”

17           19.     Health and Safety Code section 44012 states in part:

18            “The test at the smog check stations shall be performed in accordance with procedures  
19 prescribed by the department and may require loaded mode dynamometer testing in enhanced  
20 areas, two-speed idle testing, testing utilizing a vehicle’s onboard diagnostic system, or other  
21 appropriate test procedures as determined by the department in consultation with the state  
22 board. . . . The department shall ensure, as appropriate to the test method, the following:

23            . . .

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

28            ///

1           20.    Health and Safety Code section 44015 states in part:

2           “(a) A licensed smog check station shall not issue a certificate of compliance, except as  
3 authorized by this chapter . . . .

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

6           21.    Health and Safety Code section 44032 states in part:

7           “Qualified technicians shall perform tests of emission control devices and systems in  
8 accordance with Section 44012.”

9           22.    Health and Safety Code section 44059 states:

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

14          23.    Health and Safety Code section 44072.2 states in part:

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

18               “(a) Violates any section of this chapter and the regulations adopted pursuant to it, which  
19 related to the licensed activities.

20               . . .

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

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

23          24.    California Code of Regulations, title 16, section 3340.24, subdivision (c), states:

24               “The bureau may suspend or revoke the license of or pursue other legal action against a  
25 licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a  
26 certificate of noncompliance.”

27          25.    California Code of Regulations, title 16, section 3340.30, states in part:

28               “A licensed smog check inspector and/or repair technician shall comply with the

1 following requirements at all times while licensed:

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

5 26. California Code of Regulations, title 16, section 3340.35, subdivision (c), states in  
6 part:

7 “A licensed station shall issue a certificate of compliance or noncompliance to the owner  
8 or operator of any vehicle that has been inspected in accordance with the procedures specified in  
9 section 3340.42 of this article and has all the required emission control equipment and devices  
10 installed and functioning correctly.”

11 27. California Code of Regulations, title 16, section 3340.41, subdivision (c), states:

12 “No person shall enter into the emissions inspection system any vehicle identification  
13 information or emission control system identification data for any vehicle other than the one  
14 being tested. Nor shall any person knowingly enter into the emissions inspection system any  
15 false information about the vehicle being tested.”

16 28. California Code of Regulations, title 16, section 3340.42, states in part:

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

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

21 . . .

22 “(3) An OBD-focused test, shall be the test method used to inspect gasoline-powered  
23 vehicles 2000 model-year and newer, and diesel-powered vehicles 1998 model-year and newer.”

24 29. California Code of Regulations, title 16, section 3340.45, subdivision (a) states in  
25 part:

26 “All Smog Check inspections shall be performed in accordance with requirements and  
27 procedures prescribed.”

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1 programmed into the computer on earlier vehicles. This electronically-programmed VIN (eVIN)  
2 is transmitted by the vehicle's computer during a smog check and must match the physical VIN  
3 on the vehicle that is manually entered by the technician.

4 35. The communication protocol describes the specified communication language  
5 used by the vehicle's computer to communicate with the station's data inspection device. The  
6 communication protocol is programmed into the vehicle's computer during manufacture and does  
7 not change.

8 36. PIDs are data points reported by the vehicle's computer to the station's inspection  
9 device. Examples of PIDs are engine speed (rpm), vehicle speed, engine temperature, and other  
10 input and output values used by the inspection device. The PID count is the number of data points  
11 reported by the vehicle's computer. The PID count is programmed into the vehicle's computer  
12 during manufacture and does not change.

13 37. The Bureau is aware of methods used by some stations and inspectors to issue  
14 improper or fraudulent smog certificates. One method is known as "clean plugging." Clean  
15 plugging is connecting the test cable to a properly-functioning vehicle instead of the vehicle  
16 actually being smog tested. The properly-functioning vehicle then generates passing diagnostic  
17 readings that are attributed to the vehicle being tested.

18 38. However, a vehicle's eVIN, communication protocol, and PID count provide a  
19 unique combination. These data points can be compared to the eVIN, the communication  
20 protocol, and the PID count provided by similar vehicles inspected to determine whether a vehicle  
21 has been clean plugged.

### 22 FACTUAL ALLEGATIONS

23 39. On June 26, 2015, a Bureau representative reviewed the information contained in  
24 the vehicle information database generated by respondent 19th Avenue 76 for vehicles that were  
25 smog inspected by respondent Salamy and for which he issued certificates of compliance. The  
26 representative identified three vehicles certified by respondent 19th Avenue 76 and respondent  
27 Salamy that failed to transmit the eVIN, expected communication protocol, and expected PID  
28 count as compared with similar vehicles. This inconsistent data indicates that these three vehicles

1 were clean plugged and the smog certificates issued to their owners were false and fraudulent.

2 **CLEAN PLUG #1:**

3 40. On February 21, 2015, respondent Salamy issued a smog certificate of compliance  
4 to a 2009 Audi A4, VIN ending 577. The Audi's computer test data show that the eVIN was not  
5 reported, the communication protocol was KWPS8FE9, and the PID count was 22. Computer  
6 data for the smog checks of similar 2009 Audi A4s show that 99.75% of the vehicles report the  
7 correct eVIN, the expected communication protocol is ICAN11bt5, and the expected PID count is  
8 37/14.

9 **CLEAN PLUG #2:**

10 41. On March 23, 2015, respondent Salamy issued a smog certificate of compliance to  
11 a 2009 Toyota Yaris, VIN ending 598. The Toyota's computer test data show that the eVIN was  
12 not reported, the communication protocol was I9140808, and the PID count was 16. Computer  
13 data for the smog checks of similar 2009 Toyota Yarises show that 99.81% of the vehicles report  
14 the correct eVIN, the expected communication protocol is ICAN11bt5, and the expected PID  
15 count is 39.

16 **CLEAN PLUG #3:**

17 42. On June 5, 2015, respondent Salamy issued a smog certificate of compliance to a  
18 2009 Lexus IS, VIN ending 248. The Lexus's computer test data show that the eVIN was not  
19 reported, the communication protocol was I9140808, and the PID count was 20. Computer data  
20 for the smog checks of similar 2009 Lexus IS's show that 99.27% of the vehicles report the  
21 correct eVIN, the expected communication protocol is ICAN11bt5, and the expected PID count is  
22 48/17.

23 **CAUSES FOR DISCIPLINE**

24 **RESPONDENT 19TH AVENUE 76**

25 **First Cause for Discipline (Automotive Repair Dealership Registration Only)**  
26 **Untrue or Misleading Statements**  
**Business and Professions Code section 9884.7, subdivision (a)(1)**

27 43. Respondent 19th Avenue 76 has subjected its automotive repair dealership  
28 registration to discipline for making untrue or misleading statements (Bus. & Prof. Code,

1 § 9884.7, subd. (a)(1)). As set forth in paragraphs 39-42 above, respondent 19th Avenue 76  
2 issued three false and fraudulent smog certificates of compliance.

3 **Second Cause for Discipline**  
4 **Fraud**

5 **Business and Professions Code section 9884.7, subdivision (a)(4);**  
6 **Health and Safety Code section 44072.2, subdivision (d)**

7 44. Respondent 19th Avenue 76 has subjected its automotive repair dealership  
8 registration and smog check station license to discipline for fraud (Bus. & Prof. Code, § 9884.7,  
9 subd. (a)(4); Health & Saf. Code, § 44072.2, subd. (d)). As set forth in paragraphs 39-42 above,  
10 respondent 19th Avenue 76 issued three false and fraudulent smog certificates of compliance.

11 **Third Cause for Discipline**  
12 **Violation of Statutes and Regulations**

13 **Business and Professions Code section 9884.7, subdivision (a)(6);**  
14 **Health and Safety Code section 44072.2, subdivisions (a) and (c)**

15 45. Respondent 19th Avenue 76 has subjected its automotive repair dealership  
16 registration and smog check station license to discipline for violating the Business and  
17 Professions Code, the Health and Safety Code, and regulations adopted by the Bureau (Bus. &  
18 Prof. Code, § 9884.7, subd. (a)(6); Health & Saf. Code, § 44072.2, subds. (a) & (c)). As set forth  
19 in paragraphs 39-42 above, respondent 19th Avenue 76 violated the following statutes and  
20 regulations:

21 a. Respondent 19th Avenue 76 committed perjury by issuing three false and  
22 fraudulent smog certificates of compliance (Bus. & Prof. Code, § 9889.22; Health & Saf. Code,  
23 § 44059).

24 b. Respondent 19th Avenue 76 committed unfair competition by issuing three  
25 false and fraudulent smog certificates of compliance (Bus. & Prof. Code, § 17200).

26 c. Respondent 19th Avenue 76 made untrue or misleading statements by  
27 issuing three false and fraudulent smog certificates of compliance (Bus. & Prof. Code, § 17500).

28 d. Respondent 19th Avenue 76 did not perform the functional portion of  
smog tests in accordance with department procedures on three vehicles (Health & Saf. Code,  
§ 44012, subd (f)).

e. Respondent 19th Avenue 76 issued smog certificates of compliance to

1 three vehicles that did not meet the functional portion of the smog test procedure  
2 (Health & Saf. Code, § 44015).

3 f. Respondent 19th Avenue 76 falsely or fraudulently issued three smog  
4 certificates of compliance (Cal. Code Regs., tit. 16, § 3340.24, subd. (c)).

5 g. Respondent 19th Avenue 76 issued falsely or fraudulently issued three  
6 smog certificates of compliance to vehicles which were not tested in accordance with department  
7 procedures (Cal. Code Regs., tit. 16, § 3340.35, subd. (c)).

8 h. Respondent 19th Avenue 76 performed smog checks on three vehicles  
9 without performing an onboard diagnostic test on them (Cal. Code Regs., tit. 16, § 3340.42, subd.  
10 (a)(3)).

11 i. Respondent 19th Avenue 76 did not perform smog tests in accordance with  
12 department procedures on three vehicles (Cal. Code Regs., tit. 16, § 3340.45, subd. (a)).

13 j. Respondent 19th Avenue 76 made false statements or misleading  
14 statements by issuing three false and fraudulent smog certificates of compliance (Cal. Code  
15 Regs., tit. 16, § 3371).

16 k. Respondent 19th Avenue 76 made false statements or misleading  
17 statements on a record by issuing three false and fraudulent smog certificates of compliance (Cal.  
18 Code Regs., tit. 16, § 3373).

## 19 **RESPONDENT SALAMY**

### 20 **First Cause for Discipline** 21 **Fraud**

#### 22 **Health and Safety Code section 44072.2, subdivision (d)**

23 46. Respondent Salamy has subjected his smog check inspector license and smog  
24 check repair technician license to discipline for fraud (Health & Saf. Code, § 44072.2, subd. (d)).  
25 As set forth in paragraphs 39-42 above, respondent Salamy issued three false and fraudulent smog  
26 certificates of compliance.

### 27 **Second Cause for Discipline** 28 **Violation of Statutes and Regulations** **Health and Safety Code section 44072.2, subdivisions (a) and (c)**

47. Respondent Salamy has subjected his smog check inspector license and smog

1 check repair technician license to discipline for violating the Business and Professions Code, the  
2 Health and Safety Code, and regulations adopted by the Bureau (Health & Saf. Code, § 44072.2,  
3 subds. (a) & (c)). As set forth in paragraphs 39-42 above, respondent Salamy violated the  
4 following statutes and regulations:

5 a. Respondent Salamy committed perjury by issuing three false and  
6 fraudulent smog certificates of compliance (Health & Saf. Code, § 44059).

7 b. Respondent Salamy did not perform the functional portion of smog tests in  
8 accordance with department procedures on three vehicles (Health & Saf. Code, § 44012, subd  
9 (f)).

10 c. Respondent Salamy did not perform tests of emission control devices and  
11 systems on three vehicles (Health & Saf. Code, § 44032).

12 d. Respondent Salamy falsely or fraudulently issued three smog certificates of  
13 compliance (Cal. Code Regs., tit. 16, § 3340.24, subd. (c)).

14 e. Respondent Salamy did not perform smog tests in accordance with statutes  
15 and department procedures on three vehicles in (Cal. Code Regs., tit. 16, § 3340.30, subd. (a)).

16 f. Respondent Salamy entered into information and data into the emission  
17 inspection system for a vehicle other than the one being tested (Cal. Code Regs., tit. 16,  
18 § 3340.41, subd. (c)).

19 g. Respondent Salamy performed smog checks on three vehicles without  
20 performing an onboard diagnostic test on them (Cal. Code Regs., tit. 16, § 3340.42, subd. (a)(3)).

21 h. Respondent Salamy did not perform smog tests in accordance with  
22 department procedures on three vehicles (Cal. Code Regs., tit. 16, § 3340.45, subd. (a)).

23 i. Respondent Salamy made false statements or misleading statements on a  
24 record by issuing three false and fraudulent smog certificates of compliance (Cal. Code Regs., tit.  
25 16, § 3373).

#### 26 **PRIOR CITATIONS**

27 48. To determine the degree of discipline, if any, to be imposed on respondent  
28 Salamy's Smog Check Inspector License No. EO 149407 and Smog Check Repair Technician

1 License No. EI 149407, complainant alleges that on April 10, 2006, the Bureau issued Citation  
2 No. M2006-0634 against respondent Salamy's Advanced Emission Specialist Technician License  
3 No. EA 149407 and directed him to complete an eight-hour training course. The citation was for  
4 issuing a smog certificate of compliance on March 30, 2007, to a Bureau undercover vehicle with  
5 a missing air suction valve assembly (Health & Saf. Code, § 44032; Cal. Code Regs., tit. 16,  
6 § 3340.30, subd. (a)). The Bureau held a citation conference with respondent on May 4, 2006;  
7 respondent completed the training on May 20, 2006.

8 49. Complainant also alleges that on June 21, 2010, the Bureau issued Citation No.  
9 M2010-1326 against respondent Salamy's Advanced Emission Specialist Technician License No.  
10 EA 149407 and directed him to complete an eight-hour training course. The citation was for  
11 issuing a smog certificate of compliance on May 18, 2010, to a Bureau undercover vehicle with a  
12 missing air injection system (Health & Saf. Code, § 44032; Cal. Code Regs., tit. 16, § 3340.30,  
13 subd. (a)). The Bureau held a citation conference with respondent on July 27, 2010; respondent  
14 completed the training on September 11, 2010

15 50. Complainant also alleges that on March 14, 2011, the Bureau issued Citation No.  
16 M2011-1058 against respondent Salamy's Advanced Emission Specialist Technician License No.  
17 EA 149407 and directed him to complete a 16-hour training course. The citation was for issuing  
18 a smog certificate of compliance on February 17, 2011, to a Bureau undercover vehicle with a  
19 missing air injection pump and hoses (Health & Saf. Code, § 44032; Cal. Code Regs., tit. 16, §  
20 3340.30, subd. (a)). The Bureau held a citation conference with respondent on April 1, 2011;  
21 respondent completed the training on June 11, 2011.

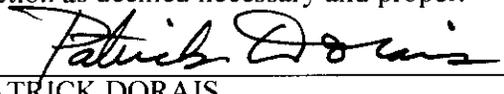
22 51. Complainant also alleges that on December 5, 2011, the Bureau issued Citation  
23 No. M2012-0593 against respondent Salamy's Advanced Emission Specialist Technician License  
24 No. EA 149407 and directed him to complete a 120-hour training course. The citation was for  
25 issuing a smog certificate of compliance on October 28, 2011, to a Bureau undercover vehicle  
26 with a missing positive crankcase ventilation system (Health & Saf. Code, § 44032). The Bureau  
27 held a citation conference with respondent on December 30, 2011; respondent completed the  
28 training on March 14, 2013.



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

DATED: May 23, 2016



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

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